



WEST MIDLANDS POLICE WHISTLEBLOWING POLICY



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1.0 POLICY STATEMENT

At West Midlands Police, we aim to maintain the highest standards of integrity, accountability and transparency, so we can build trust and confidence with the communities we serve. We recognise that, as in any organisation, there may be times when we are affected by wrongdoing that is negligent, improper or illegal. It is important that as people working in policing, we all challenge and report improper behaviour and have a duty to do so, in line with the Code of Ethics and Standards of Professional Behaviour.

We need you to feel assured that if you have genuine concerns about any risk, danger, malpractice or wrongdoing that can affect our colleagues, our Force or the wider public, you can raise these worries confidentially. We will take your concerns seriously, you will be listened to, treated with dignity and respect and you will not face personal or professional detriment or victimisation when you have acted in good faith. We recognise that when such matters are brought to our attention it can create an opportunity to listen, learn and improve our Force.

2.0 PURPOSE

We have set out this policy to:

- Ensure you can raise genuine concerns of serious wrongdoing within our Force, without fear of reprisal
- Give you confidence that you will be treated with dignity and respect
- Assure you that you will be listened to and your concerns will be taken seriously and investigated appropriately
- Explain the process we will follow when you raise a genuine concern of wrongdoing within our Force

3.0 SCOPE

This policy applies to:

- all West Midlands Police Officers, Special Constables and Police Staff, regardless of rank or seniority
- all contractors, consultants, temporary workers, agency staff and volunteers who are working with our Force, in any capacity

4.0 OVERVIEW OF WHISTLEBLOWING

4.1 Understanding what is whistleblowing

If you have a genuine and reasonable suspicion about serious wrongdoing or malpractice within our Force, such as negligence, illegality or improper conduct, and believe it is in the public interest to disclose it, you can raise your concerns (called “whistleblowing”) and be legally protected under The Public Interest Disclosure Act 1998. A concern is in the public interest if it causes a potential risk or danger to colleagues, service users, suppliers, the wider public, our Force or its reputation.

To be legally protected, you must also:

- i) Make the disclosure to an appropriate person (see [‘Raising your Concern’](#)),
and
- ii) Ensure your concern relates to one of the following:
 - a. any criminal offence, such as bribery, fraud, corruption or modern slavery
 - b. the breach of a legal obligation
 - c. a miscarriage of justice
 - d. any act which causes risk to health and safety

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- e. a risk or actual damage to the environment; and/or
- f. the deliberate attempt to cover up or conceal the wrongdoing in any of the above situations.

You can raise your concerns about wrongdoing at any time; whether the incident has already happened, is currently happening or is likely to happen in the future. You do not need to provide proof to support your allegation, although you should reasonably believe that the disclosure is in the public interest and will need to provide sufficient supporting information to help us to understand what led to your concern.

4.2 Understanding what is not whistleblowing

You should understand that whistleblowing is not the same as a personal complaint, dispute or problem you have with our Force. If you are unhappy about something that is affecting you at work, such as how you are being treated by others or your employment conditions, you should refer to our [Grievance Policy](#).

If your grievance relates to a complaint of bullying, harassment or victimisation, we also encourage you to read our [Dignity at Work Policy](#).

It is also important to remember that disclosures made maliciously falsely or for personal gain are inappropriate and may lead to a disciplinary action.

5.0 BEFORE YOU RAISE YOUR CONCERN

If you think there may be acts of wrongdoing taking place within our Force, but you are unsure about raising a concern, you can seek independent guidance and advice through the Federation, or your Trade Union representative. Alternatively, you can contact the independent whistleblowing charity 'Public Concern at Work', in complete confidence for free and impartial advice.

<http://www.pcaw.org.uk/about/contact-us>

6.0 INTERNAL REPORTING

6.1 Raising your concern

If you are concerned that there is negligent, improper or illegal activity going on within our Force, you should report this without delay, making it clear you are raising a whistleblowing disclosure. You do not have to prove the allegations you are making; however, it is important that you are able to provide sufficient information and grounds for raising your concern. We would also encourage you to record your concern for your records, along with any attempts you make to raise this.

You should initially raise the matter with your line manager, verbally or in writing or alternatively a member of the People and Organisational Development/Professional Standards Department (POD/PSD) team. However, if you think the matter is of a very serious nature, or that your immediate manager may be involved in the wrongdoing, you can raise your concerns via an online PSD Confidential Report at [REDACTED]

We will deal with your concern in a sensitive and confidential manner and will only share the information with people who have a genuine and legitimate need to know. Equally, we expect you, and anyone who accompanies you to meetings about your disclosure, to respect and maintain confidentiality too.

Internal Contacts

The Police Federation, Unison, Unite the Union and the Superintendent's Association can and do play a key role through which you can relay your concerns. The nature of their role means they have considerable expertise in dealing with confidential matters.

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6.1.1 Raising a Confidential Concern

As part of our commitment to honesty and transparency, we will always encourage you to raise your concerns openly. However, if you want your identity to be kept confidential, you must state this when you raise your concerns. If you ask us to protect your identity, we will make every effort not to disclose it without your prior consent, unless we are required to do so by law.

However, you must understand that there may be times when we cannot resolve a concern without revealing your identity; for example, when your personal evidence is essential to the case. In these circumstances, we will always discuss this with you first, preferably in person and consider how we can best proceed.

You should also recognise that despite our commitment to maintaining confidentiality, other people may still assume you have made the disclosure. We will still seek to protect your identity in these situations and provide you with any necessary support that may help you.

6.1.2 Raising an Anonymous Concern

We encourage you to identify yourself when raising your concern, as this supports openness and transparency, and enables us to support you through the whistleblowing process. You also need to recognise that it is very difficult to effectively investigate and address concerns if we cannot obtain further information about the allegations that have been made. If you do raise an anonymous concern, we will need to consider if we can effectively investigate the matter further, taking into consideration the credibility of the concern raised, the seriousness of the issue, fairness to people mentioned in the allegations and our ability to validate your disclosure through other sources. If however you believe that a disclosure to your management would not be appropriate or of benefit you can contact us by using the confidential hotline to Professional Standards on [REDACTED] or where you believe that there is a matter relating to corruption, to the Counter Corruption Unit confidential hotline on [REDACTED]. In addition there is a confidential written report on the PSD website as set out in 6.1.

6.2 Responding to your concern

The level and type of action that is taken in response to your disclosure will depend on the nature of the allegations you have raised. In most cases, we would expect to invite you to a meeting to discuss with you in person your concerns in more detail. You can be accompanied to this, and any subsequent meetings, by a work colleague, federation representative, trade union official or certified trade union representative.

If we think your concerns are not a public interest disclosure, but should be considered under another Force Policy (for example: our grievance policy), we will discuss this with you and refer your complaint through the correct procedure.

If we determine that an investigation is required, we will appoint an investigating officer and this will be conducted by PSD. Alternatively, depending on the nature of the disclosure and on rare occasion we may decide to refer the investigation to an external prescribed body or person.

In all cases, we will ensure the investigation is fair and equitable to you and anyone who is the subject of the allegations raised.

We recognise and appreciate the need to keep you updated with key decisions and progress. We will undertake the investigation in a timely manner and aim to keep you informed of our progress at significant points in our investigation and, in all cases at least every 28 calendar days, providing we protect the confidentiality of our investigations and ensure that we don't infringe the confidentiality of any third parties. If the complaints are raised anonymously online, updates can still be facilitated to the online confidential report.

Alternatively, if after discussion with you and/or fact finding we decide there are no grounds for proceeding with formal investigation of your concerns, we will inform you of our decision

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and the reason for it, preferably within a face to face meeting with you. If you have raised the disclosure in good faith, this will not lead to any action, penalty or detriment against you.

6.3 Notifying you of the outcome of our investigation

Once we have concluded our investigation, we will notify you of the outcome, as far as possible. We may not be able to provide you with the details about any resulting actions, to ensure we protect confidentiality and comply with any necessary legal obligations.

If we decide that there is a case to answer, we will take action as appropriate which may involve bringing disciplinary proceedings against the individual(s) concerned, in line with our Disciplinary Policy/Police (Conduct) Regulations 2020, as applicable. We may also report any matter to the relevant authorities including, but not restricted to, the Independent Office for Police Conduct, the Director of Public Prosecution and/or the Serious Fraud Office. We will provide all necessary assistance to them in any subsequent investigations and prosecutions.

6.4 Escalating your concern

If you are not satisfied with how we have conducted our investigation, you can take the matter to Director of People & Organisational Development for further review and consideration.

If, following the conclusion of this further internal review, you reasonably believe that appropriate action has not been taken, you should report the matter to the Police and Crime Commissioner or relevant regulatory external authority (see External Reporting section for further guidance).

7.0 EXTERNAL REPORTING

We always encourage you to raise any concerns through our internal process first. However, in circumstances where you believe you cannot raise your concern directly to us, for example if you feel that you may be victimised or the concern covered up, you can report the matter directly to an external prescribed person or regulatory body.

If you are considering referring the matter to an external body you can refer to:

The Office of the Police and Crime Commissioner

The PCC's office should be considered as the primary external reporting mechanism, followed closely by the IOPC. The PCC's office may be reached on 0121 626 6060 or at the below address:

West Midlands Police and Crime Commissioner,
Lloyd House,
Colmore Circus Queensway,
Birmingham,
B4 6NQ

The Independent Office for Police Conduct

The IOPC Report Line is a dedicated and secure phone line and email address that enables you to report concerns about a colleague committing a criminal offence or behaving in a way that would justify disciplinary action. You can contact the Report Line on 0300 020 0096 between the hours of 10.00 am and 5.00 pm. Outside of these hours there is an answerphone and you can leave a message with your contact details, and the IOPC will contact you as soon as practicable. You can also make use of the email address which is enquiries@policeconduct.gov.uk.

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Public Concern at Work

This is an independent organisation that can provide lawyers who will discuss problems in confidence. They can be contacted on 0207 404 6609 or via the Internet on www.pcaw.co.uk.

Crimestoppers

Crimestoppers provides a further alternative for the anonymous provision of information relating to criminal activity. Whilst we would prefer whenever possible for you to identify yourself when providing information, there are limited occasions when Crimestoppers will be a valid alternative. They can be contacted on 0800 555111.

Additional Contacts

The Criminal Case Review Commission

The Chairman
Criminal Cases Review Commission
5 St Philip's Place
Birmingham B3 2PW0121 233 1473
complaints@ccrc.x.gsi.gov.uk

National Crime Agency

Units 1 - 6 Citadel Place,
Tinworth Street,
London
SE11 5EF
Email: communication@nca.x.gsi.gov.uk
Telephone: 0370 496 7622 (available 24/7)

The Serious Fraud Office

2-4 Cockspur Street
London
SW1Y 5BS

Reporting link: <https://www.sfo.gov.uk/contact-us/reporting-serious-fraud-bribery-corruption/>

Your concern may not be directly related to policing and therefore, it may be appropriate to raise your external disclosure to another relevant authority. The full list of the external prescribed people and bodies you can make a disclosure to can be found at:

www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies



8.0 PROTECTING YOU FROM VICTIMISATION AND DETRIMENT

You need to be assured that it is safe and acceptable for you to speak up about your concerns. We are committed to ensuring you do not suffer victimisation or any other detriment because you have raised a genuine concern under our Whistleblowing Policy. If you believe you have suffered any type of reprisal by making a disclosure, you should liaise with your line manager, or a member of the POD team immediately, so we can support you and take any appropriate action. If there are concerns raised against the line manager, you can escalate or contact Employee Relations team, PSD, Federation, Trade Union and seek support from Staff Association. If you wish to make a formal complaint, you can raise this through our [Grievance Policy](#). As such any cases of victimisation will be treated as serious matter and a disciplinary offence, in line with our relevant Disciplinary Policy / Police (Conduct) Regulations 2020.

9.0 FALSE AND MALICIOUS ALLEGATIONS

You will not be penalised at any time for raising a genuine concern. However, where there is a genuine concern of an abuse of the whistleblowing process by making deliberately untrue, malicious or vexatious complaint, or make a disclosure for personal gain, you may be subject to disciplinary action, in line with our [Disciplinary Policy](#) if you are Police Staff, or Police (Conduct) Regulations 2020 if you are a Police Officer.

10.0 SUPPORTING YOU WHEN YOU RAISE A WHISTLEBLOWING DISCLOSURE

We appreciate that it can be very challenging and stressful to raise a whistleblowing concern. Throughout any investigations, we will directly work with you to ensure you receive the required support you feel you need. The level and type of support required will be discussed with you. The Employee Assistance Programme (EAP) scheme offers completely confidential independent support which may assist you. You may contact VIVUP on their helpline **0800 048 5956** which is available using text / call 24/7 and 365 days of the year for support and guidance.

Further information on the EAP scheme can be found via My Service Portal at the below link:

[Employee Assistance Programme](#)

Or can be accessed directly from their website:

[VIVUP](#)