



CHESHIRE POLICE AUTHORITY

**CONFIDENTIAL REPORTING
POLICY**

DECEMBER 2008

1. Introduction

- 1.1. Cheshire Police Authority is committed to the highest possible standards of honesty, openness, probity and accountability. It 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.
- 1.2. In line with that commitment, the Authority encourages staff, stakeholders and other people associated with the Authority, who may have serious concerns about any aspect of their work to come forward and voice those concerns.
- 1.3. It is recognised that most concerns will be expressed in confidence and where possible that confidence will be maintained.
- 1.4. Staff are often the first to realise that there may be something seriously wrong within the Authority. However, they may feel that expressing their concern would be disloyal or may fear harassment or victimisation. In these circumstances it may be easier to ignore concerns rather than report them. The Authority believes that it is the responsibility of each member of staff to realise that they not only have the right, but the moral duty to report any concerns.
- 1.5. The Authority recognises and appreciates that staff who raise concerns are an asset to the Authority not a threat. This policy makes it clear that staff can raise their concerns without fear of victimisation, subsequent discrimination or disadvantage.
- 1.6. Where the matter concerns the Constabulary, individuals are asked to refer to the Constabulary's Confidential Reporting Procedure. This Policy relates to the Authority's Members, staff and other contracted staff.
- 1.7. The policy is in addition to, but does not replace the following existing policies and procedures:
 - The Cheshire Constabulary Confidential Reporting Policy
 - The Cheshire Constabulary Fairness at Work Policy
 - Police Conduct and Performance, and Misconduct Regulations 2008
 - Managing Performance Procedure (Police Staff)
 - Public Interest Disclosure Act 1998

2. About this policy

- 2.1. This policy explains how to make a complaint if you are dissatisfied with any services provided by the Police Authority. It does not however, cover complaints in the following areas:
 - Operational policing matters – these complaints should be addressed to your local police Area Commander

- The conduct of an individual police officer – these complaints should be addressed to:

Professional Standards Department
Cheshire Constabulary
Clemonds Hey
Oakmere Road
Winsford
Cheshire
CW7 2UA

- 2.2. Please note that although complaints may refer to the behaviour of a particular member of staff, any issues concerning the employer/employee relationship including the need for disciplinary action to be taken are addressed separately under the Authority's internal procedures or the Constabulary's Fairness at Work Policy.

3. Responsibilities

The Police Authority

- 3.1. The Police Authority has approved a Code of Corporate Governance and carries out an annual review of its effectiveness through the Annual Governance Statement. The Authority will oversee the operation of this Confidential Reporting Policy and will receive an annual report, through the Audit Committee on the outcome of investigations and any remedial action taken to tighten controls. The Chief Executive acting as Monitoring Officer, will oversee the operation of the policy to ensure adequate processes are in place and appropriate action is taken.

Allegations concerning Police Authority staff

- 3.2. Where an allegation concerns a member of the Police Authority staff, the Authority acting through the Chief Executive and Chairman of the Authority, will seek to investigate the matter confidentially through the Constabulary's Professional Standards Department. Where the concerns raised relate to the Chief Executive, the Treasurer will oversee the process with the Chairman of the Authority.

Allegations concerning Police Authority Members

- 3.3. Any concerns raised relating to an Authority Member should be initially reported to the Chief Executive in his role as Monitoring Officer. The Chief Executive will then determine which of the following processes to follow:
- Informal discussion with the relevant parties to seek a resolution
 - Whether the Constabulary's Professional Standards Department, Internal or External Audit should be asked to investigate and report to the Authority's Standard Committee; or
 - External investigation is required through the Standards Board for England

4. Guidance

- 4.1. This policy is intended to cover concerns affecting the Authority that fall outside the scope of the other procedures mentioned in paragraph 1.7 above. Such concerns cover:
- Conduct which is an offence or a breach of 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
- 4.2. The Authority recognises that the decision to report a concern can be difficult 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 both the Authority and those for whom the service is provided. The Authority will not tolerate any act of harassment or victimisation (including informal pressure) and will take appropriate action to protect staff when they raise a concern, providing that they:
- disclose the information in good faith
 - believes the concern to be substantially true
 - do not act maliciously or make false allegations; and
 - do not seek personal gain
- 4.3. All concerns will be treated in confidence and every effort made to maintain that confidentiality. However, it may become necessary to take formal action resulting in the requirement for the person raising the concern to provide a witness statement or possibly give evidence.
- 4.4. All are encouraged to put their name to an allegation wherever possible as concerns raised anonymously are less powerful, but will be investigated at the discretion of the Authority. In exercising its discretion, the factors taken into account include:
- The potential seriousness of the issue raised
 - The credibility of the concern
 - The likelihood of confirming the allegation from attributable sources
- 4.5. If the concern is raised in good faith but is not confirmed by the investigation, no action will be taken against the person raising the concern. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

5. How to raise a concern

5.1. 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. As a general rule concerns should be raised directly with the Chief Executive as the Authority's Monitoring Officer.

5.2. Concerns ideally should be submitted in writing and addressed to the Chief Executive as follows:

Cheshire Police Authority
Clemonds Hey
Oakmere Road
Winsford
Cheshire
CW7 2UA

Telephone: 01244 614001

Email: mark.sellwood@cheshire.pnn.police.uk

5.3. However, if for any reason, this presents a difficulty it is possible to make your complaint either in person, by telephone or to ask someone else (e.g. a friend or relative) to do it on your behalf.

5.4. For staff, there is also the option of reporting their concern through the Constabulary's Confidential Telephone Line (Concern Line). This is a 24 hour confidential internal answer phone facility which is located within the Professional Standards Department. It can be accessed by dialling extension 4444. This facility is checked on a daily basis and where the matter involves a member of the Police Authority staff or a Member of the Police Authority, it will be referred to the Chief Executive.

5.5. Should the person raising the concern feel unable to approach the Chief Executive or the Authority itself, the concern can be raised directly with the External Auditor (Graham Parry, tel: 01244 972521) or with Standards Board for England, as follows:

The Standards Board for England
Fourth Floor
Griffin House
40 Lever Street
Manchester
M1 1BB
Telephone: 0161 817 5300

Fax: 0161 817 5499

Minicom: 0161 817 5449

Email: enquiries@standardsboard.gov.uk

Website - www.standardsboard.gov.uk

6. How the Authority will respond

- 6.1. Within ten working days of a concern being raised, the Chief Executive will write to you:
- Acknowledging that the concern has been received
 - Indicating how the matter will be dealt with
 - 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 any support available; and
 - Telling you whether further investigations will take place and if not, why
- 6.2. The amount of contact between those considering the concerns raised and the person raising the concern will be different in each case dependent on the nature and seriousness of the concern. If necessary, you may be asked for further information. Where any meeting is arranged, off-site if you wish, you can be accompanied by a union of professional association representative or a friend.
- 6.3. The Authority will take steps to minimise any difficulties which you may experience as a result of raising the concern. For example, if you are required to give evidence, you will receive guidance on the procedures involved and your role in such procedures.
- 6.4. The Authority 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 on the investigation.

7. Monitoring and Review of the Policy

- 7.1. The Chief Executive will formally review this procedure on an annual basis to consider:
- Its effectiveness in the business area concerned
 - Any changes to legislation
 - Challenges to the procedure
 - Any identifies inefficiencies in relation to implementation
 - Impact on diversity and equality