

 <b>West Lothian Council</b>	<b>Environmental Health</b>		<b>SUBJECT:</b> Requesting Complainant Information
	✓	Food Safety/Food Hygiene	<b>NUMBER:</b> PH06
<b>REVISED:</b> 13/11/2008	✓	Health & Safety	
	✓	Public Health	<b>KEYWORDS:</b> Complaint Complainant Name
<b>STATUS:</b> PUBLIC ADVICE	✓	Pollution Control	
	✓	Pest Control/Dog Warden	

## **Information Sheet PH06 Complainant Information**

We are often asked to provide the details of people who make complaints (complainants). It is our policy not to disclose complainants' details for a number of very practical reasons. This is in addition to our responsibilities under the Data Protection Act.

### **Asking Officers for Complainants' Details**

We would usually answer with a 'can't comment'. This is not to be obstructive. We do this because to say anything more often encourages people to keep asking about specific people until they get something other than a clear denial that the person concerned is not the complainant.

### **Don't jump to conclusions**

We usually encourage those who have been the subject of a complaint not to form any conclusions as to who the complainant was. Experience has shown that the conclusions reached are often wide of the mark, causing neighbour problems which didn't previously exist. Sometimes, there may be more than one complainant.

### **Freedom of Information (Scotland) Act**

Under the Freedom of Information (FOI) Act, any information held by the Council is generally available to anyone making a request. However, no personal information can be divulged. In responding to FOI requests we have to remove any personal information, but the rest of the record / document / e-mail would be available.

### **Things to remember**

- We have a legal duty to investigate complaints which come to us, so we have to do it. Our job is to find out whether a complaint is justified
- If a complaint is unjustified, we will tell both parties this, record that we have done so and close the complaint.
- Often, problems arise due to misunderstandings or different viewpoints. These can often be resolved if both parties are willing to meet together to discuss how they feel. We can arrange this.

For further information and advice, contact Environmental Health at County Buildings, High Street, Linlithgow, EH49 7EZ. Telephone 01506 282500, Fax 01506 282448, e-mail [environmentalhealth@westlothian.gov.uk](mailto:environmentalhealth@westlothian.gov.uk).