| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0218  Responded to: 22nd February 2023 |
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Your recent request for information is replicated below, together with our response.

## Between the 9th March 2021 and 18th January 2023 (1 year, 10 months, 9 days)

## (A) How many officers between the above dates have used the Public Interest Disclosure Procedures which resulted in an officer having disciplinary action taken against them or an investigation being launched FOR CLARITY - I want to know how many cases of whistleblowing has there been in the force and how many of the cases resulted in an officer or officers facing disciplinary action or an investigation launched

Between 9 March 2021 and 18 January 2023, 21 cases of Whistleblowing have been identified within the force.

You may also be interested to know that data regarding whistleblowing is published in our Police Scotland Professional Standards Quarterly Performance Reports which are available to view amongst the Scottish Police Authority [Complaints and Conduct Committee](https://www.spa.police.uk/meetings/archived-meetings-2019-2022/archived-complaints-and-conduct-committee-meetings/archived-complaints-and-conduct-committee-2022/15-november-2022/) meeting papers.

By way of context, Whistleblowing is a term used when a worker passes on information concerning wrongdoing, which will typically (although not necessarily) be something they have witnessed at work. In order to be protected under legislation, a Whistleblower should be identifiable and must reasonably believe that;

1. They are acting in the public interest;
2. The disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:
3. A criminal offence has been committed, is being committed or is likely to be committed.
4. A person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject.
5. A miscarriage of justice has occurred, is occurring or is likely to occur.
6. The health or safety of any individual has been, is being or is likely to be endangered.
7. The environment has been, is being or is likely to be damaged.
8. There has been deliberate concealment of information in relation to any of the above.

As such and in cognisance of the foregoing, in every circumstance where a Whistleblowing case has been identified within Police Scotland, an investigation has been launched.

Upon conclusion of the investigation and/ or criminal justice proceedings and where misconduct is identified, the matter will be referred to Professional Standards Department (PSD) Conduct team or People & Development for consideration of progression as appropriate.

## (B) How many calls have been made to your confidential police hotline between the above dates which resulted in an officer having disciplinary proceedings taken against them or an investigation being launched FOR CLARITY - How many calls have been made to your confidential police hotline between the above dates and how many of those calls resulted in a police officer facing action or an investigation launched. For the purposes of this FOI confidential police hotline should be taken to mean a phone number that police officers and staff can use to raise a concern in confidence and that is not available for public use

Police Scotland does not have a bespoke confidential police hotline however verbal reports can be made via Crimestoppers. Section 17 of the Act therefore applies and the information sought is *not held* by Police Scotland.

However, Police Officers and Staff can highlight concerns electronically via our Integrity Matters portal or via written submissions which are received by the PSD National Gateway Assessment Unit for triage and allocation.

To be of assistance, I can advise you that between 9 March 2021 and 18 January 2023, 703 submissions were received via our Integrity Matters portal, all of which were assessed and progressed according to the information contained therein.

Given the numbers involved we would be unable to establish (within the cost limits of the Act) how many of these submissions resulted in an investigation being launched or an officer facing disciplinary action.

## (C) How many officers between the above dates have faced misconduct proceedings for failing to challenge or report improper conduct? FOR CLARITY - I want to know how many officers had disciplinary action taken against them for failing to report improper conduct

Please note that as per The Police Service of Scotland (Conduct) Regulations 2014, misconduct proceedings relate to matters which have been referred to a misconduct hearing or meeting by the Assistant Chief Constable for Professionalism and Assurance, following a misconduct investigation.

Failing to challenge or report improper conduct is specifically covered by the 2014 regulations. Between 9 March 2021 and 18 January 2023, two officers were subject to formal action following hearings involving allegations categorised as ‘Challenging and Reporting Improper Conduct’.

These resulted in one dismissal without notice and two written warnings.

Please note that each hearing may involve multiple allegations, therefore the number of allegations may vary from the number of hearings.

The data provided above is based on the hearing date.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.