

Area of focus	Findings from Grant Thornton	Action Points and Recommendations from Grant Thornton	Action Owner	Completed Y/N	Comments from DS Backhurst / DI Whiting
<b>The quality of the written Policy and procedures</b>					
Are examples given of the types of concerns raised?	<ul style="list-style-type: none"> <li>The Policy lists the following qualifying disclosures:               <ol style="list-style-type: none"> <li>a criminal offence</li> <li>a miscarriage of justice</li> <li>an act creating risk to health and safety</li> <li>an act causing damage to the environment</li> <li>a breach of any other legal obligation</li> <li>concealment of any of the above</li> </ol> </li> <li>It also includes a disproportionate amount of detail (a stand alone section) on reporting financial irregularities compared with other reasons for disclosure. This takes emphasis away from the other equally relevant aspects of the Policy.</li> <li>From our analysis of the policies provided by the benchmarking group, it is common practice to provide a list of qualifying disclosures, as listed above.</li> </ul>	Consider how the Policy addresses all qualifying disclosures equally, in particular financial irregularities.	Head of Finance	Yes	Consideration to re-writing the financial section will require consultation with the Head of Finance / Chief Finance Officer. 24/11/15 shared with Paul Bundy to review. Wording 'as is' in policy is still required.
Does it provide the option to raise concerns anonymously?	<ul style="list-style-type: none"> <li>The Policy has a strong focus on anonymous reporting. Concerns can be raised through the Anonymous Reporting System.</li> <li>Whilst it is important that the option to report anonymously is available we have found that the best whistleblowing policies encourage potential reporters to report openly and they highlight the benefits of doing so to those investigating the concern. These policies recognise that open reporting will not always be possible or attractive and so then recommend confidential reporting prior to advocating anonymous reporting.</li> </ul>	Surrey Police should consider providing simple but relevant examples of qualified disclosures in order to inform staff and officers on how these incidents could occur.	HR / PSD	Yes	Examples could be considered - these should be compiled and added as an appendix to include differences between Whistleblowing and Grievances. Summary of differences provided by HR and included in the procedure as amended by PSD.
Can concerns be raised in confidence?	<ul style="list-style-type: none"> <li>The Policy states that information provided will be treated confidentially. However, the confidentiality section is at the end of the document and we consider it would have greater impact if included earlier. The Policy states "confidentiality will be given the highest priority. All members of staff are made aware that the legal rules governing disclosure apply to cases under this procedure." It says that when confidential information is received it will be handled in the same way as criminal intelligence. This wording is unlikely to be understood by all individuals who might use the Policy.</li> </ul>		Completed	Yes	Disagree Placing - Confidentiality is placed in the document at a point where it will be in context.
Does it explain when concerns can be safely raised outside Surrey Police?	<ul style="list-style-type: none"> <li>The Policy states where concerns can be raised externally.</li> <li>Surrey Police are now actively working in partnership with Sussex Police. The close working between the two forces should be considered and addressed within the forces' whistleblowing policies, to enable a concern to be raised across the two forces where appropriate.</li> </ul>	Surrey Police should consider how the closer working with Sussex Police will have an impact on the Policy and practices and if it should be documented in the Policy.	Completed	Yes	Surrey and Sussex have collaborated in parts and it is anticipated that the policy will be mirrored by Sussex. Sussex will therefore afford staff the same methods of reporting and any information provided regarding another force will be shared according to existing protocols. Unsure whether this needs to be spelt out on the policy or whether a line about 'other forces' in general would be better? E.g. If information is passed regarding employees of another police force Surrey Police reserve the right to disclose this information to the relevant force. There is an expectation that the receiving force will adhere to the guidelines for Whistleblowing in line with The Enterprise and Regulatory Reform Act 2013 - Both Surrey and Sussex Policies now mirror each other.
Is there a list of external sources of help?	<ul style="list-style-type: none"> <li>The external sources of help listed in the Policy are:               <ul style="list-style-type: none"> <li>Crime Stoppers</li> <li>Direct to the IPCC Report line</li> <li>Chartered Institute of Public Finance Accountancy (CIPFA)</li> <li>Criminal Cases Review Commission (CCRC)</li> </ul> </li> <li>The Policy excludes the Public Sector Audit Appointments (PSAA) and external auditors.</li> </ul>		Completed	Yes	No changes required.
Does the Policy prohibit reprisals against whistle blowers and the making of false allegations?	<ul style="list-style-type: none"> <li>The Policy sets out that harassment and reprisals are not acceptable.</li> <li>The Policy includes a section on malicious allegations and identifies that any claims shown to be unfounded will not result in repercussions, unless they were made maliciously, in which case disciplinary/misconduct action may be taken.</li> </ul>		Completed	Yes	No changes required.
Do staff and officers have confidence in the Policy and procedures?	<ul style="list-style-type: none"> <li>Individual comments made within the survey indicate that a number of respondents lack confidence that their concerns will be taken seriously, that there will be no reprisals and that their identity will remain anonymous.</li> <li>The survey found that 45% of respondents did not have confidence that their anonymity would be protected and 48% indicated that any such action might attract reprisals.</li> </ul>	Surrey Police and the OPCC for Surrey should work together to improve confidence in the Policy and procedures. They should take into account the rank and seniority of an officer and how this can affect their confidence. Confidence can be improved through effective training and leading by example.	L&D	Yes	Accepted - Senior leaders to reinforce messages and when dealing with confidential disclosures to provide direct reassurance to the informant that they have 'done the right thing'. Consider training department to cover in leadership courses? This has been agreed with Joy Chant L&D at meeting on 8/1/16.  Comment - anecdotally while employees across Surrey and Sussex tend to always say 'its not really anonymous is it' the wide use of the anonymous system in both forces would
Is the Policy compliant with PIDA and the Enterprise and Regulatory Reform Act 2013?	<ul style="list-style-type: none"> <li>The Policy is compliant with PIDA and the Enterprise and Regulatory Reform Act 2013, except section 2, where the Policy refers to in 'good faith', a reference to whistleblowing arrangements prior to the Regulatory Reform Act 2013. Surrey Police and one other force from the benchmarking group have updated their whistleblowing Policy in light of the Enterprise and Regulatory Reform Act 2013.</li> </ul>	The Policy should be redrafted to refer to 'in the public interest' instead of 'in good faith'.	Completed	Yes	See amended procedure.
When was the Policy last reviewed or updated?	<ul style="list-style-type: none"> <li>The Policy was last updated in June 2014 and is currently being updated, as of 16 July 2015.</li> </ul>		PSD - WW	Yes	Note - Policy will now be owned by DI Whiting and publication of amended version postponed until these recommendations have been completed / presented at ECOG. Sept 16 - Amended Procedure now published
Does the Policy outline the difference between a grievance and whistleblowing?	<ul style="list-style-type: none"> <li>The Policy specifies that whistleblowing is for disclosures of issues other than a breach of a police staff member's own contract of employment or police regulations/determinations and that such matters should be dealt with by following the grievance resolution procedure. The Policy would benefit from clearer guidance on the distinction between the whistleblowing and grievance procedures and include examples.</li> <li>The survey finds that 51% of respondents do not understand the difference between whistleblowing and a grievance procedure. Results from the survey have indicated that whereas 73% of inspectors and chief inspectors who answered the survey do understand the difference, this awareness has not filtered down to the lower ranks as only 35% of Police Constables and Sergeants who responded understood the difference.</li> </ul>	A clearer distinction could be made between whistleblowing concerns and grievances and relevant examples provided that illustrate the difference. Officers should receive a briefing on the whistleblowing and grievance procedures and the difference between them as part of their wider training.	L&D	Yes	Consultation required with training department on how best to deliver this message along with other training needs as part of Leadership Training. See 4 above with HR. The document produced by HR has been shared with Joy Chant L&D at meeting on 8/1/16 and whistleblowing inputs will be included in future induction training for officers and contact centre staff and the NCALT corporate induction package for all other staff joining the organisation. This input is also included in PSD inputs given to Probationers and New Leaders.

How does the Policy compare to our understanding of best practice and other police forces?	<ul style="list-style-type: none"> <li>The Policy includes the majority of best practice requirements as set out in BSI 1998:2008 Code of Practice. However, we found much of the language contained in the policy to be formal and legalistic. We also found that the tone was quite negative. For example, one of the opening paragraphs reads as a stark warning: "Any individual who carries out a dishonest, corrupt or unethical action compromises the high standards of Surrey Police, and potentially damages public confidence. Any individual, who knows or suspects a colleague to be acting this way and does nothing, effectively condones the activity." Having reviewed a large number of both Police Force and OPCC Whistleblowing Policies we have found that many look to highlight the positive benefits of an open and transparent culture and effective whistleblowing.</li> <li>Providing feedback to those who raise a concern shows that the OPCC for Surrey and Surrey Police have acted upon the disclosure and an outcome achieved. The Policy does not clearly set out that feedback will be provided to the individual who raised the disclosure.</li> <li>The table comparing benchmarked whistleblowing policies in appendix A also indicates that roles and responsibilities are not included within the Policy.</li> <li>As raised earlier, it is important that the option to report anonymously is available. We have found that the best whistleblowing policies encourage potential reporters to report openly and they highlight the benefits of doing so to those investigating the concern.</li> </ul>	The Policy would benefit from redrafting, with a focus on a positive message and plain English. Consideration should be given to the language used within the Policy, ensuring it is suitable for volunteers, staff and officers. Consider including roles and responsibilities within the Policy.	PSD - WW	Yes	To be considered during re-draft of Policy.  It may not be practical to define roles and responsibilities due to the number of ways in which an employee can report a protected disclosure issue. Completed as far as possible and amended version published Sept 16.
<b>Policy and procedures in practice</b>					
What is the level of staff, management, trade union and other body consultation during implementation and review of arrangements?	<ul style="list-style-type: none"> <li>The Policy was developed and drafted by the Professional Standards Department (PSD). However, the consultation process was limited and should be extended to include the OPCC for Surrey and staff representatives.</li> <li>The PCC and Deputy PCC were not consulted on the draft Policy.</li> <li>Some stakeholders in Surrey Police were not aware that this review had been commissioned by Surrey Police. Similarly, the OPCC was not aware that Surrey Police were in the process of upgrading the Anonymous Reporting System. This has indicated that the two organisations may not have a regular open dialogue on whistleblowing related issues.</li> </ul>	The OPCC for Surrey and staff representatives should be consulted during the drafting of the Policy.	PSD - WW	Yes	OPCC to make contact with Policy And Procedure team as appropriate to provide an 'OPCC SPOC' to add to the consultancy list for any amendments or new Policy and Procedure.  It should be highlighted that current consultancy includes representatives from union and the Federation. Redrafted procedure completed, shared with OPCC and other Departmental SPOC's for consultation. Published in Sept 16 and launched to the Force via Comms Team.
Are staff using the Policy appropriately? What types of concerns are being raised?	<ul style="list-style-type: none"> <li>The lack of effective monitoring information limits our ability to assess if the Policy is being used appropriately or form a judgement on the types of concerns being raised.</li> <li>Indications are that individuals may be using the Anonymous Reporting System when a more appropriate method of reporting would be more beneficial. Anonymous reporting should be available but should not be the first choice, as it discourages individuals from disclosing their identity which then makes it more difficult to protect an individual from reprisals and enable investigation of the disclosure.</li> </ul>		Completed	Yes	ACS is not first choice and the Code Of Ethics makes it clear that other options should be considered first.
Has malpractice been identified other than through the whistleblowing Policy and how has this happened?	<ul style="list-style-type: none"> <li>Malpractice has been identified and has been raised through the Anonymous Reporting System and by direct contact with senior ranking officer.</li> </ul>		Completed	Yes	N/A
How are the Policy and procedures having an impact on staff morale?	<p>Indications are that those in a position of authority in Surrey Police are actively trying to encourage a culture of openness and transparency. The Chief Constable actively encourages this through her blog and includes reference to this culture in her address to the probationers. However, the survey results indicate that a culture of openness and transparency is not demonstrated by all staff and officers. Over half the interviewees considered the term 'whistleblowing' to have negative connotations, that it was a bad thing to do and could be detrimental to one's career. This view is supported by the responses to the survey, with 55% of the individual comments stating that they would not raise a whistleblowing case because of fear of reprisal, lack of trust or because nothing would be achieved.</p> <p>Key findings from the survey:</p> <ul style="list-style-type: none"> <li>45% are not confident that their anonymity would be protected</li> <li>49% feel that they might attract reprisals or harassment from peers should they make a disclosure</li> <li>44% feel they might attract harassment or reprisals from senior officers should they make a disclosure. 23% feel that they would not attract harassment or reprisals from a senior officer</li> <li>38% do not have confidence that corrective action would be taken or be effective</li> </ul> <p>The survey indicates that responses differ depending on an officer's rank, with more senior ranking officers having less confidence and greater fear of reprisals. 70% (15) of Inspector/Chief Inspector ranking officers responded that they disagree or strongly disagree they will attract harassment from senior officers should they disclose a whistleblowing concern.</p> <p>In addition the lack of responses from senior ranking officers, Inspector, Chief Inspector and above may indicate a lack of trust in the arrangements.</p> <p>The Policy and procedures do provide a mechanism by which a concern can be raised but the survey and interviews found a culture of silence within the organisation that is discouraging open reporting. In addition there is a perception, supported by both the interviews and the survey, that middle management are not as encouraging and supportive as higher ranks. We consider that this will have a negative impact on morale.</p>	Surrey Police and the OPCC need to consider how they can create a culture of openness throughout, and encourage a higher proportion of its officers and staff to have the confidence to speak out. Surrey Police should investigate further the concerns raised by the more senior ranking officers to understand if these issues are more widespread. Surrey Police and the OPCC should explore ways of improving trust in the arrangements. Focused education and training might facilitate this.	OPCC / COG	Yes	Agree: Surrey Police and the OPCC should explore ways of improving trust in the arrangements. Referred to COG.
<b>Surrey Police's commitment to effective whistleblowing</b>					
Who is designated as being responsible for the Policy? Is the role clear? Is ownership at a sufficiently senior level?	<ul style="list-style-type: none"> <li>The Chief Constable has overall responsibility within the force, and the PCC within the OPCC, as set out during the interviews. However, this information is not included in the Policy. Strong commitment demonstrated by the leadership team, the Chief Constable and Senior officers, and the PCC.</li> </ul>		Completed	Yes	Policy is owned by the Professional Standards department / head of PSD (Superintendent rank) - As per procedure.
Does the Policy enable a separation of duties between those investigating and those conducting disciplinary action?	<ul style="list-style-type: none"> <li>The arrangements ensure that investigations are completed by line managers and disciplinary action would be conducted by PSD.</li> </ul>	The Policy should set out who has overall responsibility for it.	PSD - WW	Yes	As above - Completed.
What are the performance management and scrutiny arrangements?	<ul style="list-style-type: none"> <li>The Audit Committee have an oversight and assurance role.</li> <li>Monitoring reports are provided from the Anonymous Reporting System. This system records a number of different types of concerns, including complaints, grievances and whistleblowing incidents. However, this system does not distinguish between the different types of concerns and although Surrey Police considers that whistleblowing concerns are a minority, they are unable to quantify the exact number. If the Audit Committee and the OPCC continue to rely on this information they should be made aware that the record of concerns includes a wide range of different types of cases. We understand that the new system will distinguish between different types of cases and allow Surrey Police to record whistleblowing incidents separately.</li> <li>The lack of comparison data from other police forces indicates that others are also unable to easily identify the number of whistleblowing</li> </ul>		Completed	Yes	Resolved within ACS & Ibase systems.
Are there feedback arrangements in place for the person raising the concern?	<ul style="list-style-type: none"> <li>The Anonymous Reporting System requires that an officer within PSD will respond to all concerns raised. However, the Policy does not clearly set out that in the majority of cases, Surrey Police will aim to reassure employees and provide feedback on the outcome of the case.</li> </ul>	Surrey Police should ensure the new Anonymous Reporting System is able to distinguish whistleblowing disclosures from non whistleblowing disclosures	Completed	Yes	Completed - new ACS under development has inbuilt ability to make distinction.
Are gagging clauses used in severance agreements? Do these prevent responsible whistleblowing?	<ul style="list-style-type: none"> <li>The Government within the NHS has proposed banning clauses in that prevent employees mentioning anything embarrassing to their employees once they leave their employment. The indications are that this may be encouraged across the public sector. The interviews identified that gagging clauses are used within Surrey Police.</li> </ul>	The Policy should set out the arrangements for feedback following the outcome of the concern.	PSD - WW	Yes	Generally comment could be added that Surrey Police will seek to provide feedback to those reporting a qualified disclosure. Completed.
At what level is oversight provided?	<ul style="list-style-type: none"> <li>Oversight for all cases raised through the Anonymous Reporting System is provided by PSD.</li> <li>PSD will also fulfil this function for those cases which are raised outside the system and relate to personal conduct and require further investigation</li> </ul>		Completed	Yes	N/A

..	Do the policies and procedures give individuals confidence to raise a concern?	•Whilst we have found that a proportion of respondents do have concerns that raising a concern may not result in effective action being taken or may result in reprisals against them, 94% still indicated that they would raise a concern should they become aware of a qualifying incident.		Completed	Yes	N/A
<b>Education, training and awareness</b>						
..	Education and training Has Surrey Police provided any training or education on the whistleblowing Policy and procedures?	•No specific whistleblowing training has been delivered to those who might raise a concern or those who might investigate a concern. This is confirmed by the survey results, with 93% indicating that they have not received any training, although 14 respondents (7%) indicated they have received training. However, 10 of the 14 respondents (71%) stated this was over a year ago. Individual comments also identified that the training in a number of cases just related to the Anonymous Reporting System. •During the interviews it was thought that training on whistleblowing is provided as part of induction, however, no evidence to confirm that has been provided.	Training should be provided to all staff to make them aware of the whistleblowing Policy and arrangements.	L&D	Yes	Training faculty to consider and report options to complete this. Agreed with Joy Chant L&D at meeting on 8/1/16 - whistleblowing inputs will be included in future induction training for officers and contact centre staff and the NCALT corporate induction package for all other staff joining the organisation. This input is also included in PSD inputs given to
..	Have officers with investigating responsibilities received adequate training?	•Those officers and staff with responsibility for investigating allegations and concerns have not been specifically trained on whistleblowing.	Training should be provided for those responsible for investigating whistleblowing cases.	L&D	Yes	Training faculty to review whether existing training suppliers can be provided to PSD or whether a bespoke input could be provided (SANCUS?) Being researched by L&D following meeting with Joy Chant 8/1/16 & Liz Watson 24/2/16. Sept 16 - No bespoke training available. DI Whiting has briefed all PSD teams with the Procedure.
..	Does training make a distinction between whistleblowing disclosures, personal (mis)conduct and grievances?	•The grievance procedures and guidance were updated and revised in 2014. •No evidence that training has addressed these distinctions. •The survey results indicate that staff and officers are unclear as to the difference. 51% of respondents do not understand the difference between whistleblowing and a grievance procedure.	Training should be provided to ensure staff and officers are aware of the difference between a whistleblowing concern and a grievance.	L&D / PSD	Yes	Training faculty to consider and report options to complete this. Policy should seek to clarify the distinction. See 4 & 12 above.
..	Awareness How accessible is the Policy to volunteers, officers and staff?	•The Policy is only available on the intranet and it is not publicly available, therefore volunteers who do not have access to the intranet, such as the chaplains, are unable to access the Policy.	The Policy should be available to volunteers, staff and officers.	Comms	Yes	Disagree - Intranet is available to all volunteers, officers and staff. It is suspected that it is a lack of awareness of the policy this refers to which will be addressed via other actions.
..	Can the Policy be accessed by those without internet access?	•The Policy is only available on the intranet. •Only 2% of survey respondents identified that the Policy is available as a hard copy within their office. 54% of respondents were unaware of what format the whistleblowing Policy is available in.	The Policy should be available in other formats and accessible to all who may need to use it.	Comms	Yes	Disagree - The intranet is the most suitable place to store the most up to date version of the policy and this could be printed by supervisors or those raising issues as appropriate.
..	To what extent are publicity arrangements in place?	•Surrey Police has not publicised the whistleblowing Policy. •There has been some internal publicity of the Anonymous Reporting System in previous years through the use of posters and coasters. •A launch campaign is being planned for the release of the new Anonymous Reporting System.		Comms	Yes	As documented new ACS will be subject to launch strategy - This has now been completed.
..	How does Surrey Police monitor levels of awareness?	•The level of awareness is not monitored. •The survey of staff and officers identified that only 20% were very familiar with the Surrey Police's whistleblowing and confidential reporting procedure. 28% of respondents have not heard of the whistleblowing Policy. Of those that were aware, 68% identified the intranet as the main source 40% said word of mouth.	Surrey Police should consider how it can raise awareness and monitor levels of awareness.	Comms / PSD	Yes	Corporate communications to consider recommendation once Whistleblowing Procedure has been re-drafted. PSD will seek to launch the amended procedure with assistance from Comms Team and update the PSD intranet page. This should provide sufficient ability for staff to find the procedure either via the Info Hub or via the PSD Intranet page. It should be noted that 68% of staff in the GT survey correctly identified where to find the procedure. Sept 16 - Procedure subject of news story by Comms Team.
<b>Caseload</b>						
..	How does Surrey Police collect data on whistleblowing? Who is responsible for the collection?	•PSD collect information recorded through the Anonymous Reporting System. However, whistleblowing cases are not flagged separately, therefore Surrey Police and the OPCC are unable to collect data and effectively report on whistleblowing. •There is no recording system in place to identify whistleblowing concerns raised by any other means, such as through a line manager or more senior officer. Good practice suggests that a large proportion of whistleblowing concerns will be raised and addressed by an individual's line manager. A central recording system should provide effective management information, but should not be overly bureaucratic.	A central recording system should be developed to enable effective performance management of whistleblowing cases.	PSD - WW	Yes	Disagree - those considered 'whistleblower' are employees who are providing 'initial' information designated a 'qualified disclosure' or financial irregularity.  Practically this is a narrow definition and due to the serious nature of the categories it is unlikely that qualified cases will be handled by staff outside PSD (at least not without some consultation). PSD investigations is more problematic as Centurion is a national database and change board sits annually. Steve Howe will consider options for adding a 'note' but this will be a manual process which is more fragile and prone to error or lack of completion then having a computer generated prompt or field. See 37 re Centurion. Procedure updated to ensure all such cases are handled by PSD.
..	Are themes, trends and outcomes investigated, analysed and reported, and does this inform training?	•Themes, trends and outcomes on whistleblowing cases cannot be recorded effectively. The themes and trends that are recorded through the Anonymous Reporting System include a wide range of concerns, including grievances and general complaints. •Our comparison with other police forces indicates that the majority of forces and OPCCs monitor the number of whistleblowing cases and do not separately distinguish between a whistleblowing case and a grievance procedure.	Whistleblowing cases should be flagged separately, so that themes, trends and outcomes can be effectively reported.	PSD - WW	Yes	ACU have adapted their systems to capture this information. PSD investigations is more problematic as Centurion is a national database and change board sits annually. Steve Howe will consider options for adding a 'note' but this will be a manual process which is more fragile and prone to error or lack of completion then having a computer generated prompt or field. Raised at National Centurion Users Group in Dec 2015. Manual inputs required in the short term.
..	How is data held and is it secure against unauthorised access and/or disclosure?	•Data is held securely within the Anonymous Reporting System, with limited access for a selection of PSD staff only.		Completed	Yes	New ACS will retain same level of security.