

<b>For Information</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Joint Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>15<sup>th</sup> November 2019</b>
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<b>Agenda Item:</b>	<b>14</b>

## **PROFESSIONAL STANDARDS CONFIDENTIAL REPORTING PROCEDURE (Whistle Blowing)**

### **1. Purpose of the Report**

- 1.1 The purpose of this report is to update the Joint Audit and Scrutiny Panel (JASP) regarding the above area of business.
- 1.2 Specifically, the update will outline how the organisation and the Professional Standards Directorate (PSD) and deals with those members of the organisation who make reports concerning breaches of professional standards. In particular, how they can be provided with support and confidentiality, when appropriate and necessary.

### **2. Recommendations**

- 2.1 It is recommended that the Panel receive assurance from the processes in place relating to confidential reporting as detailed within the report.
- 2.2 It is recommended that the panel receives assurance that Nottinghamshire Police Professional Standards Directorate actively seeks information and intelligence from a variety of sources in order to prevent corruption.

### **3. Reasons for Recommendations**

- 3.1 The number of confidential referrals has reduced year-on-year from 2017 to 2019. This is a trend experienced across all five regional forces. In July 2018 Nottinghamshire Police identified the counter corruption strategic priorities for the following 12 months, these being:
  - Infiltration and corrupted individuals
  - Abuse of position of trust for sexual gain
  - Disclosure of information

The strategic threat assessment is being refreshed for December 2019.

### **4. Summary of Key Points**

- 4.1 Police officers, staff and volunteers, must be honest and act with integrity at all times. This is a principal and absolute standard of professional behaviour from

which there can never be any departure. Without personnel possessing such attributes, public trust and confidence would be eroded, the Police would lack legitimacy and the service provided would become ineffective.

- 4.2 The reporting procedure for referring potential breaches in standards of professional behaviour, aims to create a climate where staff feel a genuine commitment to openness and transparency when reporting breaches of Professional Standards. Police personnel should be motivated with a desire to maintain the integrity of the Police service and feel assured that reporting misconduct and criminal transgression will be universally acknowledged as 'doing the right thing.'
- 4.3 The Force's 'Professional Standards Reporting Procedure' (PD462) defines how Nottinghamshire Police will protect and support its officers, staff and volunteers, by both (a) providing a broad range of options for reporting breaches and (b) providing consistent and meaningful support to colleagues who report concerns.
- 4.4 The Code of Ethics as set by the College of Policing places a positive obligation on Police personnel to report suspected breaches in the standards of professional behaviour by their colleagues. Officers, staff and volunteers must be able to report such breaches openly, with the support of their peers and line managers and have the utmost confidence that in doing so, they will never be subject of victimisation, discrimination or disadvantage.
- 4.5 The reporting procedure identifies guiding principles and some examples of what activity or conduct should be reported, before outlining the different mechanisms and gateways for making such reports, which can be done anonymously, confidentially or in an open report.
- 4.6 The PSD have a key part to play in this procedure once a referral is made to the Directorate. Where open reports have been made, appropriate support will be given to the informant from the outset and proactive central and / or local management support and action will continue throughout the lifetime of the investigation and where necessary beyond that.
- 4.7 Confidentiality, when requested, will be given the highest priority. Nevertheless, relevant information will be subject of statutory rules governing disclosure. For misconduct cases that fall outside the scope of a criminal investigation, confidential information will be handled in a similar way to criminal intelligence. Where there can be no adverse effect on the person accused and a fair hearing can be guaranteed, immunity as to the disclosure of confidential information will always be sought.
- 4.8 For any officers, staff or volunteers who are concerned in coming forward to report any suspicion of corruption or misconduct the Force provides an anonymous and confidential digital reporting platform called 'Integrity Messenger.' This system allows two-way communication with the PSD Counter Corruption Unit (CCU) whilst still preserving the anonymity of the person reporting for as long as they feel the need. Two way digital dialogue allows for rapport and confidence building, which in turn can lead to the person reporting

providing their personal details. This affords any linked investigation with an opportunity to pursue further lines of enquiry.

- 4.9 A confidential telephone reporting system, maintained by the CCU, is also available to all Officers and Staff. Telephone calls are taken in person between the hours of 8am and 4pm and outside of these times, there is a voicemail facility. This facility operates on both an external and internal telephone number.

In the reporting period 1<sup>st</sup> April 2019 to 31<sup>st</sup> August 2019 a total of 12 confidential referrals were received by the CCU. These are listed in accordance with National Counter Corruption categories as set by the National Crime Agency (NCA):

- Misuse of Force systems x 1
- Controlled drug use x1
- The following are those that fall outside of the NCA corruption categories:
  - Other x 1
  - Information security x1
  - Sickness x 2
  - Division/line manager/performance issue x 6

As a comparison there were 19 referrals in the previous reporting period 1<sup>st</sup> October 2018 to 31<sup>st</sup> March 2019:

- Misuse of Force systems x 1
- Inappropriate association x 1
- Commit/assist an offender in commission of crime x 3
- The following are those that fall outside of the NCA corruption categories:
  - Business interest x 3
  - Vetting Information x 2
  - Social media/Open Source x 1
  - Bullying/grievance x 1
  - Division/line manager/performance issue x 7

Of those falling outside the NCA corruption categories, the majority of referrals relate to performance issues. The number of referrals in this category has more than halved since early 2018 which has contributed to the reduction in referrals year on year overall. This is seen as a positive reduction as this was never the purpose of the Integrity Messenger platform. This also demonstrates a change in culture towards learning and development and not punishment where performance and dispute resolution issues are concerned. The Force has recently revised the processes for dealing with dispute and grievance and wherever possible informal resolution will be considered first.

- 4.10 No information exists within the Force to suggest that there has been a reduction in the confidence of the confidential reporting gateways provided to police officers, police staff and volunteers. The organisation appear comfortable reporting issues openly in person to PSD. The department still receive overt queries and give regular advice on how to deal with unsatisfactory performance. The Force achieved 'good' for its HMICFRS (Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service) inspection rating in relation to how well it maintains and ethical culture and lawful workforce behaviour.
- 4.11 The Force has an effective counter-corruption strategic assessment and control strategy. The Force makes good use of the integrity registers regarding notifiable associations and business interests.

## 5. Financial Implications and Budget Provision

- 5.1 No specific financial implications are noted.

## 6. Human Resources Implications

- 6.1 No specific HR implications are noted.

## 7. Equality Implications

- 7.1 This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Data Protection Act; Freedom of Information Act; ECHR; Employment Act 2002; Employment Relations Act 1999 and other legislation relevant to policing.
- 7.2 This procedure is robust and the evidence shows there is no potential for discrimination and that all opportunities to promote equality have been taken.

## 8. Risk Management

- 8.1 It is essential the public have confidence in the service that Nottinghamshire Police provide.
- 8.2 The overwhelming majority of individual members of Police personnel including police officers, staff and volunteers within Nottinghamshire Police are

dedicated, hard working, compassionate, and deliver policing services with a high degree of integrity. Regrettably, there are a small number of Police personnel that are guilty of and vulnerable to, unethical behaviour, dishonesty and corruption. The harm they do far outweighs the numbers they represent.

- 8.3 We all have a part to play in enhancing the integrity and reputation of the Force. This process starts with recognition that we are all individually accountable for our actions and responsible for our behaviour.

## 9. Policy Implications and links to the Police and Crime Plan Priorities

- 9.1 By having a Professional Standards Reporting Procedure we are able to set out ways that staff can make reports concerning breaches of Professional Standards and ensure we support the Force vision and values.

## 10. Changes in Legislation or other Legal Considerations

- 10.1 There are no changes in legislation or other legal considerations relating to this report.

## 11. Details of outcome of consultation

- 11.1 No consultation has been undertaken in relation to this report as the purpose is to provide an update to JASP only.

## 12. Appendices

- 12.1 There are no appendices attached to this report.