



## CONFIDENTIAL REPORTING POLICY

### 1. PREAMBLE

- 1.1) Employees are often the first to realise that there may be something seriously wrong within the organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2) The Police and Crime Commissioner for South Wales is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the Commissioner's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3) This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. *This Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the organisation rather than overlooking a problem or 'blowing the whistle' outside.*
- 1.4) The policy applies to all employees (other than those under the direction and control of the Chief Constable) and those persons working for the Commissioner in respect of its legal and administrative functions, for example, agency staff (other than those under the direction and control of the Chief Constable). It also covers suppliers in respect of the Commissioner.
- 1.5) These procedures are in addition to the Commissioner's complaints procedures and other statutory reporting procedures which apply.

### 2. AIMS AND SCOPE OF THIS POLICY

- 2.1) This policy aims to:
  - Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
  - Provide avenues for you to raise those concerns and receive feedback on any action taken
  - Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied

- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.
- 2.2) There are other procedures both local and/or statutory, to enable you to lodge a grievance relating to your own employment. The Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:
- Conduct which is an offence or a breach of law
  - Disclosures related to miscarriage of justice
  - Health and Safety risks, including risks to the public as well as other employees
  - Damage to the environment
  - The unauthorised use of public funds
  - Possible fraud and corruption
  - Sexual or physical abuse of clients; or
  - Other unethical conduct
- 2.3) Thus, any serious concerns that you have about what the Police and Crime Commissioner is doing or the conduct of officers of the Police and Crime Commissioner or others acting on behalf of the Police and Crime Commissioner can be reported under the Confidential Reporting Policy. This may be about something that:
- Makes you feel uncomfortable in terms of know standards, your experience or the standards you believe the Police and Crime Commissioner requires; or
  - Is against the Police and Crime Commissioner's Manual of Governance and policies; or
  - Falls below established standards of practice; or
  - Amounts to improper conduct

### **3). SAFEGUARDS**

- 3.1) Harassment or Victimisation.
- 3.2) The Police and Crime Commissioner is committed to good practice and high standards and wants to be supportive of employees who wish to act under this Code.

- 3.3) The Police and Crime Commissioner recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer.
- 3.4) The Police and Crime Commissioner will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.
- 3.5) Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

#### **4). CONFIDENTIALITY**

- 4.1) All concerns will be treated in confidence and every effort will be made not to reveal your identity, if you so wish. At the appropriate time, however, you may need to come forward as a witness.

#### **5). ANONYMOUS ALLEGATIONS**

- 5.1) This policy encourages you to put your name to your allegation, whenever possible.
- 5.2) Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Police and Crime Commissioner.
- 5.3) In exercising this discretion the factors to be taken into account would include:
  - The seriousness of the issues raised
  - The credibility of the concerns; and
  - The likelihood of confirming the allegation from attributable sources

#### **6). UNTRUE ALLEGATIONS**

- 6.1) If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

#### **7). HOW TO RAISE A CONCERN**

- 7.1) As a first step, as an employee, you should normally raise concerns with your immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. You could approach the Chief of Staff and Monitoring Officer, Chief Finance Officer, Police and Crime Commissioner, Deputy Police and Crime Commissioner, Assistant Police and Crime Commissioner, Internal Audit or any specialist units the Police and Crime Commissioner may have established (for example an Anti Fraud Team or a complaints 'hot line') dependent upon the nature of your concerns.

- 7.2) Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:
- The background and history of the concern (giving relevant dates)
  - The reason why you are particularly concerned about the situation
- 7.3) The earlier you express the concern the easier it is to take action.
- 7.4) Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.
- 7.5) Dependant upon the nature of the concern that you wish to raise, you could contact any of the following for advice and guidance as to how to take the matter further:
- Chief of Staff & Monitoring Officer – Telephone number: 01656 869366  
Email: [cerith.thomas@south-wales.pnn.police.uk](mailto:cerith.thomas@south-wales.pnn.police.uk)
  - The Chief Finance Officer & Section 112 Officer – Telephone number: 01656 869366 Email: [geoff.petty@south-wales.pnn.police.uk](mailto:geoff.petty@south-wales.pnn.police.uk)
  - The Police and Crime Commissioner for South Wales – Telephone number: 01656 869366 Email: [commissioner@south-wales.pnn.police.uk](mailto:commissioner@south-wales.pnn.police.uk)
  - The Deputy Police and Crime Commissioner for South Wales – Telephone number: 01656 869366 Email: [sophie.howe@south-wales.pnn.police.uk](mailto:sophie.howe@south-wales.pnn.police.uk)
  - The Assistant Police and Crime Commissioner for South Wales – Telephone number: 01656 869366 Email: [dave.francis@south-wales.pnn.police.uk](mailto:dave.francis@south-wales.pnn.police.uk)
- 7.6) You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.
- 7.7) You may invite your Trade Union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

## **8). HOW THE POLICE AND CRIME COMMISSIONER WILL RESPOND**

- 8.1) The Police and Crime Commissioner will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- 8.2) Where appropriate the matters raised may:
- Be investigated by management, Internal Audit, or through the disciplinary process

- Be referred to the Police
  - Be referred to the External Auditor
  - Form the subject of an independent inquiry
- 8.3) In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Police and Crime Commissioner will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures will normally be referred for consideration under those procedures.
- 8.4) Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 8.5) Within ten working days of a concern being raised, the Chief of Staff or the person who is in charge of dealing with your concerns, will write to you:
- Acknowledging that the concern has been received
  - Indicating how we propose to deal with the matter
  - Giving an estimate of how long it will take to provide a final response
  - Telling you whether any initial enquiries have been made
  - Supplying you with information on staff support mechanisms; and
  - Telling you whether further investigations will take place and if not, why not
- 8.6) The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Police and Crime Commissioner will seek further information from you.
- 8.7) Where any meeting is arranged, off site if you so wish, you can be accompanied by a Union or professional association representative or a friend.
- 8.8) The Police and Crime Commissioner will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Police and Crime Commissioner will arrange for you to receive advice about the procedure.
- 8.9) The Police and Crime Commissioner accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of the investigation.

## **9). THE RESPONSIBLE OFFICER**

9.1) The Chief of Staff (Monitoring Officer) has overall responsibility for the maintenance and operation of this policy. That Officer maintains a record of concerns raised and the outcomes and will report as necessary to the Police and Crime Commissioner. Your confidentiality will be respected insofar as is legally possible.

## **10). HOW THE MATTER CAN BE TAKEN FURTHER**

10.1) This policy is intended to provide you with an avenue within the organisation to raise concerns. The Police and Crime Commissioner hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the organisation, the following are possible contact points:

- The Public Services Ombudsman for Wales
- The External Auditor
- Your Trade Union
- Your local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- A relevant voluntary organisation
- The South Wales Police Professional Standards Department
- Public Concern At Work; an independent charity offering free advice on fraud or other issues of malpractice
- Confidential Integrity Reporting Line in collaboration with Crimestoppers

10.2) If you do take the matter outside the organisation, you should ensure that you do not disclose confidential information. Check with the contact point about that.

## **11). MONITORING THIS POLICY**

11.1) The Policy will be reviewed regularly to ensure its effectiveness.