



# Penrith Town Council

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## **ANONYMOUS COMMUNICATIONS POLICY**

### **1. Introduction**

Many public bodies receive communications which are anonymous. The method of dealing with these methods of communications varies considerably from one body to another.

Often, anonymous correspondence has been disregarded as the correspondent did not provide their names or address, but there is a consensus of opinion that such mail should be recognised and that the simple fact that someone has not put their name to a communication should not automatically disqualify that communication from consideration.

This policy outlines how Penrith Town Council ("Council") will act upon information contained in anonymous letters and other anonymous communications as defined in Paragraph 4. The policy provides staff and Members with a mechanism to deal with an issue which can cause serious harm and have serious consequences unless dealt with in an accepted and professional manner.

### **2. Scope**

Often correspondence (letters, emails, blogs, comments on social media) that is anonymous is malicious in its content and the reason that the writer chooses not to put an address on the communication is to protect them from any legal recriminations that may result.

What such correspondents overlook is if their "complaint" is legitimate then the Council will deal with their concern under current legislation and they should not have any concerns regarding their anonymity.

However, it is important to understand that this is not the same as WHISTLEBLOWING which is an internal safeguard for staff members. The Council recognises this and has an appropriate policy in place.

Regard must also be given to mail sent and the writer has provided contact details but has asked for anonymity. This request should be respected at all times. The Council wishes to ensure that members of the public are able to approach it if they believe they have a genuine reason for their personal details to remain confidential. In such cases they should raise this with the Clerk and provide details of why they believe their name should be withheld.

The Policy applies to Councillors and staff.

### **3. Aim**

To provide an appropriate and consistent approach to dealing with Anonymous Communications.

### **4. Definition of anonymous communications**

Anonymous Communications are written or verbal communications where no name, address or identifying factors are given sufficient to identify the source or author. This may include notes, letters, telephone calls, 'round robins', newsletters, emails, texts, blogs, website contents, social media contents and all other forms of electronic communications.

### **5. Verbal anonymous communications**

- a) It is the policy of the Council not to take any action in respect of verbal anonymous communication unless:
  - i. It is subsequently put in writing.
  - ii. The communication warrants an exception.
- b) Exceptionally, the need for immediate action or investigation may prevent the provision of a written communication at that point.
- c) Any Member receiving verbal anonymous communications should respond by stating the Council's policy. The source should be encouraged to provide their contact details and the anonymous communications should be passed to the Council's Town Clerk for recording and for determination of next steps in accordance with this policy. If no written communication is provided by the source, a note summarising what verbal communication took place should be created by the Member and passed to the Council's Clerk.

## **6. Steps to be taken with anonymous communications**

Unless of a purely trivial or frivolous nature all anonymous written communications should:

- a) Be treated as being in strict confidence by all Members/officers and recorded on the server as "Anonymous Correspondence".
- b) In the first instance and if required, be circulated by email to all Members with any personal and sensitive information redacted.
- c) An un-redacted copy shall be retained on file.

## **7. Considerations**

- a) The Council may not consider anonymous letters or other anonymous communications unless there is corroborating evidence.
- b) The Council expressly reserves the right to take no action.
- c) When deciding what action to take, the following should shall be considered:
  - i. Seriousness and credibility of the issues raised and its effect on the community.
  - ii. Criminal and legal implications.
  - iii. Health and Safety of Members.
  - iv. Whether sufficient information is provided to corroborate any allegation(s) and to enable an investigation to be carried out.
  - v. Fraud or other irregularities detrimental to the Council.
- d) Anonymous communications or any form of communication considered vexatious or malicious, may be forwarded to the appropriate authorities. The Council will provide full support for those authorities to carry out an investigation.

## **8. Other matters**

- a) The server record of anonymous communications shall be periodically reviewed, every 12 months, to identify any developing trends.
- b) Where the correspondent has provided contact details but has asked for anonymity, their right to privacy should be respected.
- c) Due caution must be exercised when reacting to anonymous communications which appear to be malicious, potentially libellous or of an extremely personal nature. The Council may consider seeking specific legal advice.

## **9. Review**

This policy should be reviewed periodically to check compliance with legislative changes which may occur in future.

**Adopted: May 2021**

**Review: 2024**