



02103 PROCEDURE – CONFIDENTIAL REPORTING PROCEDURE

Version: 5.1 **Last Updated:** 07/05/12 **Review Date:** 20/04/14

ECHR: **Potential Equality Impact Assessment:** **High**

1. About This Procedure

- 1.1. This procedure provides a confidential mechanism by which police officers and police staff can report suspected wrongdoing. Whilst the Force acknowledges the vast majority of its officers, staff, members of the Special Constabulary, volunteers and temporary employees are entirely honest and trustworthy, and carry out their duties and tasks with total integrity. There will be a small minority who are dishonest and unethical. Their actions can have serious consequences and undermine the standards and values of Hampshire Constabulary.
- 1.2. All staff have a responsibility to report suspected wrongdoing by others in the Force, and this policy and procedure, sets out the ways in which individuals within the Force can report suspected wrongdoing in a supportive and confidential environment.
- 1.3. Nothing in this procedure is intended to diminish the role or responsibility of line supervisors to deal with minor management and disciplinary matters at a local level, without referral to the Professional Standards Department.
- 1.4. This procedure is for use by police officers, special constables, police staff, temporary employees and volunteers. It is distinct from the grievance resolution procedure and should not be used to deal with such grievances in the workplace – see HR Grievance intranet pages.

2. Risk Assessments/Health and Safety Considerations

- 2.1. A failure to identify wrongdoing may subject individuals, members of the public or the organisation to a high level of risk and could result in the loss of public confidence.

3. Procedure

- 3.1. This procedure should be used to raise concerns about the following types of wrongdoing (this list is not exhaustive):
 - a. a criminal offence;



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- b. a miscarriage of justice;
- c. breach of a legal obligation;
- d. malpractice;
- e. dishonesty or corruption;
- f. domestic violence incidents as defined within the Policy for Responding to and investigating Domestic Abuse and supporting procedures;
- g. unethical behaviour;
- h. a breach of the Standards of Professional Behaviour for Police Officers and Staff;
- i. concealment of information in respect of any of the above.

3.2. Reporting Methods

- 3.2.1. The preferred method of reporting is directly to staff within the Anti Corruption Unit (ACU), who are trained to deal with sensitive information, via one of the following methods:
 - a. Internal telephone extension 675-305;
 - b. Email to the Anti Corruption Unit;
 - c. "Confide in Us" – anonymous contact system accessible via PSD Confidential Reporting homepage.
- 3.2.2. Crimestoppers provide 2 additional anonymous reporting methods for use by members of the Force; they subsequently provide the information directly to the ACU:
 - a. Integrity line 0800 111 4444;
 - b. On-line anonymous reporting.
- 3.2.3. There are alternative methods of reporting, for example via supervisors, staff associations (e.g. Police Federation, UNISON, Black Police Association, LBGBT), however to maintain confidentiality of the reporting person these are not the preferred methods of reporting.
- 3.2.4. It is advantageous for the member of staff to confirm:



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- a. Their preferred method of the initial response from the ACU (e.g. phone, text email – home or work);
- b. As much detail as they can regarding their concern – vague information is by definition difficult to act upon
- c. The provenance of the information e.g. how they know what they are reporting and if anyone else is aware of this issue/or the fact they are contacting the ACU;
- d. Why they are providing the information;
- e. Their expectation as to what will happen.

3.3. Anonymous Reporting

- 3.3.1. It is preferable for staff to identify themselves when reporting issues to the ACU; however it is accepted that some people may not be willing or confident to do this.
- 3.3.2. These people are encouraged to use “Confide in Us” which is an anonymous reporting system.
- 3.3.3. “Confide in Us” enables staff to directly contact the Anti Corruption Unit to raise their concerns and at the same time remain anonymous.
- 3.3.4. Via this system the ACU can enter into secure dialogue with the reporting person, who will retain their anonymity.
“Confide in Us” cannot be audited by the ACU to identify the correspondent and you are therefore guaranteed anonymity by this system.
- 3.3.5. Staff frequently use “Confide in Us”, once they feel confident in the staff within the ACU who they are communicating with they often identify themselves and direct contact is then made – however this is entirely down to choice of the reporting person.
- 3.3.6. Staff can also use the reporting methods provided by Crimestoppers as detailed above.

3.4. Assessment & Development

- 3.4.1. Within 24 hours of the report being received (on weekdays) in the ACU acknowledgement will be given to the originator, where known, or via the “mailbox” on “Confide in Us”.



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- 3.4.2. The information will be subject to evaluation as to:
 - a. The reliability of the reporting person (which is difficult to assess if the reporting person is anonymous);
 - b. How the information is known by the source (the provenance);
 - c. What risks there could be to the source or others from taking action and/or disseminating the information elsewhere (known as a risk assessment).
- 3.4.3. This process is known within the Police service as "5x5x5".
- 3.4.4. A decision will be made by the ACU Intelligence manager as to whether the intelligence will be:
 - a. Recorded on a secure IT system used by ACU staff and;
 - b. Retained and not developed or;
 - c. Developed for subsequent investigation, either as a criminal offence or Misconduct or;
 - d. Disseminated to OCU Senior Manager for intervention
- 3.4.5. On occasions, due to the risk of serious harm (e.g. child protection issue), intelligence will be recorded on RMS and disseminated to partner agencies. The name of the reporting person will not be contained within any such report if reported via this procedure and confidentiality is requested.

3.5. False & Malicious Allegations

- 3.5.1. Every effort will be made to ensure that the integrity and accuracy of information is fully investigated. In all cases, but especially where the information is anonymous, evidence or intelligence will be sought at the earliest opportunity to corroborate the information received. Whilst staff are encouraged to make use of this procedure, it must be made clear that any individual misusing the procedure, or knowingly making a false or malicious report or allegation, will face a full investigation and the possibility of criminal or misconduct proceedings where clear evidence is obtained which supports such action.



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3.6. Public Interest Disclosure Act 1998

- 3.6.1. The aim of the Public Interest Disclosure Act is to ensure that information regarding criminal activity and serious wrongdoing is brought to the attention of the appropriate person so that it can be dealt with speedily.
- 3.6.2. Under this Act, police officers, special constables and police staff have statutory protection against victimisation resulting from the reporting of any wrongdoing as detailed in para 3.1. Any such victimisation will be investigated as Misconduct.
- 3.6.3. The provisions of the Act also protect workers from being subjected to a detriment by their employer, for example denial of promotion, facilities or training opportunities which the employer would otherwise have offered.
- 3.6.4. However, disclosure of information will not be protected under the Act if in making it the employee commits an offence, for example if disclosure was prohibited under the Official Secrets Act 1989.

3.7. Confidentiality

- 3.7.1. Whilst the Force encourages open reporting, reports of wrongdoing may be made confidentially by any member of staff. Confidentiality, when requested, will be given the highest priority.
- 3.7.2. The legal rules governing 'disclosure' are found in the Criminal Investigation and Investigations Act 1996 (CPIA) would apply to cases under this procedure as they apply to all others.
- 3.7.3. For all investigations (into criminal offences and/or matters of misconduct), where confidential information is received, it will be handled for 'disclosure' purposes as per the rules of CPIA and in a highly sensitive manner. This provides a safeguard to the reporting person and should reduce the risk of their identity being revealed.
- 3.7.4. In the unlikely event that an order is made to disclose the identity of the reporting person (either by a Judge or Chair of a Misconduct Hearing) the reporting person will be consulted, a risk assessment will be conducted and discussion will be held with the Head of PSD and a Senior Crown Prosecutor (criminal trials only) which may result in a decision being made that proceedings will be terminated in order to protect the identity of the reporting person.



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- 3.7.5. There may be occasions where persons have reported wrongdoing in accordance with this procedure and are later requested to be a witness (e.g. Criminal Offence, Serious Misconduct) to support an investigation. If the person declines to provide a witness statement they will not be “ordered” to do so by any person within the Force, including staff from the Professional Standards Department.
- 3.7.6. The term “whistleblower” will not be used in any circumstance as this is likely to be upsetting to those who report wrongdoing. Individuals who report wrongdoing are simply carrying out their duty as members of the Force.
- 3.7.7. Where requested by the reporting person, support can be provided by the relevant staff association. Representatives of these organisations are trained to provide welfare support to staff, and understand the need to maintain confidentiality in such events. There are occasions where there could be a conflict of interest between relevant parties (for example where the Police Federation are supporting the informant and the subject of the investigation). In such events the staff association will maintain confidentiality and identify an appropriate representation within the organisation to provide such support.

3.8. Amnesty from Discipline / Misconduct Proceedings

- 3.8.1. Limited and defined amnesty from misconduct proceedings may, in certain cases, be given for staff who are able to give evidence of criminal activity, or serious breaches of discipline. Criteria to be considered include:
 - a. the evidence being given is essential;
 - b. the evidence is needed to support a successful prosecution;
 - c. the member of staff concerned has not taken part in a criminal offence, committed a serious breach of the Performance and Conduct Regulations and not gained from his or her actions.
- 3.8.2. The Deputy Chief Constable, or in their absence the Head of PSD, will make this decision in all cases.



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4. Roles and Responsibilities

- 4.1. The Head of PSD is responsible for overseeing cases reported under this procedure.
- 4.2. The ACU Detective Inspector is responsible for ensuring the Head of PSD is regularly updated on cases reported.

5. Administration

- 5.1. Not applicable

6. Monitoring and Evaluation

- 6.1. The Professional Standards Committee will monitor effectiveness of the procedure.

7. Review

- 7.1. The procedure will be reviewed by Head of PSD on an annual basis.

8. Related Policies, Procedures and Information Sources

8.1. Related Policies

- 8.1.1. 02400 Policy - Responding to and Investigating Domestic Abuse

8.2. Related Procedures

- 8.2.1. 02407 Procedure - Police Officers or Staff as Perpetrators or Victims – Domestic Abuse

8.3. Information Sources

- 8.3.1. Grievance procedure on HR Intranet pages



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- 8.3.2. Standards of professional behaviour within the PSD Advice and Guidance Library
- 8.3.3. AD203 – Equality Impact Assessment

Origin: Professional Standards