

THE POLICE FEDERATION OF ENGLAND AND WALES

"WHISTLEBLOWING" PROCEDURE FOR JCC STAFF

INTRODUCTION

The Police Federation of England and Wales (the Federation) is committed to the highest standards of openness, probity and accountability. The Public Interest Disclosure Act 1999 gives legal protection to employees against being dismissed or penalised as a result of making public serious concerns of malpractice or wrongdoing in the organisation.

Concerns or allegations which fall within the scope of other procedures (for example, a grievance regarding workplace disputes) should be referred for consideration under those procedures.

This procedure complies with the Police Federation's Equal Opportunities and Diversity Policies. A Diversity Impact Assessment has been completed and will be kept under review.

THE SCOPE OF THIS PROCEDURE

This policy and procedure has been introduced to provide a mechanism for Federation employees to make a qualifying disclosure to a designated person if they have a reasonable belief that malpractice or wrong doing has occurred or is likely to occur. It enables the Federation to investigate matters and address any concerns in the appropriate manner. This policy is intended to cover concerns which are matters of public interest; this could include

- Financial malpractice or impropriety or fraud
- Failure to comply with legal obligations or Statutes
- Dangers to Health & Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these matters

If an employee becomes aware of any malpractice or wrongdoing they must inform the Federation before making any public disclosure in order that the Federation can address or resolve the concerns raised.

It is important to note that malicious or vexatious allegations will be referred for action under the JCC disciplinary procedures. In an extreme case malicious or wild allegations could also give rise to legal action on the part of the persons wrongly alleged to have acted unlawfully or improperly.

Any employee found not to have reported a contravention of health and safety or a matter of malpractice or wrongdoing is likely to face action under the discipline procedure.

THE PROCESS FOR RAISING CONCERNS

A concern should be raised in the first instance with an employee's line manager. The line manager may be able to resolve particular concerns, but depending on the seriousness and/or sensitivity of the issues involved and who is suspected of the malpractice, the employee and/or their line manager

should inform the Deputy General Secretary (the Designated Person) of their concern. If the Deputy General Secretary is not an appropriate person in the circumstances, the General Secretary should be approached.

Concerns may be raised in person or in writing; written concerns may be made anonymously but they are likely to be regarded as much less credible. Although an employee is 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 their concern. An employee may be accompanied at any meeting to raise their concerns.

The Designated Person will acknowledge receipt of the allegation and make, or cause to be made, initial enquiries to decide whether an investigation is appropriate and, if so, what form it should take. If appropriate the matters raised may be:

- investigated by management, or by an independent person;
- referred to the police; or
- referred to the external auditor

Employees should not feel that they may be disadvantaged when and if they raise legitimate concerns The Federation will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation.

Within 10 working days of being informed of any concern the Designated Person will provide the complainant with an indication of whether, and if so, how the matter will be progressed. If no further action is anticipated the reasons for this will be explained. This time limit may be extended; if so, the employee will be informed of the reasons.

If the complainant is not satisfied that their concern has been properly addressed, they may raise the matter with the General Secretary (or the JCC Chairman if the General Secretary acted as the Designated Person). The General Secretary will review the actions to date and consider whether any further action could or should be taken. The decision of the General Secretary will be final.

HR Procedure Audit Trail	
Policy owner	Samantha Corner
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Date discussed with line managers	October 2009
Date discussed with works council	October 2009
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