

Date: 10/10/2022

Our Reference: FOIA-2022-087

Your Reference: N/A

RE: Freedom of Information Act 2000 Request

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated 12/09/2022 in which you requested information relating to the College's internal and national whistleblowing guidance and police.

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant. If a public authority decides that the information should not be disclosed because an exemption applies, it must, under section 17(1) cite the appropriate section or exemption of the Act and provide an explanation for relying upon it.

It is important to note that a freedom of information request is not a private transaction. Both the request itself and any information disclosed are considered suitable for open publication, that is, once access to information is granted to one person under the legislation, it is then considered public information and must be communicated to any individual should a request be received. In light of this, our responses and disclosures are published on our external website at a later date. This should be borne in mind where a request is made for personal data of named individuals.

Decision

After conducting careful searches for any information relevant to your request I can confirm that there is information held. I have responded to your questions below and grouped responses where appropriate.

1. *Does there exist a unified national whistleblowing or internal disclosure policy that covers all police forces, or does each force hold responsibility for establishing and maintaining their own policies?*
2. *Should there be a national policy or set of standards, please can you provide me with a copy of the relevant whistleblowing or otherwise internal disclosure policy*

Forces have their own policies on whistle blowing to cover their own localised procedures and reporting structures. These are however in the context of the Police Reform Act 2002, Schedule 3A which provides a regulatory framework along with the Home Office Guidance; Conduct, Efficiency and Effectiveness, Chapter 3 which provides the 'national' approach on this. The Home Office guidance can be accessed [here](#).

3. *Can you also please address the following questions within the context of whistleblowing/disclosures:*
 - i. *Does the College have channels or otherwise provisions for internal anonymous reporting?* Yes, we have a confidential reporting hotline. We also have the mechanism for anonymous reporting as well.
 - ii. *Does the College have channels or otherwise provisions for external anonymous reporting?* Yes, we have a process for external complaints reporting
 - iii. *Does the College have clear guidelines for timescales for resolutions of whistleblower complaints?* Yes
 - iv. *Does the College provide mandatory training for whistleblowing report receivers (by example line managers/senior members of staff) with regards to the handling and management of whistleblowing disclosures?* Our Reporting Concerns Officer has received training through ACAS and further training has been carried out for all who handle investigations.
 - v. *Does the College have any sort of incentive structure to encourage internal disclosures of wrongdoing, by example, formal recognition awards, positive contribution towards appraisals, or other non-monetary rewards?* No

vi. *Does the College have any sort of financial or monetary incentive to encourage whistleblowing internal within the College, by example, a 'rewards' or 'bounty' programme for information of wrongdoing? No*

4. *Does the College collect the following statistics (a yes/no answer in this section is acceptable – although if it is possible to add explanatory or contextual notes without falling foul of cost/time restrictions, then this would be welcomed);*

Initial disclosures:

- i. *The number of whistleblowing disclosures made in any given year: Yes*
- ii. *What is the first point of the disclosure (i.e., line manager/colleageal manager/designated officer/external body/dedicated phonenumber etc.): Yes*
- iii. *A categorisation of the nature and type of disclosure: Yes*

Disclosure outcomes:

- i. *The outcome and result of those disclosures – by example, does the College collect statistics around disclosures that were found to be with merit and acted upon to affect change, disclosures that were deemed to be vexatious, and/or disclosures that were made in good faith to their truthfulness but found to be without merit, and reasonable other considerations under this banner: Yes*

Appeal of outcomes:

- i. *The number of whistleblowing disclosures escalated internally through an appeals process by the disclosing party following what they consider to be an unsatisfactory resolution*
- ii. *The number of times any appeal to a decision has been upheld or overturned*
- iii. *What learning is undertaken following a successful appeal*

We have received no appeals and therefore there is no information relating to this part of your request.

Timescales:

- i. The average or individual timescale for the final resolution following a disclosure or whistleblowing event*
- ii. The average or individual timescales for initial response (outside of acknowledgment of receipt) to a disclosure or whistleblowing event.*

This information is not collected and therefore there is no information held in relation to this part of your request

Retaliation:

- i. The number of times formal complaints have been raised regarding or following accusations of retaliation resultant of a protected disclosure, contrary to organisational policy and the Public Interest Disclosure Act 1998*
- ii. The number of complaints investigated against the number of complaints made (i.e., is each complaint of retaliation investigated, and if not, how many are not investigated, including the reasons why)*
- iii. The nature and type of alleged retaliation (i.e., dismissal, demotion, being passed over for promotion opportunities, being moved to different colleges, bullying etc.)*
- iv. What number of complaints, on average or individually, are upheld following investigation, and how many are dismissed.*

We have not received any complaints of this nature and therefore there is no information held in relation to this part of your request.

Damages and compensation:

- i. The nature of damages and compensation internally awarded following instances of retaliation (i.e., where retaliation had been proved to have occurred the resultant of a protected disclosure, and where damages or compensation were awarded without the requirement for judicial or regulatory intervention)*
- ii. The amount of damages or compensation awarded internally (i.e., without judicial or regulatory intervention) following an instance of retaliation resultant from a protected disclosure*
- iii. The amount of monetary compensation awarded to individuals following instances of retaliation resultant of a protected disclosure, resultant of judicial intervention or regulatory intervention*

We have received no complaints of this nature and therefore there is no information held in relation to this part of your request.

I trust this letter answers your questions. Your rights are provided in **Appendix A**.

Yours sincerely,

Legal Services
Legal and Compliance Team
College of Policing

Email: FOI@college.pnn.police.uk

Website: www.college.police.uk

Appendix A

Rights

If you are dissatisfied with the handling procedures or the decision of the College of Policing made under the Freedom of Information Act 2000 (the Act) regarding access to information you can request that the decision is reviewed internally.

Internal review requests should be made in writing, within **forty (40) working days** from the date of the refusal notice, and addressed to: FOI team, Central House, Beckwith Knowle, Otley Road, Harrogate, North Yorkshire, HG3 1UF or email: FOI@college.pnn.police.uk

In all possible circumstances the College of Policing will aim to respond to your request for internal review within **20 working days**.

The Information Commissioner

If, after lodging an internal review request with the College of Policing you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk/for-the-public/official-information/>.

Alternatively, write to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113