



## ***Protected Disclosure (Whistleblowing) Policy***

<b>Policy summary:</b>	<i>Dyfed-Powys Police is committed to the highest standards of openness and accountability and takes malpractice seriously. ALL have a right and a duty to report concerns of malpractice that are in the public interest.</i>
<b>Policy number:</b>	<b>004/2022</b>
<b>Version control:</b>	<i>Version: 3.0 Date: September 2024 Rationale: Review and transfer to new force templates A full version control is <a href="#">available here</a>.</i>
<b>Date implemented:</b>	<b>January 2023</b>
<b>Review date:</b>	<b>September 2026</b> <i>(however the policy owner may undertake a review sooner if for example there are major changes to legislation associated with the policy, major changes to process etc).</i>
<b>Owner/contact:</b>	<b>Senior Manager, Professional Standards Department</b>
<b>Approval</b>	<b>Detective Supt, Professional Standards</b> <b>Date of approval: 8<sup>th</sup> November 2024</b>
<b>Consultation and approval</b>	<b>Health and Safety, People Services, Finance team, Information Management and Compliance, Trade Unions, Police Federation, Supt's Association, Support Networks.</b>
<b>Welsh Translation</b>	<b>Yes</b>



## 1. Statement of Policy

Whistleblowing is the term used when a person passes on information concerning wrongdoing. In this policy, this is referred to as “making a disclosure” or “blowing the whistle”. The wrongdoing will not always be something an officer, staff member or volunteer has witnessed at work or during the course of their duties.

A whistleblower who makes a protected disclosure orally, by email or in writing in line with the legislation has legal protection from detriment, dismissal or redundancy.

Whistleblowing law is found within the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). To be protected by whistleblowing law, an individual who makes a disclosure must reasonably believe two things -

1. That they are acting in the public interest,
2. That the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories –
  - criminal offences (this may include for example, types of financial impropriety such as fraud)
  - failure to comply with an obligation set out in law
  - miscarriages of justice
  - endangering of someone’s health and safety
  - damage to the environment
  - covering up wrongdoing in the above categories.

***Applies (but not limited) to:*** All categories of Dyfed-Powys Police officers and staff, whether full-time, part-time, permanent, fixed term, temporary (including agency staff, associates and contractors), seconded staff and volunteers. Police Officers, staff and volunteers accessing and using Force assets and property must have due regard to the contents of this policy.



## 2. Policy Scope

This policy applies to, and provides protection to the following –

- Police Staff
- Police Officers
- Police and Crime Commissioner and staff of the Office of the Police and Crime Commissioner (OPCC)
- Special Constables
- Police Support Volunteers and Cadets
- Contractors providing a service to the Force
- Temporary Agency Staff
- Modern Apprentices
- Those on work placement
- Former officers, staff and volunteers

## 3. Powers and Policy/Legal Requirements

Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998)

Equality Act 2010

Police Regulations

The Special Constables Regulations 1965

The Special Constables (Amendment) Regulations 2012

Dyfed-Powys Police Whistleblowing Procedure

## 4. Options and Contingencies

A key responsibility for officers and staff is challenging or reporting improper conduct and the force is committed to supporting individuals who report such concerns.



Disclosures can be made in a number of ways –

- Disclosure to Supervisor/Manager/Senior Officer
- Disclosure to Staff Associations
- Disclosure to PSD/PSD Anti-Corruption Unit
- Disclosure to a Chief Officer
- Disclosure via the Force's Confidential/Anonymous Reporting Lines

Dyfed-Powys Police is committed to promoting the 10 Standards of Professional Behaviour, along with the Code of Ethics and the policing principles contained therein.

These are applicable to all officers, staff and volunteers.

### **Responsibility of Dyfed-Powys Police**

It is good practice to create an open, transparent and safe working environment where officers and staff feel able to report concerns. Although the law does not require Police forces to have a whistleblowing policy in place, the existence of a whistleblowing policy clearly shows Dyfed-Powys' commitment to listen to the concerns of its officers and staff. By having clear policies and procedures for dealing with whistleblowing, the Force can demonstrate that it welcomes information being brought to the attention of management. This is also demonstrated by the following:

#### **a) Organisational culture**

Dyfed-Powys Police support an open and supportive culture, where officers, staff and volunteers should have confidence in making a disclosure without the fear of the consequences.

The two main barriers whistleblowers face are a fear of reprisal as a result of making a disclosure and that no action will be taken if they do make the decision to 'blow the whistle'. Therefore, ensuring that police officers, staff and volunteers can approach management with their concerns is the most important step in creating an open culture.

The Force is committed to demonstrating, through visible leadership at all levels of the organisation, that it welcomes and encourage officers, staff and volunteers to make disclosures.

The ethos underpinning this policy is that where an officer, member of staff or volunteer reports a concern, they will be valued and supported throughout the process.



### **b) Training and support**

The Force will implement training, mentoring, advice and other support systems to ensure officers, staff and volunteers can easily approach a range of people in the organisation and have confidence that they will be supported.

### **c) Putting things right**

The Force is committed to 'putting things right' at the earliest opportunity where possible and appropriate. In the majority of cases the focus will be on resolving any wrongdoing in a timely and proportionate manner which will be in the interests of all parties.

The [Code of Ethics](#) principles are relevant to this policy -

- Courage
- Respect and Empathy
- Public Service

## **5. Take action and review**

The policy will be reviewed every 24 months or sooner should there be a change in relevant legislation or national guidance. This policy will be overseen by the People, Culture & Ethics Board.

The Professional Standards Department, in consultation with Legal Services, continually assess the effectiveness of the policy by, for example, looking at cases where it is used.

For further information about the policy please contact either the Professional Standards Department or Legal Services.



## EQUALITY IMPACT ASSESSMENT

Section 4 of the Equality Act 2010 sets out the **protected characteristics** that qualify for protection under the Act as follows: Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; Sexual Orientation.

The **public sector equality duty** places a proactive legal requirement on public bodies to have regard, in the exercise of their functions, to the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is unlawful under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The equality duty applies to all protected characteristics with the exception of Marriage and Civil Partnership, to which only the duty to have regard to the need to eliminate discrimination applies.

Carrying out an **equality impact assessment** involves systematically assessing the likely or actual effects of policies on people in respect of all the protected characteristics set out above. An equality impact assessment should be carried out on any policy that is **relevant** to the public sector equality duty. An equality impact assessment template is available [here](#).

## EQUALITY IMPACT ASSESSMENT COMPLETED

<b>Name:</b>	Senior Manager
<b>Department:</b>	Professional Standards Department
<b>Signed:</b>	G Lemon
<b>Date:</b>	06/11/2024

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**HUMAN RIGHTS ACT CERTIFICATE OF COMPLIANCE**

This policy has been drafted in accordance with the Human Rights Act and has been reviewed on the basis of its content and the supporting evidence and it is deemed compliant with that Act and the principles underpinning it.

<b>Name:</b>	Head of Legal Services
<b>Department:</b>	Legal Services
<b>Signed:</b>	
<b>Date:</b>	7 November 2024

**CODE OF ETHICS CERTIFICATE OF COMPLIANCE**

This policy has been drafted in accordance with the Code of Ethics and has been reviewed on the basis of its content and the supporting evidence and it is deemed compliant with that Code and the principles underpinning it –

- Courage
- Respect and Empathy
- Public Service

<b>Name:</b>	Senior Manager
<b>Department:</b>	Professional Standards Department
<b>Signed:</b>	G Lemon
<b>Date:</b>	06/11/2024

**CORPORATE FINANCE REVIEW**

No changes to this policy will incur any financial cost other than to amend, improve or formalise business as usual practices that are affordable and within budget. Any policy change affecting financial cost must be discussed with the Corporate Finance department in advance of seeking approval of this policy. Please sign to confirm that





the financial impact of this policy area has been considered and that Corporate Finance have been notified of any change, if applicable.

<b>Name:</b>	Senior Manager
<b>Department:</b>	Professional Standards Department
<b>Signed:</b>	G Lemon
<b>Date:</b>	06/11/2024

### Freedom of Information Act 2000

Section 19 of the Freedom of Information Act 2000 places a requirement upon the Force to publish all policies on the Force website. Policies are why we do things and procedures are how we do them. A case-by-case review of procedures must be undertaken to protect law enforcement and health and safety considerations. Where a combined policy and procedure document is being produced the Force is legally required to publish the policy section and assess the procedure part to ensure no sensitive information is published. Generally the default position shall be that a policy and accompanying procedure document will be produced separately.

There is a requirement therefore to review this document to establish its suitability for publication. Please identify below whether the document is suitable for publication in its entirety or not. Where it is believed that disclosure will be harmful please articulate the harm that publication would cause and highlight the relevant sections within the document. Where it is perceived that there is harm in disclosure the document should be forwarded to the Disclosure Unit for review.

### Suitability for publication

<b>Suitability for publication</b>	<b>Yes/No</b>	<b>Date</b>	<b>Signature</b>
Document is suitable for publication in its entirety	Yes	06/11/24	G Lemon





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Suitability for publication	Yes/No	Date	Signature
Document is suitable for publication in part, I have identified those sections which I believe are not suitable for disclosure and have articulated below the harm which would be caused by publication.			

**Outline of any harm identified in publication:**

**FOI review – to be completed by Disclosure Unit**

(Only required if author believes there is any harm in disclosure)

Suitability for publication	Yes/No	Date	FOI Decision Maker
Document is suitable for publication in its entirety			
Document is suitable for disclosure in part and relevant redactions have been applied. A public facing version has been created.			

Once review has been undertaken, FOI Disclosure Officer to return document to policy author and following sign-off, document to be published within Force Publication Scheme. Any future changes to the document should be brought to the attention of the Policy Officer and the Disclosure Unit, as appropriate.

**Full Version Control**

Version	Date	Author	Rationale
1.0	October 2017	Senior Manager, Professional Standards Department	First Version



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Version	Date	Author	Rationale
1.1	November 2021	Senior Manager, Professional Standards Department	Review and use of new policy template
2.0	January 2023	Senior Manager, Professional Standards Department	Review
3.0	September 2024	Senior Manager, Professional Standards Department	Review – use of new force policy and procedure templates, minor change – addition of volunteers to section 2