

## HYNDBURN COUNCIL STANDARDS COMMITTEE

### **POLICY ON THE HANDLING OF ANONYMOUS COMPLAINTS ABOUT MEMBER CONDUCT**

1. Anonymous complaints about member conduct, or complaints made under false names, raise both practical problems and issues of fairness. Where a complaint is anonymous it may create problems in assessing or investigating the complaint.
2. The presumption is that, in the interests of fairness, a member is entitled not only to know what allegations are being made against them but also the identity of the person making them.
3. In the normal course of events when the Assessment Sub-Committee has decided that a complaint should be referred to the monitoring officer or the Standards Board for England a member will receive a summary of the complaint which will include the identity of the complainant, unless the Sub-Committee decides that to provide a summary would be against the public interest or would prejudice any future investigation.
4. Factors which might outweigh the presumption that a member is entitled to know the identity of the person making a complaint and allow the complaint to be referred for investigation or some other action would include:
  - **The complaint included allegations of a particularly serious or significant nature or where for other reasons the public interest would be best served by referring the complaint or investigation or other action.**

For example, there may be circumstances where serious matters are more likely to be raised on an anonymous basis.
  - **There was a good reason why the complaint was being made on an anonymous basis.**

For example, there may be circumstances where a complainant would have a reasonable concern that if their identity were revealed it could lead to adverse consequences for their health and safety or financial well-being. This may depend upon the seriousness of the allegations being made and whether the allegations themselves were of a nature which suggested potential adverse consequences for a complainant.
  - **The allegations could be properly investigated by reference to documentary or photographic evidence without need for further contact with the complainant.**
  - **The complaint did not involve reference to direct interaction between the complainant and the member.**

However, if for example, a complaint involves allegations about the treatment of the complainant by a member it may be difficult to put the allegations to the member concerned without making it very difficult for the member to recall the relevant circumstances

- **The complaint could be dealt with without inevitable unfair treatment of the member.**

It could place a member at an unfair disadvantage if they were hampered in challenging the evidence of a complainant because they did not know the identity of the complainant and, for example, were unable to raise issues about why the complaint was being made and the credibility of the complainant. Anonymity might be misused by a complainant to conceal what would otherwise be readily identified as a malicious, vexatious, politically motivated or tit-for-tat complaint.