

 West Lothian Council	Environmental Health		SUBJECT: Requesting Complainant Information
	✓	Food Safety/Food Hygiene	NUMBER: PH06
REVISED: 26/07/2024	✓	Health & Safety	
	✓	Public Health	KEYWORDS:
STATUS: PUBLIC ADVICE	✓	Pollution Control	Complaint Complainant Name
	✓	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 routinely disclose complainants' details for a number of very practical reasons. This is in addition to our responsibilities under the data protection legislation. Complainant information will remain confidential for most enquiries we have to deal with. Generally, the only time it would become known is if we have to take formal legal action which results in a court hearing and there is a requirement to disclose witness details.

Asking Officers for Complainants' Details

Officers will not provide this information. This might be frustrating, but our focus is on establishing whether the issue being complained about is valid. Officers don't take sides in any complaint. Officers are required to be impartial and consider the evidence.

Don't jump to conclusions

We would encourage you not to jump to any conclusions regarding the source of a complaint. As already stated it is not our purpose to take sides. Any action we might have to take will be determined by evidence, not by accusation or allegation. So, it is our advice to work with our officers to help us carry out our duties.

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, and this includes anything which might help identify an individual. So, we might be limited in terms of providing information regarding complaints made to us.

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 if both parties are in agreement.

For further information and advice, contact Environmental Health & Trading Standards

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