

POLICE FEDERATION OF ENGLAND & WALES

RIGHT TO SPEAK POLICY

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2	22/11/22	Risk Manager	• Doc reformatted • Version Control Template added • Whistleblowing Officers updated • NSO updated • IHL, IA & ARC deleted as contact • COO added as contact • New sections: 9. Prescribed Persons 12. Data Protection 13. Review
2.1	April 2025	Risk Manager	Full Review, replace references of Whistleblowing Policy to Right To Speak
2.2	April 2026	CEO Office, General Counsel's Office, HR	Wholesale Review of policy

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1. Introduction

- 1.1 The objective of this policy is to prevent malpractice or wrongdoing by the organisation, its employees and elected representatives by encouraging individuals to speak up and report any concerns as soon as possible so that those concerns can be appropriately addressed. The Right to Speak Policy – formerly known as the Whistleblowing Policy - provides a clear and supportive framework for individuals to raise concerns about wrongdoing, unethical behaviour, or misconduct within PFEW. It ensures a confidential and transparent process for reporting wrongdoing without fear of retaliation.

2. Aims and Scope of the Policy

- 2.1 PFEW is committed to the highest standards of integrity and accountability. We encourage a culture where individuals feel confident reporting concerns which relate to suspected wrongdoing or dangers at work including but not limited to those listed below in section 4.1 of this policy.
- 2.2 PFEW will not tolerate any form of retaliation, detriment, or disadvantage imposed against individuals for raising concerns in good faith under this policy (even if they turn out to be mistaken). PFEW will take all reports seriously and ensure they are investigated thoroughly and fairly.
- 2.3 This policy is based on the following principles:
- All concerns raised will be treated fairly and properly;
 - PFEW will not tolerate the harassment or victimisation of, or any form of retaliation against, anyone raising a genuine concern (even if they are mistaken);
 - Any individual making a disclosure will retain their anonymity unless they agree otherwise;
 - PFEW will ensure that any individual who wishes to raise a concern is aware of the process for doing so and who within the organisation will be responsible for investigating the matter;
- 2.4 The policy applies to the following individuals (together "the Complainant").
- Current and former PFEW employees;
 - Contractors, casual, agency and zero-hours workers;
 - Current and former Elected representatives; and
 - Current and retired PFEW members.
- 2.5 This policy does not form part of any contract of employment or other contract to provide services, it may be amended at any time at the absolute discretion of PFEW.

3. Roles & Responsibilities

3.1 Overall Responsibility

The National Board has overall responsibility for the implementation, oversight and effective operation of this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

3.2 Operational Responsibility

The National Secretary or delegated authority has day-to-day operational responsibility for this policy and must ensure that all individuals who may deal with concerns raised, or investigations carried out under this policy receive appropriate training.

3.3 Branch Boards, Managers, Senior Leaders and Workplace representatives

- Promoting awareness and understanding of this policy within their Branch/Teams, ensuring that workplace representatives, and staff understand this policy
- Acting as an accessible first point of contact for individuals, wishing to raise concerns and sign posting individuals to the correct reporting route under this policy
- Encouraging an open and honest culture;
- Taking concerns seriously and ensuring they are addressed or escalated appropriately; and
- Maintaining confidentiality and taking steps to ensure that individuals who raise genuine concerns under this policy are protected from retaliation.

3.4 Investigating Officers / Appointed Leads

- Conducting a fair, impartial and timely investigation
- Maintaining confidentiality throughout the process
- Providing clear findings and recommendations to the appropriate Board or decision maker
- Ensuring that individuals raising concerns are kept informed, as appropriate

3.5 Responsibilities of All PFEW Individuals

All PFEW individuals are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. PFEW individuals are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions, and queries should be addressed to the Nominated Persons.

All PFEW individuals are encouraged to:

- Report any concerns of wrongdoing or unethical behaviour;[2](#)
- Act in good faith when raising concerns;[2](#)
- Cooperate fully with any investigations.[2](#)

4. Definitions

- 4.1 The Right to Speak Policy provides for the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
- criminal activity (including but not limited to financial fraud or mismanagement, bribery or facilitating tax evasion);
 - miscarriages of justice;
 - danger to health and safety;
 - damage to the environment;
 - breach of, or failure to comply with any legal or professional obligation or regulatory requirements;
 - the deliberate concealment of any of the above matters.
- 4.2 A qualifying disclosure is where an individual raises genuine concerns regarding any of the above circumstances, has a reasonable belief that such circumstances have occurred or may occur within the organisation and they reasonably believe that the disclosure is in the public interest.
- 4.3 Whilst individuals are encouraged to share any evidence they have which relates to the concerns being raised, they do not need to provide evidence in order to raise a concern under this policy and for the PFEW to look into the concerns raised. They will, however, need to demonstrate that there are reasonable grounds for the concerns being raised.

5. Exceptions and Exclusions

- 5.1 This policy should not be used for complaints relating to any complainant's individual circumstances, such as the way they have been treated at work, including any allegation of bullying or harassment or any allegation that their individual contract of employment or engagement has been breached. In those cases, individuals should refer to the Grievance Policy or other appropriate policy e.g. Prevention of Bullying and Harassment Policy (if they are an employee of the PFEW), or the Ethics, Standards and Performance Procedure (if they are a member or representative of the PFEW).
- 5.2 If a complainant is uncertain whether something is within the scope of this policy, they should seek advice from the Nominated Persons, whose contact details are set out at the end of this policy.

6. How to Report a Concern

If any Complainant is concerned about something in the workplace which they consider or perceive to be wrongdoing and they have a reasonable belief that raising a concern is in the public interest (refer back to clauses 4.1 and 5), it is important that they raise their concern straight away, through the following channels:

- 6.1 Direct to Management – The purpose of the policy is to give the Complainant the opportunity and protection they need to raise concerns internally. PFEW hopes that in many cases the individual will be able to raise any concerns informally with their line manager, their head of department or equivalent Branch manager in the first instance, either by speaking to them in person or putting the matter in writing. A line manager or head of department / Branch may be able to agree a way of resolving a concern quickly and effectively.

Any concerns raised under this policy should (so far as is reasonably practicable) include the following information:

- the background and reason behind the concern;
 - the nature of the concern, including dates, times, and any supporting evidence;
 - names of individuals involved, if known; and
 - any previous steps taken to address the concern.
- 6.2 Nominated Persons - Where the matter is more serious, the concern should be addressed to one of the **nominated persons** whose contact details are available at the end of this policy.
- 6.3 Integrity Reporting Line - Where Complainants are concerned about speaking to another member of staff, they can speak in confidence, to an independent third party by calling the hotline (see section 10). This service is provided through the independent party who provide the employee care counselling and legal advice service. Concerns raised through this channel will then be reported to the PFEW without revealing the individual's identity.
- 6.5 After raising a concern, the Manager, Nominated Persons or such other person that the concern is reported to, will decide how the concern should be taken forward. This may involve an internal inquiry or a formal investigation depending on the nature of the concern raised.

Where appropriate the concern raised may:

- Be investigated by management, internal audit or through the disciplinary /grievance process.
- Be referred to PFEW's internal auditors/ independent Trustee
- Form the subject of an independent inquiry

Concerns will normally be dealt with in the following stages:

- 6.6 The Manager, Nominated Person or such other person that the concern is reported to, will appoint an appropriate person to investigate the concern ("Appropriate Person"). The Appropriate Person will then arrange a meeting with the Complainant to discuss the concern and determine how the concern should be taken forward. A written confirmation of how the concern will be dealt with will normally be provided to the Complainant, ideally within 10 working days of receipt of the concern.
- 6.7 The Appropriate Person should treat the issues as a high priority and take appropriate action as soon as possible. If it is apparent to the Appropriate Person that the concern raised is likely to be continuing, they should take steps to ensure that any immediate risk, particularly of personal harm to any individuals, is reduced. These actions could be temporary measures undertaken whilst the concern is investigated.

- 6.8 The Appropriate Person should make initial enquiries to decide whether an investigation is appropriate and, if so, what form it should take and who should be appointed to investigate. This may be an internal or external investigator or team of investigators depending on the nature of the complaint and/or availability. If the Appropriate Person assesses that the complaint is more appropriately dealt with under a different PFEW policy or procedure including any of the policies referred to in 5.1 above, they should write to the Complainant to advise them of this with reasons.
- 6.9 If an investigation is to be carried out, the designated investigator should inform the Complainant in writing of this and will normally interview them as part of the investigation. The Complainant may choose to be accompanied at the interview as set out in 7.4 below. The investigator may choose to be accompanied by a member of the HR department or other suitable person to take notes of the meeting.
- 6.10 Where possible the investigation will be concluded, and recommendations produced within 28 days of the investigation being initiated. This will not always be possible if the matters are complex and/or key witnesses are unavailable during this period. In such cases the Appropriate Person should inform the Complainant in writing in general terms of the progress to date and anticipated next steps, with likely timescales if possible.
- 6.11 When the investigation has been concluded, the Appropriate Person should ensure that the Complainant is written to with the outcome of the investigation and (where appropriate) any next steps or actions that will be taken. It will not be possible to include in the outcome letter any information that is confidential or sensitive or which breaches data protection rules or the right to confidentiality of others.
- 6.12 Information arising from a complaint that subsequently leads to a disciplinary or grievance investigation will be dealt with in accordance with the arrangements set out in PFEW's Disciplinary and Grievance Policies (if they are an employee of the PFEW), or the Ethics, Standards and Performance Procedure (if they are a member or representative of the PFEW). Certain complaints may be referred to the police and/or other investigatory or regulatory bodies as appropriate.
- 6.13 If the Complainant is not satisfied that appropriate action has been taken, they may approach the National Secretary of PFEW (or if the National Secretary has already been involved the National Chair). The complainant should set out in writing why they are dissatisfied with the way their complaint has been dealt with. The Complainant will be advised by an appropriate person of the outcome of any further referral of this nature.

7. Safeguards and Support for Individuals Making a Disclosure

7.1 Anonymity

Complainants are encouraged to put their name to an allegation where possible as it can be difficult or impossible to appropriately investigate an anonymous allegation. Concerns expressed anonymously will be considered at the discretion of PFEW. Factors to be taken into consideration are:

- the seriousness of the issues raised;

- the face credibility of the concern;
- the likelihood of being able to confirm the allegation.

7.2 Confidentiality

Where a concern is raised in confidence, PFEW will protect the Complainant's identity if possible. However, there may be circumstances where this is not possible, for example:

- where the Complainant is an essential witness and the matter could not be investigated further without revealing the concern and its source;
- where it is essential that the Complainant provides evidence for disciplinary proceedings;
- where PFEW is under a legal obligation to disclose the identity of the Complainant;
- where it is necessary to seek advice – on a strictly confidential basis – from a professionally qualified lawyer.

If PFEW needs to identify a Complainant's identity to anyone, the Complainant should be notified beforehand.

Information about the complaint should be shared only with the persons dealing with or investigating the matter on behalf of PFEW, the Complainant's representative (for staff a workplace colleague or trade union representative, for members or representatives a Federation representative). All of these individuals will be equally bound by this requirement of confidentiality.

Where written records of concerns and their outcomes are maintained, this will be in a form that does not breach confidentiality. Information will only be shared on a need-to-know basis within PFEW.

PFEW will confine any written records of concerns and their outcomes and any response to the concerns to the Complainant and their representative, and to those needed for securing appropriate action or otherwise on a strictly limited need-to-know basis.

7.3 Advice and support

Where an individual has a concern within the terms of this policy, they may wish firstly to approach one of the following for confidential advice and support in taking the matter forward:

- their line manager, head of department or director;
- a member of the HR department;
- a branch representative;
- an external advisory body such as Protect (an independent charity offering confidential advice to anyone concerned about possible malpractice in their organisation)

The objectives of anyone being asked for such support should be:

- to help the employee take the most appropriate steps within the terms of this policy, or to redirect them to another appropriate policy if the complaint does not fall within the scope of this Right to Speak policy;

- to handle the matter with sensitivity to the position of the complainant and any fears they may have in relation to their own safety or career or fear of any reprisals;
- at the same time, to be aware of the rights of others involved, including the right of confidentiality, and the right to have their side of the story heard should be matter be pursued under this policy.

7.4 Accompaniment

A Complainant will be allowed to be accompanied by a representative (as set out in clause 7.2) to any interview held with them as part of the investigation into their complaint.

7.5 Protection

It is understandable that employees/representatives are sometimes worried about possible repercussions.

Provided that the relevant criteria are met the Complainant will have statutory protection from suffering any detriment as a result of raising a genuine concern. Detrimental treatment includes dismissal, disciplinary action, threats, or other unfavourable treatment connected with raising a concern. In addition, PFEW undertakes that any person who raises such concerns should not be subject to any form of victimisation.

However, if a Complainant is legitimately the subject of another formal policy and procedure such as disciplinary, capability or redundancy, this will not be halted as a result of their making a complaint/disclosure under this Right to Speak Policy.

If the Complainant believes that they have suffered detrimental treatment as a result of raising a genuine concern, they should inform either of the Nominated Persons immediately. If the matter is not remedied, they should raise it formally using PFEW's Grievance Procedure, the Ethics, Standards and Performance Procedure or other appropriate procedure.

If it is alleged or suspected that a Complainant has been subjected to such treatment by an employee of the PFEW, this will be investigated under PFEW's Disciplinary Policy and, if substantiated, will normally be treated as gross misconduct. If a complainant is a PFEW member and has been subjected to such treatment by a PFEW representative, they may wish to raise a complaint under the Ethics, Standards and Performance Procedure, in which case the matter will be dealt with in accordance with Appendix 9 of the Police Federation Rules.

8. External Disclosures

- 8.1 The aim of this policy is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. In most cases a Complainant should not find it necessary to alert anyone externally.
- 8.2 However, if having followed this Right to Speak procedure the Complainant is still not satisfied that appropriate action has been taken, or if they have genuine grounds to believe that it would be inappropriate to pursue the internal stages in Section 6 above, a qualifying

disclosure may be made to an external body such as a Regulator or a Government Minister, or one of the prescribed persons, which are organisations and individuals that are listed in the Public Interest Disclosure (Prescribed Persons) Order 2014. The role of these external bodies is to provide complainants with a mechanism to make their public interest disclosure to an independent body where the Complainant does not feel able to disclose directly to their employer and the body might be in a position to take some form of further action on the disclosure.

8.3 These external bodies can:

- look into a disclosure and recommend how an employer could rectify the problems it finds;
- may be able to take enforcement action should they find evidence of wrongdoing in relation to their statutory powers.

8.4 They cannot:

- become involved in a grievance between employees and employers, other than to confirm that a disclosure was made;
- decide whether the Complainant who has made the disclosure qualifies for protection.

8.5 It is extremely rare that alerting the media would be appropriate. We strongly encourage the Complainant to seek advice before reporting a concern to anyone external.

8.6 If the Complainant is unsure who to contact, the independent whistleblowing charity, Protect, operates a confidential advice helpline.

9. Governance & Review

The General Counsel's Office will maintain appropriate records of all reportable concerns raised, how the concerns were dealt with and the outcome. The National Board and Executive Team will be updated by the General Counsel as appropriate.

The National Secretary is responsible for ensuring and overseeing the integrity, independence and effectiveness of this policy and procedure and in accordance with PFEW's Data Protection policy.

All reports will maintain the confidentiality of all Complainants who raise concerns under this policy.

This policy will be reviewed every two years, or sooner to ensure it remains up to date with best practice and legal requirements. Updates will be communicated to all employees and stakeholders.

10. Contacts

Nominated Person	General Counsel –, or General Counsel’s Office (regulated by Solicitor’s Regulated Authority) Head of HR and L&D – Deputy National Secretary –
Safecall Confidential Integrity Reporting Line	Report online or by telephone (0800 046 5670) or use the QR code: 
UNUM Help @ Hand (Confidential counselling hotline)	UNUM Help @ Hand 0808 304 3698 *If you are not registered, please contact the HR Department for further instruction HR@polfed.org.
Protect (Independent whistleblowing charity)	Helpline: 020 3117 2520 Website: protect-advice.org.uk