



Public Interest Disclosure Policy

Introduction

The Police and Crime Commissioner for Cleveland is committed to the highest possible standards of honesty and openness, probity and accountability. The Office of the Police and Crime Commissioner seeks to conduct its business in a responsible manner, ensuring that all its activities are open and effectively managed and that its integrity is sustained.

This policy is accessible to all who wish to express concerns of a public interest nature to the Police & Crime Commissioner. The Commissioner has adopted this policy and this approach to accessibility in view of

- (a) the PCC's overall duty to hold Cleveland Police to account and to ensure the effectiveness and efficiency of the Force
- (b) the PCC's role as 'Appropriate Authority' in respect of complaints and conduct concerns in relation to officers of the rank of Chief Constable and
- (c) the PCC's Monitoring Officer's role to oversee the lawfulness of decisions taken by or in the name of the PCC.

In short - any person working within or alongside policing or the OPCC, may make use of this policy and/or can seek guidance from the PCC's Chief Executive & Monitoring Officer about any ethics or integrity matter.

In line with that commitment, the Police and Crime Commissioner (PCC) encourages staff (whether employed by the PCC or, by Cleveland Police or any organisation providing services to Cleveland Police or the Office of the Police & Crime Commissioner) who may have serious concerns about any aspect of their work, in so far as that work relates to matters which fall within the remit of the Police & Crime Commissioner as local policing body, to come forward and voice those concerns.

It is recognised that many concerns will be expressed in confidence. Unless the law requires otherwise or consent has been obtained, that confidence will be maintained.

Staff are often the first to realise that there may be something wrong. It is recognised that staff may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the PCC. 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. It is the responsibility of each member of staff to realise that they not only have the right but also have a moral duty to report any suspected improper actions or omissions.

This policy makes it clear that staff can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. This policy is in addition to the Force's extant reporting arrangements, the complaints procedures and other statutory reporting procedures which apply.

Aims and Scope of the Policy

The policy aims to:

- Encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice
- Provide avenues to raise those concerns and receive feedback on the action taken
- Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- Reassure staff that they will be protected from possible reprisals or victimisation provided they have made a disclosure in good faith.

The policy is intended to cover concerns of significant public interest that fall outside the scope of other procedures, such as the Grievance Procedure and includes:

- Conduct which is an offence or a breach of the law
- Failure to comply with a legal obligation
- Disclosures related to miscarriages 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, physical or psychological abuse; or
- Other unethical conduct.

Safeguards for Staff

It is recognised that the decision to report a concern can be a difficult one to make. If a member of staff reasonably believes that what they are saying is true, they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.

Any act of harassment or victimisation (including informal pressure) will not be tolerated and appropriate action will be taken to protect staff when they raise a concern, by supporting the member of staff and considering action under the appropriate procedure against the person or persons responsible for the acts.

All concerns will be treated in confidence and every effort will be made to maintain that confidentiality. However it may become necessary to take formal action resulting in the requirement for the whistle blower to provide a witness statement and possibly give evidence.

Staff are encouraged to put their name to an allegation whenever possible. Concerns expressed anonymously may be more procedurally difficult to address in a timely and effective way but will be considered.

As a first step staff should normally raise concerns with their own immediate manager or their line management. However this depends on the seriousness and sensitivity of the issues of concern, and who may be involved. So, for example, if there appears to be a good reason not to raise the matters in the first instance via the line management chain, an approach should be made to the Chief Executive & Monitoring Officer, or the Deputy Monitoring Officer.

Any concern regarding the conduct of a Police and Crime Commissioner should be raised with the Chief Executive & Monitoring Officer, or if this is thought not appropriate, the Chair of the Police and Crime Panel for Cleveland.

Although staff are not expected to prove the truth of an allegation, it will assist if the person raising the concern can provide evidence or sources of information which amplify their assertion that there are reasonable grounds for concern.

Staff are encouraged to express any concern at an early stage when it is easier to take action. Members of staff will be encouraged to put in writing the background and details of their concern, to aid investigation.

The main purpose of this policy is to give all our staff the opportunity and protection they need to raise concerns internally. We would expect that in almost all cases raising concerns internally would be the most appropriate course of action.

However, if for whatever reason, any person feels they cannot raise concerns internally and you reasonably believe the information and any allegations are substantially true, the law recognises that it may be appropriate for you to raise the matter with another prescribed person, such as a regulator or professional body or an MP. A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from Protect (formerly known as Public Concern at Work) and on the GOV.UK website

We strongly encourage any individual to seek appropriate advice before reporting a concern to anyone external. Protect (formerly known as Public Concern at Work) is a leading independent charity whose main

objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. They are a source of further information and advice and operate a confidential helpline.

Help for Staff

Members of staff are entitled to contact Chief Executive and Monitoring Officer, Chief Finance Officer/Deputy Chief Executive, or Deputy Monitoring Officer for advice.

Members of staff may be accompanied by a colleague or a trade union representative or a friend when raising their concern or in any subsequent interviews.

Responding to Concerns Raised

The Chief Executive & Monitoring Officer or the person to whom the concern is raised will respond to all concerns raised by staff, giving an initial response within ten working days. All concerns will be treated seriously and considered fully and objectively. Requests for confidentiality will be respected where possible.

Where appropriate, matters raised will be investigated by the Chief Executive & Monitoring Officer (or someone to whom the Chief Executive & Monitoring Officer delegates this responsibility), through internal audit or through the disciplinary process. Where a concern alleges financial impropriety, the Chief Finance Officer and internal audit will be advised.

Depending on the results of the investigation and at the discretion of the Chief Executive & Monitoring Officer, the matter may be:

- Referred To Internal Audit.
- Referred To The External Auditor.
- Form The Subject Of An Independent Enquiry.
- Referred To The Police.
- Referred to the Police and Crime Panel.

In making decisions about the appropriate action, the overriding principle which the Chief Executive & Monitoring Officer will have in mind is the public interest.

Wherever possible within 10 working days of the concern being raised, the Chief Executive & Monitoring Officer will respond in writing;

- Acknowledging that the concern has been received
- Indicating how the matter will be dealt with
- Advising whether any initial enquiries have been made
- Supplying information on support for staff and
- Advising whether further investigations will take place and if not, why not.

Monitoring the Operation of the Policy

The Chief Executive & Monitoring Officer has responsibility for the maintenance and operation of this policy, and should maintain a record of concerns raised and the outcomes in a form which does not endanger confidentiality. An annual report should be submitted to the Audit Committee which will include the following:

- Whether the policy is being used appropriately.
- Whether there is any pattern of concern across Cleveland Police.
- Whether the policy is effective in identifying and deterring malpractice.
- Any proposed revisions to agreed arrangements.

Contact Details for Referrals

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Policy Author	Chief Executive & Monitoring Officer
Date Approved by the PCC	September 2019
Reviewed	September 2019