

Office of the Police and Crime Commissioner for Northumbria

CONFIDENTIAL REPORTING POLICY

The Office of Police and Crime Commissioner (OPCC) for Northumbria is committed to the highest possible standards of openness, probity and accountability. So we expect employees, volunteers, and others, who have serious concerns about the OPCC's work to come forward and express them.

This Confidential Reporting Policy is intended to encourage and enable those it covers to raise serious concerns within the OPCC rather than overlooking a problem. It is recognised that most concerns will be expressed in confidence and where possible, that confidence will be maintained.

This policy applies to all employees (including temporary staff) and volunteers of the OPCC, for example Independent Custody Visitors. It also covers suppliers, those providing a contract with the OPCC and advisors.

These procedures do not stand alone and are in addition to others, which help form the basis of the OPCC governance arrangements, for example, the internal grievance and other personnel procedures as well as the Complaints Procedure. Where other procedures are activated simultaneously, it will be made clear as to whether or not information will be shared for the purposes of each procedure. At all times, regard will be given to the issue of confidentiality.

Aims and scope of this Policy

The Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other procedures and to encourage staff to feel confident in raising serious concerns, which they feel may be taking place. These include:

- conduct which is a criminal 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;
- any discrimination on the grounds of race, gender, sexual orientation, age or disability;
- other unethical conduct.

Any serious concerns held about any aspect of service provision or the conduct of officers or members of the OPCC or others acting on behalf of the OPCC can be reported under the Confidential Reporting Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards;
- your experience or the standards you believe the OPCC subscribes to;
- is against the OPCC's Standing Orders and policies; or
- amounts to improper conduct.

This policy aims to:

- encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice;
- provide avenues for staff to raise those concerns and receive feedback on any action taken;
- ensure staff receive a response to their concerns and that they are aware of how to pursue them dissatisfied; and
- reassure staff they will be protected from possible reprisals or victimisation if they have a reasonable belief that you have made any disclosure with the best intentions.

Safeguards: Harassment or Victimisation

The OPCC is:

- committed to good practice and high standards and wants to be supportive of all employees as an equal opportunity employer;
- aware that the decision to report a concern can be a difficult one to make and those with concerns should have nothing to fear because as they will be doing their duty to their employer and for those and those for whom they are providing a service; and
- not prepared to tolerate any harassment or victimisation (including informal pressures) of those raising concerns and will take appropriate action to protect those reporting issues.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the identity of those raising a concern, if requested. The rules of disclosure mean that confidentiality cannot be guaranteed in every case. For example, at the appropriate time, an individual raising a concern may need to come forward as a witness. Identities will rarely be revealed and only when absolutely necessary.

This policy encourages staff to come forward in person to raise concerns. However, concerns expressed whether in person or anonymously, will be considered and investigated. Please note that staff:

- must disclose the information in good faith.
- must believe it to be substantially true.
- must not act maliciously or make false allegations.
- must not seek any personal gain.

If an individual(s) express a concern, with the best intentions, but it is not confirmed by the investigation, no measures will be taken against those individual(s). However, if an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

How to raise concern

Concerns should normally raise concerns with immediate line managers. However, this will depend on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. It will be for the individual raising the issue and/or their manager to deal with the issue or refer it to one of the contact officers below:

- The Chief Executive & Monitoring Officer; or
- The Chief Finance Officer

If a complaint is about the Chief Executive, an individual(s) should contact the Solicitor to the OPCC. Although individuals raising a concern are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted, that there are reasonable grounds for concern.

Contact for independent external audit advice is to the Office of the Police and Crime Commissioners external auditors Mazars LLP. They can be contacted through their Durham Office:

Tel: 0191 383 6315

Fax: 0191 383 6350

Durham.contact@mazars.co.uk

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. Anyone who helps you will need to respect the confidentiality of the investigation.

How the OPCC will respond

The Chief Executive and Monitoring Officer to the OPCC will respond to your concerns. 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; and/or
- form the subject of an independent inquiry.

In order to protect individuals who may be the subject of a reported concern and people against whom allegations of misdeed or possible malpractice are being made, the person nominated to deal with a raised issue will make initial enquiries to decide whether further investigation is appropriate. He or she will also decide what form the investigation should take.

If the person nominated to deal with an issue finds aspects of the concerns fall outside the scope of this Confidential Reporting Policy, but which still need to be addressed, they will normally be referred for consideration but will not be allowed to delay the investigation under this policy.

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. Within 10 working days of a concern being raised, the person dealing with an issue will write to you:

- acknowledging that the concern has been received;
- indicating how the OPCC proposes to deal with the matter, or whether independent advice will be sought;
- giving an estimate of how long it will take to provide a final response;
- informing you whether any initial enquiries have been made;
- supplying you with information on staff support mechanisms;
- whether further investigations will take place; and
- will inform, if appropriate, the Monitoring Officer that an issue has been raised under this policy.

The amount of contact between the officers considering the issues and those raising the issue will depend on the nature of the matters raised, the implications involved and the details of the information provided. If necessary, the OPCC will seek further information from the individual(s) raising the issue.

The OPCC will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if there is a requirement to give evidence in criminal or disciplinary proceedings the OPCC will arrange for advice to be provided about the procedure or other appropriate support.

The Chief Executive and Monitoring Officer

The Chief Executive has overall responsibility for the maintenance and operation of this policy and maintains a record of concerns raised and the outcomes (but in a form which does not compromise your confidentiality) and will report, as necessary, to the Police and Crime Commissioner on the number and general nature of reports received. The overriding consideration of the Chief Executive and Monitoring Officer will be the public interest.

How the matter can be taken further

This policy is intended to provide you with an avenue within the OPCC to raise concerns, without fear of suffering a detriment as a result. The OPCC hopes those with concerns or will be satisfied with any action taken. If they are not satisfied with action taken, and feel it is necessary to take the matter outside the OPCC, the following are possible contact points:

- the police;
- the external auditor, Mazars LLP;
- trade union;
- Citizens' Advice Bureau;
- relevant professional bodies or regulatory organisations;
- Local Government Ombudsman; or
- Police and Crime Panel (for concerns about the PCC).

Reporting

The Chief Executive and Monitoring Officer, will ensure that all appropriate reporting, as a result of confidential reporting are properly informed by professional legal advice, involving the Solicitor to the OPCC as necessary.

Contact Details

Chief Executive and Monitoring Officer, Elaine Snaith
Victory House
Balliol Business Park
Benton Lane
Newcastle upon Tyne
NE12 8EW
elaine.snaith@northumbria-pcc.gov.uk
Telephone 0191 221 9800

Solicitor to the OPCC, Richard Heron
4th Floor Cobalt Business Exchange
Cobalt Business Way
Newcastle upon Tyne
NE28 9NZ
richard.heron.4300@northumbria.pnn.police.uk

Clerk to the Police and Crime Panel:
Civic Centre
Regent Street
Gateshead
NE8 1HH
michaelaynsley@gateshead.gov.uk
Telephone: 0191 433 3000