

Standards Committee

Policy For Dealing With Complainant Requests For Confidentiality

1. Normally the councillor or parish councillor who is the subject of a complaint (the subject member) **is** entitled to know the identity of the complainant, as a matter of fairness and natural justice.
2. Complainants may however request that their identity is not revealed to the subject member and we may grant such requests at our discretion in exceptional circumstances.
3. When considering a request for confidentiality we will apply the following criteria:
 - does the complainant have reasonable grounds to believe that they will be at risk of physical harm if their identity is revealed ?
 - is the complainant an officer of a relevant authority who fears for the consequences for their employment if their identity is revealed ?
 - is there a medical risk to the complainant's health if their identity is revealed and is this supported by medical evidence ?
 - do any other exceptional circumstances exist that justify the grant of confidentiality ?
4. When considering a request for confidentiality against these criteria we will also:
 - balance the request for confidentiality against the substance of the complaint
 - consider whether it is possible to investigate the complaint without making the complainant's identity known to the subject member, given the requirement for a proper investigation and a fair hearing.
5. If we decide to refuse a request for confidentiality we will usually offer the complainant the opportunity to withdraw their complaint. When deciding whether to allow a complaint to be withdrawn we must consider whether the public interest in proceeding with an investigation outweighs the complainant's wish to have their identity withheld from the subject member.