



CORRUPTION, DISHONESTY AND SERIOUS MISCONDUCT – REPORT OF (INTERNAL) Procedure

1. INTRODUCTION

1.1 The publication of this procedure is a clear demonstration of the commitment of the Force to support those who report corruption and misconduct. It contains clearly established guiding principles and a commitment to continuously review the procedures to accommodate the lessons of experience and best practice.

1.2 Other Policies and Procedures

This process is to be used in providing support to staff who report corruption, dishonesty and serious misconduct. It complements, but does not replace, the following:

- Grievance Procedure.
- Discipline and Misconduct Procedures relating to all employees and related Force Policies.
- Unsatisfactory Performance Procedures, Police (Efficiency) Regulations and related amendments, Police Staff Capability Procedures and related Force Policies.
- Force Policy on Gifts, Gratuities, Hospitality and Discounts.
- Force policy on Notifiable Associations
- Force Policy on Business Interests

2. GUIDING PRINCIPLES

2.1 Responsibilities and Expectations

All staff have a responsibility to report suspected wrongdoing and all staff have a right to do so without fear of harassment or victimisation. They also have a clear entitlement to support from colleagues, staff associations, staff support networks, supervisors and managers.

2.2 Confidentiality

Confidentiality must have the highest priority and will be maintained as far as possible without compromising ethical investigation of the reported wrongdoing.

2.3 Tension between Confidentiality and Investigation

Members of staff, who provide information, or report corruption, dishonesty or serious misconduct, should do so in the knowledge that they may be required to give evidence in support of criminal or misconduct proceedings. The resolution of tension between confidentiality and investigation will require sound judgement and the establishment of trust between the Investigating Officer and the reporting member of staff.

When the conduct subject of report is particularly serious, the balance will normally be decided in favour of preventing further harm and detecting the offence.

2.4 Meaningful and Tangible Support

Appropriate support should be designed to suit the needs of the individual within the available support processes, and indeed in line with the method of reporting.

The need for support will be recognised and considered at the outset of any case and continue until the needs of the individual are met. Specific support will be tailored to suit the needs of the individual, and with the individual's consent.

Open Reporting

The responsibility for this will initially rest with the recipient of the report and thereafter, in cases where the report has been made openly, the reporting member may choose to seek support from the local Federation or Unison representative. HR Managers and HR Officers will, in any case, oversee the support arrangements and, ensure that those tasked with conducting the investigation are appraised as to the support mechanisms put in place.

Confidential Reporting

Support for staff who make confidential reports direct to the Professional Standards Department (PSD) will be discussed between the Investigating Officer and the Reporting Officer and, if necessary, PSD will retain responsibility for supporting the individual, unless the reporting staff member consents to receive support from another available source.

2.5 Leadership

Effective leadership at all levels in the provision of support to those who report issues of corruption, malpractice, or unethical behaviour, must be demonstrated by Line Managers in safeguarding the interests of individuals. Managers and Supervisors must never discourage reporting by their actions, words, or conduct and must never do anything that may be perceived as "choosing sides" prior to the outcome of investigation.

2.6 False and Malicious Allegations

Every effort will be made, by Investigating Officers, to ensure that the integrity and accuracy of information is verified. Where it is evident that a report is deliberately false and malicious, consideration will be given to misconduct procedures against those making false allegations. Information provided in good faith will not be subject to sanction.

2.7 Adverse Conduct towards Reporting Staff Members

The Force will not tolerate bullying, harassment or victimisation of those who report corruption, dishonesty, or misconduct. Such instances will be vigorously investigated, and staff members making reports will be encouraged to help identify any such behaviour. Where apparent, such behaviour will be subject of disciplinary action.

3. REPORTING MECHANISMS

3.1 Information about actual or suspected corruption and dishonesty should be reported as soon as practicable. Documented and attributable information can carry significant weight to assist investigators. Where individuals submit anonymous reports or comment, they must be aware of the difficulties in progressing investigations.

3.2 The mechanisms for reporting as outlined are not prescriptive. Individuals are free to determine how they report, so as to suit themselves and the circumstances of the misconduct they identify.

4. REPORTING TO LINE MANAGERS AND SUPERVISORS

4.1 In many cases, staff will have sufficient confidence in a Supervisor or Line Manager to make an initial verbal or written report. This has the advantage both of enabling an immediate and positive response to the information and, it would also ensure the support process for the reporting staff member is adopted at the earliest opportunity.

4.2 Supervisors and Line Managers, who receive reports, must take responsibility for determining the immediate course of action to secure and preserve evidence and, to give early consideration to any confidentiality issues that may exist. Where preservation of evidence is not required, the Supervisor or Line Manager receiving the report must determine the next course of action. They may wish to take advice on the matter first.

4.3 In all cases, it is essential to determine a course of action based on need to know principles.

4.4 When the circumstances and the seriousness of the wrongdoing indicate that an investigation may be required independently from the Local Policing Team or Department, the matter should be reported to the Superintendent, Head of the PSD or in their absence, to their deputy or to the Detective Chief Inspector, Head of the Anti-Corruption Unit. HR Managers, HR Officers Line Managers may seek advice and guidance from the Head of the PSD without referral to any other Manager.

5. THE CONFIDENTIAL LINE 5001

5.1 The Confidential Line provides a secure answer-phone facility for reporting and recording concerns. It allows staff to report directly to the senior management in the PSD, thereby ensuring that the matter receives attention on a strict need to know basis. Some staff have a preference for the security that this system offers.

5.2 The line is not continuously monitored. It is not a suitable method for reporting matters which may require immediate attention. The line is accessed daily, Monday to Friday.

5.3 Those who report to the Confidential Line should be cognisant that unless they leave their contact details, it will not be possible for them to be contacted to obtain details

beyond those that they have recorded. This might limit the scope of any investigation. Callers are therefore encouraged to identify themselves and propose a secure method by which they may be contacted.

6. THE CONFIDENTIAL REPORTING FACILITY 'BAD APPLE'

6.1 This is a strictly anonymous message exchange facility which enables an ongoing email communication to take place between the person making the report and staff of the Anti-Corruption Unit, without the Anti-Corruption Unit knowing the identity of the person reporting the matter if they choose to remain anonymous. The icon through which 'Bad Apple' can be accessed is located amongst the icons on the front of the force IT system. There is no facility for the ACU to identify the author of any report if the individual concerned chooses not to provide their name.

7. DIRECT REPORTING TO THE ANTI-CORRUPTION UNIT (ACU)

7.1 Staff are advised that this is an extremely secure method of reporting any concerns relating to corruption and illegal conduct.

7.2 The ACU will receive direct communication from staff who wish to report concerns. Direct approaches to the ACU, without reference to local management and Supervisors, are encouraged, in order to protect the individual making the report and, to protect subsequent investigations into criminality and serious or gross misconduct.

8. THE PROFESSIONAL STANDARDS DEPARTMENT (PSD)

8.1 The PSD is used to receiving and dealing with reports of criminality and misconduct.

8.2 Approaches will be dealt with by staff with experience in receiving this type of report and subsequent investigation. It is acceptable to report directly to the PSD in order to ensure an independent and objective assessment of the circumstances, or to ensure the need to know principle is maintained.

9. STAFF ASSOCIATIONS - TRADE UNIONS – OTHER SUPPORT GROUPS

9.1 Staff Associations and Trade Unions are familiar with the principles of confidentiality and fully support the Force strategy. Individuals may wish to seek advice from a trusted member of the staff associations or members of other support groups in choosing their preferred method of reporting, and subsequent support systems.

9.2 The support groups concerned and mechanisms in force include the following:

- Unison
- Police Federation
- Staffordshire Association of Women in Policing
- Lesbian, Gay, Bisexual and Transgender + Group
- Multicultural Association
- Disability Support Group
- Occupational Health Safety and Welfare
- Equality, Diversity and Inclusion Unit

- Confidential Line 5001
- 'Bad Apple' reporting facility
- Independent Office for Police Conduct (IOPC). Telephone 0800 085 0000 Email: enquiries@policeconduct.gov.uk

9.3 Staff members wishing to retain as much confidentiality in respect of their report as possible, are encouraged to report directly to the PSD or Anti-Corruption Unit. Supporting mechanisms can then be discussed and determined in accordance with the individual's needs.

10. CRIMESTOPPERS

10.1 Crimestoppers provide a medium for providing information anonymously regarding crime and are used in some circumstances.

11. SUPPORT ARRANGEMENTS

11.1 Force Commitment

The Force is committed to the provision of quality support arrangements for staff reporting wrongdoing. The Force also recognises the additional support that Trade Unions, Staff Associations, and the other groups provide. Arrangements published within these procedures will be subject of continuous development, based on experience.

The Force aspires to a position whereby those who report can be assured that they should not suffer bullying, or harassment, of any kind in consequence of their actions. It is stressed that misconduct and/or criminal prosecution will be vigorously pursued where evidence of harassment and victimisation emerges.

11.2.1 Role of Line Management and Supervisors

Line Managers who receive initial reports have a duty of confidentiality, as far as this does not conflict with immediate investigative needs. Those who receive information, identifying a reporting member of staff, are obliged to ensure:

- The needs of the individual are always considered.
- The actions required in providing support are adopted.
- The workplace is monitored, to ensure appropriate standards of conduct.
- Protection against harassment and victimisation is offered and robust action is initiated where such behaviour is evident.
- The details of initial support arrangements are provided to the Investigating Officer.
- Need to know principles are consistently applied.

11.3 Inclusion Meeting

When an investigation is commenced as a consequence of a member of staff reporting the matter direct to the PSD, the Investigating Officer will consider convening a meeting with the LPT Commander or Departmental Head, and/or the HR Manager, as the investigator feels appropriate. The purpose of this meeting will be to inform Managers, where necessary, of the existence of the investigation.

The meeting will also consider, where appropriate, a support Policy for the Reporting Officer, having due regard to the Reporting Officer's wishes and any specific needs.

Records of the decisions and monitoring of the supportive actions will be kept by the HR manager. The Investigating Officer will determine who needs to be present at the meeting. All present will be cognisant of the confidentiality issues.

In some circumstances, particularly with open reports, a meeting may not be necessary and the relevant information, can be shared through the usual channels.

11.4 Ongoing Support

Whenever an active investigation is undertaken, the HR Manager, or PSD Investigator as appropriate to the circumstances, will be responsible to ensure that support arrangements are in place during and after the investigation, subject to regular review with the reporting member of staff. Support may continue well beyond the time-scales of the investigation itself. The Force will seek to provide support for those who report wrongdoing, to satisfy the needs of the individual.

11.5 Role of NPCC (Executive Officers)

The NPCC Officer will consider writing to individuals to thank them where appropriate, and in particular, at the conclusion of an investigation, for their commitment to ensure the Service retains its integrity.

11.6 The Role of the Occupational Health Safety and Welfare Department

Welfare Officers are able to provide advice and support to individual members of staff that can be designed to suit the needs of the individual.

11.7 Staff Associations

Nothing in these procedures is intended to undermine the support which individuals can expect from their staff associations, or trade unions.

11.8 Witness Protection Scheme

It is anticipated that issues of witness protection will only arise in the most extreme cases. A threat assessment will be undertaken by the PSD at an early stage, to ensure that appropriate facilities and support are provided.

A range of tactical options will be considered and 'tailored' to meet the requirements of the member of staff, commensurate with any such threat assessment.

12. FEEDBACK AND DE-BRIEFING

An important part of the process will be an end of case de-briefing, with the individual making the report. This will provide an opportunity to identify both good and bad practice.

12.1 Members of staff making a report will be updated periodically by the Investigating Officer, on the progress of the investigation. As the needs of a member of staff may change as the investigation progresses, the HR Manager will also need to be kept informed, so that regular reviews can be conducted.

12.2 At the conclusion of the whole process, the HR Manager or PSD Investigator as appropriate, should compile a report for the information of the Superintendent Head of

the PSD, incorporating the views of the person originally reporting. The report should determine any lessons learnt; what worked and what did not, in order to inform and influence subsequent case management.

Staffordshire Police confirms that these Orders have been reviewed for compliance with the European Convention on Human Rights. It is reasonably believed that the Orders do comply with the requirements of the European Convention at the present time.

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