



Report line

Frequently asked questions

What is the IOPC Report line?

A: The IOPC Report line was set up specifically as a whistle blowing line to enable police officers or members of police staff to report concerns of wrongdoing or malpractice in the workplace. These reports may reveal that a criminal offence has been committed or reveal evidence of misconduct that would justify the bringing of disciplinary proceedings.

What is “whistle blowing?”

A: When someone blows the whistle, they are raising a concern about wrongdoing, danger or illegal action that affects others (e.g. members of the public, other employees or staff). The person blowing the whistle does not need to be directly or personally affected by the wrongdoing, danger or illegal action. A whistle-blower is simply trying to alert others and does not necessarily have a personal interest in the outcome of any investigation into their concerns.

The whistle blower must reasonably believe that the information they give or the allegation they make is substantially true, but they are not required to prove the wrongdoing in order for their disclosure to be legally protected. They are a messenger raising a concern, so that others can address it.

Do whistle blowers have legal protection?

A: Almost all workers in the UK are protected by the Public Interest Disclosure Act 1998 (PIDA), including police officers and police staff. PIDA provides workers in the UK with a safe alternative to silence. It enables workers to raise concerns about wrongdoing responsibly. PIDA protects you if you raise a concern about wrongdoing internally. It ensures that if a concern is raised, it can be addressed and any wrongdoing corrected. When an officer ‘blows the whistle’ about another officer, they can do so to the IOPC who is a ‘prescribed body’ (under the provision of the Employment Rights Act 1996). The IOPC will make a record of the details provided. This record may be used by the officer or staff member under PIDA, should the matter go to an employment tribunal. Whether the protected disclosure made is in fact a qualifying disclosure would be for an Employment Tribunal to determine not the IOPC. The recording of these details does not necessarily mean the IOPC will investigate the complaint.

Does the IOPC have to investigate public interest disclosures?

No. The Employment Rights Act 1996 creates an obligation on prescribed persons to record and report on qualifying disclosures made. However this statute does not give the IOPC any additional powers to act on disclosures made to it. The only powers available to the IOPC are those set out in the Police Reform Act 2002. The IOPC may only take action in relation to matters which meet the definitions of either a complaint (including the definition of an eligible complainant – see below), a death or serious injury matter, or a conduct matter as set out in the Police Reform Act 2002. [Statutory guidance - 2020 | Independent Office for Police Conduct \(IOPC\)](#)

The IOPC cannot intervene in ongoing proceedings or challenge decisions made by an appropriate authority about you as there is no statutory right of review to the IOPC. If you wish to raise concerns about ongoing or completed proceedings into your own conduct, or about a decision made by an appropriate authority which affects you, we recommend you seek independent legal advice or speak to your staff association.

What is the difference between a complaint and whistle blowing?

A: Whistle blowing is when you raise a concern about something happening within the force that you feel is wrong. Public interest disclosure protections apply when a person raises concerns about:

- potential criminality
- failures to comply with legal obligations
- miscarriages of justice
- dangers to the health and safety of any person
- environmental damage
- attempts to cover up any of the above

If you are blowing the whistle you don't need to have a personal interest or be directly affected by the issue. You may simply be a messenger raising a concern.

If you have personally been poorly treated, you may want to make a complaint. This poor treatment could involve a breach of your employment rights or bullying for which you are wanting redress. Police personnel can only make complaints under the *Police Reform Act 2002* (PRA) in limited circumstances.

The police have their own grievance and complaints procedure for personnel complaints such as promotions, pensions, allocation of work, working hours or discipline. These complaints should be submitted directly to the force using their own grievance procedures, and you should seek guidance from a Federation or Union representative. The IOPC does not have remit or oversight over these issues.

How will information disclosed via the IOPC Report line be used?

A: All contact made to the IOPC Report line will be recorded, and details added to our register as per our obligation under PIDA, for whistle blowing. If you telephone our Report line you will be asked to put reports of wrongdoing in writing. If you cannot put your report in writing, please ask us for reasonable adjustments. We will make reasonable adjustments in line with *Equality Act 2010* where necessary.

All information passed to us on our Report line anonymously or in writing will be assessed by our Report line team, and the IOPC intelligence unit where appropriate. These details will also be logged on our register for the purpose of PIDA. If we decide that the information should be forwarded to the police force concerned, we will only do so:

- with your written consent if you have provided us with your details, or
- in exceptional circumstances if it is necessary to share information in the public interest.

Are serving police officers allowed to make a “complaint” under the Police Reform Act 2002?

A: Police officers or members of police staff, may only be able to make a complaint under the *Police Reform Act 2002* if:

- they were off duty at the time of the alleged incident took place, and
- the complaint is against a person who at the time the alleged incident took place, was under the direction and control of a different Chief Officer,
- they are expressing dissatisfaction with a police force that is not the force they are serving with.

When can a police officer / staff member make a complaint under the Police Reform Act 2002?

A. If an officer works for one police force and their complaint relates to the conduct of an officer at a different police force who works under the direction of a different Chief Constable, and the conduct complained of occurred while they were off duty, they could make a complaint under the Police Reform Act and would have the same rights as a member of the public under the PRA. If the complaint does not relate to conduct, they can be a complainant if they are expressing dissatisfaction about a different force, not the one they serve with.

Can police officers or members of police staff make a complaint against the police force they work for?

A: Police officers and police staff can make allegations of wrongdoing, but they will not have the same rights under the PRA as someone who meets the criteria to be a complainant. Where reports made to Report line contain allegations of criminality or breaches of the Standards of Professional Behaviour, they may result in an

investigation. When serious concerns of wrongdoing are raised through Report line, our Report line team will consult with the IOPC intelligence unit on the next steps that should be taken.

Complaints about employment or personnel matters must be dealt with directly through the internal procedures of the force that the officer or member of staff are employed by. Police officers / members of police staff should consult with line managers, their HR department or seek advice from Police Federation or Union Representatives on these matters. The IOPC does not have any jurisdiction over employment or personnel complaints.

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We welcome telephone calls in Welsh
Rydym yn croesawu galwadau ffôn yn y Gymraeg

