



## **PROFESSIONAL STANDARDS – REPORTING CONCERNS POLICY**

### **(‘WHISTLEBLOWING’)**

#### **Authorised Professional Practice (APP)**

APP is developed and owned by the College of Policing (the professional body for policing) and can be accessed online. It is authorised by the College of Policing as the official and most up-to-date source of policing practice. The range of subjects covered by APP is growing all the time.

It has the same legal status as previous guidance; it is not the law and so, while Police Officers and Staff are expected to have regard to APP in discharging their responsibilities, the status of APP is advisory. There may be circumstances when it is legitimate to deviate from APP, providing there is a clear rationale for doing so.

- This Policy has been checked against APP and there is none in relation to the subject matter of this Procedure.

However, this Procedure reflects the College of Policing standalone Guidance in respect of ‘Reporting Concerns’ (published 01 March 2016).

**PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE. A LINK WILL BE PROVIDED ON THE POLICIES SITE TO THE EQUALITY IMPACT ASSESSMENT TO THIS POLICY.**

## **Introduction**

- a) It is important to establish and maintain an open and honest culture which encourages people to report their concerns. Police Regulations and the Code of Ethics both emphasise that Officers, Staff and others working in policing should challenge or report improper behaviour. There is much evidence that this takes place.
- b) If an organisation fails to value and support those who are willing to come forward, it can have serious consequences. For example, the Cullen inquiry found that the Piper Alpha Oil Rig disaster, in which 167 people lost their lives, could have been averted had workers been able to report their concerns without fear of 'embarrassing management'. Other disasters which could have been averted through effective procedures include the Clapham rail crash and the capsizing of the Zeebrugge Ferry. These disasters ultimately led to the passing of the Public Interest Disclosure Act 1998, which provides protection in employment law for workers who raise a concern either within the workplace or externally, about a danger, risk, malpractice or wrongdoing which affects others (commonly known as whistleblowing).
- c) For something to be a concern it does not have to be dangerous or illegal. For example, it could be that you know someone is being bullied, or that there is a disregard for health and safety, or that Crime Recording Standards are being regularly misapplied.
- d) The Guidance explains how those working in policing can report their concerns, and what they can expect from the process. It also sets out good practice for the benefit of police Forces as organisations. This Guidance applies to all who work in policing, including Police Officers, Special Constables, Police Staff members, Volunteers and Contractors.

## **1.0 Aims**

- 1.1 This Policy will be adhered to for any type of disclosure, whether criminal or disciplinary in nature, and it will demonstrate the commitment of Gwent Police to honesty and integrity.
- 1.2 This Policy aims to:
  - a) Encourage confidence in the system.
  - b) Provide clear avenues of reporting.
  - c) Ensure the Officer/Member of Police Staff has the appropriate response.
  - d) Provide reassurance about protection from victimisation for Officers/Police Staff who make disclosures in good faith.
- 1.3 The processes relating to this Policy and can be found in the Professional Standards Reporting Procedure.

## **2.0 The Legal Basis and Legitimate Aims**

- Employment Rights Act 1996
- Public Interest Disclosure Act 1998
- Police Reform Act 2002, Section 29
- Standards of Professional Behaviour for Police Officers 2008
- Police Staff Standards of Professional Behaviour 2008
- Police (Performance) Regulations 2012
- Equality Act 2010

The legitimate aim for this Policy is for the protection of the rights and freedoms of others, the prevention and detection of crime and to engender trust in the integrity of Gwent Police.

## **3.0 Human Rights Certification of Compliance**

- 3.1 This Policy has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts, the legitimacy of its aims, the justification and proportionality of the actions intended by it, that it is the least intrusive and damaging option necessary to achieve the aims and that it defines the need to document the relevant decision making processes and outcomes of actions.

## **4.0 Compliance with The Welsh Language Scheme**

- 4.1 This Policy aims to comply with the organisation's Welsh Language Scheme in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the Language Scheme.

## **5.0 Risk Assessment / Health & Safety Considerations**

- 5.1 The Gwent Police Service Dynamic Risk Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.

## **6.0 Identification Section**

<b>Policy Title:</b>	<b>Professional Standards - Reporting Concerns ('Whistleblowing')</b>
<b>Reference:</b>	<b>101/9 a issue 7</b>
<b>Chief Officer Lead:</b>	<b>Deputy Chief Constable</b>
<b>Service Area Owner:</b>	<b>Detective Superintendent, Professional Standards</b>
<b>Department Responsible:</b>	<b>Professional Standards</b>
<b>Links to other Policies/ Procedures:</b>	<ul style="list-style-type: none"><li>• <b>Code of Ethics</b></li><li>• <b>Complaints and Discipline</b></li><li>• <b>Data Protection</b></li><li>• <b>Disciplinary Procedure for Police Staff</b></li><li>• <b>Domestic Abuse</b></li><li>• <b>Fairness at Work</b></li><li>• <b>Financial Procedures Manual</b></li><li>• <b>Freedom of Information</b></li><li>• <b>Hate Crime</b></li><li>• <b>Health and Safety</b></li><li>• <b>Independent Advisory Group</b></li><li>• <b>Information Security</b></li><li>• <b>Licence to Lead</b></li><li>• <b>Media</b></li><li>• <b>National Decision Model</b></li><li>• <b>Professional Standards Reporting Procedure</b></li><li>• <b>Race Equality Scheme</b></li><li>• <b>Threats to Life</b></li></ul>
<b>Implementation Date:</b>	<b>03 August 2016</b>
<b>Review Date:</b>	<b>01 July 2018</b>