

# Witham Town Council: Anonymous Communications

*This policy should be read in conjunction with the Whistleblowing Policy*

## **Guidance on Receiving Anonymous Communications**

From time to time, the Town Council will receive an anonymous communication. This can be in the form of a letter, email or phone call and can make accusations against Councillors, Staff or members of the general public.

## **Purpose and principles**

The purpose of this policy is to set out how the Council will handle anonymous communications in a fair, consistent and proportionate way, recognising both the importance of encouraging people to raise concerns and the practical limitations of anonymous reports.

The Council aims to:

- (a) take reasonable steps to assess all anonymous communications that allege wrongdoing or risk,
- (b) protect individuals from unfair treatment where their identity is known,
- (c) ensure that any investigation is conducted in line with UK law and Council procedures

## **General approach to anonymous communications**

The Town Council has taken the decision that anonymous communications which simply express opinion, abuse or do not contain enough information to understand or investigate the issue will not normally be taken forward. However, anonymous communications that raise concerns about possible wrongdoing, risk to individuals, or other matters that could be relevant under the Council's Whistleblowing Policy or safeguarding, standards, or health and safety procedures will be considered on a case-by-case basis.

However, they do recognise that there will be occasions when making an accusation could result in fear of retribution. Under these circumstances the Town Clerk will make a judgement as to the validity of the comments made and take any appropriate action they see fit which could include referring the communication to the next Town Council Meeting or to another agency such as the Police.

## **Assessment of anonymous communications**

When an anonymous communication is received, the Town Clerk (or another appropriate senior officer where necessary) will consider, so far as reasonably practicable:

- the seriousness of the issues raised;
- the credibility and clarity of the information provided;
- whether the matter appears to fall within the scope of the Council's Whistleblowing Policy, Code of Conduct, safeguarding duties, health and safety obligations, financial procedures or other statutory responsibilities;
- the likelihood of being able to investigate or verify the concerns from other sources without knowing the identity of the person raising them;
- fairness to any individual named or identifiable in the communication.

Having considered these factors, the Town Clerk (or other appropriate officer) will decide whether any further action is justified and what form that action should take. This may include logging the concern, carrying out preliminary enquiries, initiating a formal investigation under an existing procedure (for example, whistleblowing, grievance, disciplinary, safeguarding or complaints procedures), or deciding that no further action is appropriate.

### **Relationship with the Whistleblowing Policy**

Where an anonymous communication appears to meet, or may meet, the criteria for a whistleblowing concern under the Council's Whistleblowing Policy or the Public Interest Disclosure Act 1998 (PIDA), it will be handled in line with that Policy as far as possible. Anonymous whistleblowing disclosures will be recorded and considered, but the Council may be limited in its ability to investigate or provide feedback where the whistleblower cannot be contacted.

Individuals are encouraged, wherever they feel able, to raise concerns openly or confidentially under the Whistleblowing Policy so that the Council can offer appropriate protections and maintain contact with them. The Council will respect a request for confidentiality unless it is required by law to reveal the whistleblower's identity (for example, to a court or regulator).

### **Data protection and record-keeping**

Any information contained in an anonymous communication will be handled in accordance with UK GDPR and the Data Protection Act 2018. The Council will keep a proportionate record of anonymous communications that are assessed as raising substantive concerns, together with the outcome of any assessment or action taken. Records will be stored securely and retained only for as long as necessary for the purpose for which they were collected and in line with the Council's retention schedule.

Where an anonymous communication includes personal data about any individual, the Council will ensure that any use or sharing of that information is lawful, necessary and proportionate, and will take into account the rights of the individuals concerned.

### **Fairness and protection from victimisation**

The Council will take reasonable steps to ensure that any person who, having identified themselves, raises concerns in good faith is not subjected to victimisation or detrimental treatment as a result, in line with the Whistleblowing Policy and employment law.

Anonymous communications will not be used as the sole basis for disciplinary action against an individual unless there is sufficient corroborating evidence obtained from other sources.

Approved at Minute 57. Policy and Resources Committee Meeting held 29.3.2022

Reviewed: 9<sup>th</sup> March 2026 by Town Council

To be Reviewed: March 2029