

## Anonymous Informants

Where an employer wishes to commence disciplinary proceedings on the back of information disclosed by an employee informant who wishes to remain anonymous, the following guidance should be applied:-

- Informants' statements should be recorded in writing (although they might need to be edited and redacted to preserve the informant's identity);
- When taking statements it is important to note the date, time and place of each observation or incident; how well and how accurately the informant was able to observe; circumstantial evidence such as knowledge of a system, the reason for the informant's presence or any memorable details; and (crucially) whether the informant had any reason to fabricate evidence;
- Further investigation should then be conducted, to corroborate the information given;
- Tactful inquiries into the character and background of the informant would be advisable;
- A decision must then be taken as to whether or not to continue with the disciplinary process, especially if satisfied that the informant's fears are genuine;
- If it is to continue, the member of management responsible for each stage of the process should interview the informant personally and decide how much weight is to be given to his or her evidence;
- The informant's statement (redacted – ie edited – if necessary) should be made available to the accused employee and his or her representative;
- If the accused employee or his or her representative raise an issue requiring input from the informant, it may be necessary to adjourn the disciplinary meeting to question the informant in private;
- It is especially important in such cases for full and careful notes of disciplinary proceedings to be taken;
- If the evidence of an investigating officer is to be used at a hearing, it should be prepared in writing in advance.

*If it's important to you,  
it's important to us.*