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|---------------------------------------------------|-----------------|-------------------------------------------------------------------------------------|
| <b>Whistleblowing Policy</b>                      |                 |  |
| Security Classification                           | <b>OFFICIAL</b> |                                                                                     |
| Disclosable under Freedom of Information Act 2000 | Yes             |                                                                                     |

|                     |                                               |
|---------------------|-----------------------------------------------|
| <b>POLICY TITLE</b> | <b>Raising Concerns<br/>(Whistle Blowing)</b> |
| REFERENCE NUMBER    | <b>WMP065</b>                                 |
| Version             | <b>1.1</b>                                    |

|                         |                                        |
|-------------------------|----------------------------------------|
| <b>POLICY OWNERSHIP</b> |                                        |
| DIRECTORATE             | BUSINESS SERVICES                      |
| BUSINESS AREA           | PEOPLE & ORGANISATIONAL<br>DEVELOPMENT |

|                             |                  |
|-----------------------------|------------------|
| INITIAL IMPLEMENTATION DATE | <b>May 2020</b>  |
| LATEST REVIEW DATE          | <b>July 2024</b> |
| NEXT REVIEW DATE:           | <b>July 2027</b> |
| RISK RATING                 | <b>LOW</b>       |
| EQUALITY ANALYSIS           | <b>LOW</b>       |

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please e-mail [contactus@westmercia.pnn.police.uk](mailto:contactus@westmercia.pnn.police.uk)

## **1.0 ABOUT THIS POLICY**

- 1.1 West Mercia Police are committed to conducting its activities with honesty and integrity, and it expects all staff to maintain high standards in accordance with the Police Code of Ethics. A culture of openness and accountability is essential in order to prevent things going wrong and to address them when they do occur. This policy sets out the way in which police officers, police staff, members of the Special Constabulary and volunteers can report such relevant concerns and the procedure for dealing with these issues.
- 1.2 The aims of this policy are:
- (a)** To encourage all individuals and volunteers to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
  - (b)** To provide individuals with guidance as to how to raise those concerns.
  - (c)** To reassure individuals that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 1.3 This policy covers all employees, officers, contractors, casual workers, Special Constables, agency workers and volunteers.
- 1.4 This policy does not form part of any employee's contract of employment and the organisation may amend it at any time, in accordance with the usual procedure for consultation.

## **2.0 RESPONSIBILITY FOR THE POLICY**

- 2.1 The Chief Constable of West Mercia Police has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 2.2 The Head of People & OD has day-to-day operational responsibility for this policy, and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.
- 2.3 All individuals are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Individuals are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the People Development Business Partner, People & OD.

## **3.0 WHAT IS 'WHISTLE BLOWING'?**

- 3.1 'Whistle blowing' is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
- (a)** A criminal offence has been or is suspected to have been committed;

- (b) Failure to comply with any legal obligation;
- (c) A miscarriage of justice has occurred or is likely to occur;
- (d) Danger to health, safety or welfare of any individual or member of staff;
- (e) Damage to the environment;
- (f) The deliberate concealment of any of the above matters.

3.2 A 'whistleblower' is a person who raises a genuine concern relating to any of the above. If an individual has any genuine concerns related to suspected wrongdoing or danger affecting any of the organisation's activities (a whistle blowing concern) they should report it under this policy.

3.3 The 'whistleblower' must also reasonably believe that the disclosure is in the public interest.

3.4 This policy should not be used for complaints relating to a individual's personal circumstances, such as the way the individual has been treated at work. In those cases they should use the Grievance Procedure.

3.5 If an individual is uncertain whether something is within the scope of this policy they should seek advice from the People Development Business Partner.

#### **4.0 PROTECTION AND SUPPORT FOR INDIVIDUALS MAKING A PROTECTED DISCLOSURE**

4.1 It is understandable that individuals are sometimes worried about possible repercussions. The force aims to encourage openness and will support individuals who raise genuine concerns under this policy, even if they turn out to be mistaken.

4.2 Individuals raising a protected disclosure must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes, for example, dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an individual believes that they have suffered any such treatment, they should inform the Head of People & OD or Head of Professional Standards immediately. If the matter is not remedied the individual should raise it formally using the force's Grievance Procedure.

4.3 No individual must threaten or retaliate against individuals making a protected disclosure in any way. If an individual is involved in such conduct an investigation will take place and consideration given to disciplinary/misconduct action.

#### **5.0 CONFIDENTIALITY**

5.1 West Mercia Police hopes that individuals will feel able to voice a protected disclosure openly under this policy. However, if an individual wants to raise a concern confidentially, the force will make every effort to keep the member's identity secret. If it is necessary for anyone investigating an individual's concern to know their identity, this will be discussed with the individual.

5.2 The force does not encourage individuals to make disclosures anonymously. Proper investigation may be more difficult or impossible if the force cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Individuals who are concerned about possible reprisals if their identity is revealed should raise this at the time of reporting and appropriate measures (where appropriate) can then be taken to preserve confidentiality. If a individual is in any doubt they can seek advice from Public Concern at Work – a charity which provides free confidential legal advice to people who are not sure whether or how to raise concerns at work at any stage. Telephone 020 7404 6609. Website <http://www.pcaw.org.uk>

## **6.0 RAISING A CONCERN**

6.1 West Mercia Police hopes that in many cases an individual will be able to raise any concerns with their line manager/supervisor. The individual may tell them in person or put the matter in writing if they prefer. They may be able to agree a way of resolving the individual's concern quickly and effectively.

6.2 However, where the matter is more serious, or a individual feels that their line manager/supervisor has not addressed their concern, or they prefer not to raise it with them for any reason, the individual should contact one of the following:

- (a) Human Resources Officer/Business Partner
- (b) Relevant Officer/Staff Association Representative
- (c) Professional Standards Department
- (d) Police and Crime Commissioner's Office

6.3 The relevant manager/HR Representative will arrange a meeting with the individual as soon as possible to discuss the concerns raised. The individual may bring a colleague or federation/union representative to any meetings under this policy. The individual's companion must respect the confidentiality of their disclosure and any subsequent investigation.

6.4 The relevant manager/HR Representative will take down a written summary of the individual's concern and, if requested, provide them with a copy after the meeting. The relevant manager/HR Representative will also aim to give the individual an indication of how the force proposes to deal with the matter.

## **7.0 INVESTIGATION AND OUTCOME**

7.1 Once an individual has raised a concern under this policy, the relevant manager/HR Representative will carry out an initial assessment to determine the scope of any investigation. The relevant investigating officer will inform the individual about the outcome of the assessment. The individual may be required to attend additional meetings in order to provide further information.

7.2 In some cases the force may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the force to minimise the risk of future wrongdoing.

- 7.3 The force will aim to keep the individual informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the force giving specific details of the investigation or any disciplinary action taken as a result. Any individual involved in the procedure, concern or investigation should treat any information about the investigation as confidential.
- 7.4 If the force concludes that an individual has made false allegations maliciously or with a view to personal gain, an investigation will take place and consideration given to disciplinary/misconduct action.

## **8.0 IF AN INDIVIDUAL IS NOT SATISFIED**

- 8.1 While West Mercia Police cannot always guarantee the outcome the individual is seeking, it will try to deal with any individual's concern fairly and in an appropriate way. By using this policy an individual can help to achieve this.
- 8.2 If an individual is not happy with the way in which a concern has been handled, the individual can raise it with the Head of People & OD or the Head of Professional Standards in the first instance.

## **9.0 EXTERNAL DISCLOSURES**

- 9.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases individuals should not find it necessary to alert anyone externally.
- 9.2 However, the law recognises that in some circumstances it may be appropriate for an individual to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. West Mercia Police strongly encourage individuals to seek advice before reporting a concern to anyone external. Public Concern at Work, the independent charity which provides free confidential advice to people wishing to raise concerns operate a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.
- 9.3 Protected disclosures (Whistle blowing) concerns usually relate to the conduct of individuals, but they may sometimes relate to the actions of a third party, such as a customer, supplier or service provider. In some circumstances the law will protect an individual if they raise the matter with the third party directly. However, the force encourages individuals to report such concerns internally first.

## **10.0 OTHER POLICIES**

- 10.1 Please be aware that where any concerns being raised related to professional standards, then the Professional Standards Reporting procedures should be followed, rather than this policy. Individuals should refer to Human Resources if they require further details.

## 11.0 CONTACTS

|                                                                                                                                                        |                                                                                                                                                                               |
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| <p>People and OD Business Partners</p> <p>Contact the HR Service Centre to request the name and contact number of the relevant HR Business Partner</p> | <p>West Mercia Police Headquarters<br/>Hindlip Hall<br/>Worcester</p> <p>HR Service Centre: 01905 331441</p>                                                                  |
| VIVUP                                                                                                                                                  | <p>VIVUP Call <b>0800 023 9324</b> free from any UK landline or mobile.</p> <p>Visit <a href="http://westmerciapolice.vivup.co.uk">westmerciapolice.vivup.co.uk</a>.</p>      |
| <p><b>Public Concern at Work</b></p> <p>(Independent whistle blowing charity)</p>                                                                      | <p>Helpline: (020) 7404 6609</p> <p>E-mail: <a href="mailto:whistle@pcaw.co.uk">whistle@pcaw.co.uk</a></p> <p>Website: <a href="http://www.pcaw.co.uk">www.pcaw.co.uk</a></p> |
| <b>Integrity Line</b>                                                                                                                                  | <p>Crimestoppers</p> <p>0800 111 4444</p>                                                                                                                                     |

## 12 CONSULTATION

This document has been consulted with the Critical Friends group

| <b><i>Business Lead Consulted</i></b> | <b><i>Date Consulted</i></b> |
|---------------------------------------|------------------------------|
| Tracey Cooper                         | April 2020                   |

## 13 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the below chart:

| <b>Date</b> | <b>Author / Reviewer</b> | <b>Amendment(s) &amp; Rationale</b>                  | <b>Date of Approval / Adoption</b> |
|-------------|--------------------------|------------------------------------------------------|------------------------------------|
|             |                          | Previously approved at JNCC meeting                  | JNCC 10/05/2017                    |
| May 2020    | J Penn                   | Reviewed – no changes reverted to West Mercia Policy | May 2020                           |

|              |                |                                                                                                                                                                                                           |              |
|--------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| July<br>2024 | J<br>Edmondson | Reviewed – changes within section 11.<br><br>1)remove HR Business Partners & replace with People and OD Business Partners AND<br><br>2) remove Employee Assistance program, replace with details of VIVUP | July<br>2024 |
|--------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|