

Meeting	SPA Audit, Risk and Assurance Committee
Date	20 January 2022
Location	By Video Conference
Title of Paper	Police Scotland – Whistleblowing Update
Presented By	ACC Alan Speirs
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

The purpose of this paper is:-

- to provide a 6-monthly report regarding Police Scotland's Whistleblowing process related to training and how staff confidence in the process is measured.
- ARAC Action 20210715-AUD-001 refers.

Members are invited to discuss the content of this report.

1. BACKGROUND

- 1.1 Police Scotland provide an annual Whistleblowing report to the SPA's Audit, Risk and Assurance Committee (ARAC).
- 1.2 In July 2021, an action was raised at the ARAC requesting a six-monthly update on Police Scotland's Whistleblowing process relating to information on training and how staff confidence in the process is measured (20210115-AUD-001).
- 1.3 Police Scotland has reviewed and revisited our Whistleblowing Guidance which is complemented by significant training and numerous awareness sessions via various platforms. Our annual review of the Guidance document is ongoing.
- 1.4 In June 2021, a bench-mark self-assessment was undertaken by Police Scotland to identify areas of improvement, which was presented to the ARAC in July 2021 and included details of our self-assessment against best practice.

2. TRAINING

- 2.1 Since the introduction of Police Scotland's Whistleblowing Guidance in 2017, we have invested in the continued development of our Whistleblowing process and practice.
- 2.2 In 2018/19, the PSD Gateway Unit staff, who are the single point of entry for all internal referrals that report concerns of wrongdoing, received dedicated training, facilitated by PROTECT (Whistleblowing Advice) Ltd. This training further supported and enabled early identification of Whistleblowing matters, which are flagged to senior management timeously for assessment and management.
- 2.3 A Whistleblowing e-learning training package was developed in consultation with 'PROTECT' and cascaded to all members of police staff and police officers (of all ranks). This online platform was launched in June 2020 and all staff/officers completed this training. This e-learning package is delivered to all new employees.

- 2.4 Furthermore, Whistleblowing is included and referenced within PSD training materials and delivered to various training courses by the PSD Training Cadre.
- 2.5 A CPD awareness event was hosted at the Scottish Police College in 2019, where representatives from all Divisions, Scottish Police Federation and staff associations were represented.
- 2.6 A dedicated training plan is currently being considered and being led by the PSD Training Working Group (TWG). The TWG was initially set up to address recommendations outlined within the Dame Elish Angiolini review however the value of this meeting was acknowledged and the Terms of Reference/membership was recently refreshed, with monthly meetings being held as of January 2022.
- 2.7 The development of our Whistleblowing training forms part of the TWG plans to facilitate enhanced engagement in terms of Whistleblowing awareness for inclusion within established supervisory and leadership training courses.

3. MEASURING CONFIDENCE TO REPORT

- 3.1 Police Scotland seeks to provide an environment where individuals feel confident to raise concerns when they reasonably believe that wrongdoing is being or has been done. Whistleblowing has many potential benefits for the organisation and is viewed as an important source of information that may highlight serious risks to the effectiveness and efficiency of the organisation, with individuals often best placed to identify deficiencies and problems at the earliest opportunity.
- 3.2 In order to support our employees to raise concerns, we have a range of reporting mechanisms available, such as reporting to Line Managers, Heads of Department, Professional Standards Department and Police Scotland's online confidential reporting system, Integrity Matters. Employees can choose to report in person, in confidence or anonymously.
- 3.3 Police Scotland also has a dedicated online Whistleblowing Reporting Form to raise reports of wrongdoing.

- 3.4 Additionally, an independent Whistleblowing advice line operated by 'PROTECT' is also available for Police Scotland employees which provides confidential, expert advice to officers, staff and managers.
- 3.5 As presented in the July 2021 annual report, the PSD Gateway Unit was established in February 2017 to manage all internal reports of concerns, including issues pertaining to unethical, unacceptable, unprofessional, discriminatory or illegal behaviour; conduct, performance, discipline or integrity issues. Since its creation, the referral rate into the Gateway Unit has increased year-on-year:-

Table 1

Financial Year	Total No. of Referrals
2017/18	1175
2018/19	2168 86% increase on previous year
2019/20	2419 11.6% increase on previous year 107.6% increase since Year 1
2020/21	2743 13.4% increase on previous year 134% increase since Year 1

Table 2



3.5 Table 1 includes all referrals received by the Gateway Unit, including Whistleblowing matters. These figures include a variety of matters including; criminality, conduct, grievance, performance, business interests, notifiable associations, audit requests, organisational risk, vulnerabilities.

The 2020/21 the figures also include Operation Talla related referrals received by the Gateway Unit, which totalled 208 of the overall referrals for the year. In general these referrals related to alleged breaches of Covid legislation by officers/staff.

Table 2 is a breakdown of the quarterly referrals submitted to the Gateway Unit, excluding Business Interest and Secondary Employment referrals, as BISE referrals do not include reports of concern/wrongdoing.

3.6 The year-on-year increase in referral rate is indicative of well embedded reporting mechanisms and, although not solely related to Whistleblowing, demonstrates a confidence in the processes Police Scotland have in place to report wrongdoing within the workplace.

3.7 In 2020, the Your Voice Matters survey was launched and received 7,389 responses from Police Scotland (31.2% response rate).

Although, Whistleblowing and confidence to report were not specifically referred to within this survey, it did measure staff/officers views related organisation culture and working environment, such as; public service motivation, commitment to the public, perceived organisational support, procedural justice (fairness), fear of making mistakes and integrity identity. The findings are currently being reviewed by the organisation however, it is reasonable to report that the categories covered within this survey provide an overall measurement on confidence to report matters of concern/wrongdoing.

- 3.8 Furthermore, in October 2021, Police Scotland launched a new Investigative Wellbeing Guidance and Feedback process to provide enhanced support for officers and staff involved in an investigatory process, including Whistleblowing investigations. There are two feedback forms available as part of this process (one for the officer/staff member and one for their supervisor). This feedback process will ensure improvement and learning opportunities are captured, disseminated and implemented accordingly.
- 3.9 Police Scotland recognises the valuable contribution that our staff make to public service and the protection of public interest. Our core values of Integrity, Fairness, Respect and Human Rights and our Standards of Professional Behaviour reflect our expectations. These values seek to further support staff/officers confidence to report wrongdoing in a safe, open and transparent work environment.
- 3.10 The reporting mechanisms we have in place along with our commitment and dedication to continually enhance our processes and practice is building a culture where our people feel confident to report concerns confidently, ensures that these concerns are identified and escalated at the earliest opportunity to PSD and that they are addressed via the most appropriate route.

4. POLICE SCOTLAND'S ANNUAL UPDATE – 2021/22

- 4.1 An update on the progress of Police Scotland's Whistleblowing process and practice will be included in our annual report for 2021/22.

5. FINANCIAL IMPLICATIONS

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- 5.1 There are no direct financial implications however Police Scotland strive to create a transparent culture within the organisation to minimise potential legal costs attributed to wrongdoing within the workplace.

6. PERSONNEL IMPLICATIONS

- 6.1 Police Scotland's policy seeks to ensure staff and officers feel enabled and empowered to report wrongdoing with the confidence that any reports made will be taken seriously and thoroughly investigated, whilst affording employees legislative protection.

7. LEGAL IMPLICATIONS

- 7.1 Processes put in place will ensure Police Scotland's compliance with the Employments Rights Act 1996 and the Public Information Disclosure Act 1988.

8. REPUTATIONAL IMPLICATIONS

- 8.1 In 2019 Police Scotland was recognised as a benchmark for other law enforcement agencies within the UK Government's call for evidence regarding Whistleblowing. We endeavour to develop and strengthen our process, to have a workforce that is listened to, feel empowered to report wrongdoing and create a safe working environment/culture. This, in turn, builds public trust and confidence in policing, as these matters are in the public interest.

9. SOCIAL IMPLICATIONS

- 9.1 By continuing to strengthen our existing process, we will create an open, honest and transparent culture which meets the needs and encompasses our full workforce and the wider communities we serve.

10. COMMUNITY IMPACT

- 10.1 A strong Whistleblowing process within the organisation will enhance public trust and confidence in Policing.

11. EQUALITIES IMPLICATIONS

- 11.1 None

12. ENVIRONMENT IMPLICATIONS

- 12.1 None

RECOMMENDATIONS

Members are invited to discuss the content of this report.