



Bord Oideachais & Oiliúna
LUIMNIGH & AN CHLÁIR
LIMERICK & CLARE
Education & Training Board

Anonymous Complaints Policy

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Policy

Limerick and Clare Education and Training Board (the ETB) is committed to the highest standards of good governance, transparency and accountability. As part of this commitment, the ETB recognises that concerns may, from time to time, be raised anonymously.

Purpose

While the ETB encourages individuals to identify themselves when raising concerns so that matters can be examined as thoroughly and fairly as possible, it is acknowledged that there may be exceptional circumstances where a person wishes to make a complaint without revealing their identity.

This Anonymous Complaints Policy has been developed to provide a clear, fair and consistent framework for the receipt, assessment and handling of anonymous complaints.

2. Scope

This policy applies to anonymous complaints about serious matters connected with the work or operations of the ETB, including alleged wrongdoing, inappropriate behaviour, governance or financial concerns, health and safety issues, safeguarding matters, or similar concerns that may pose a risk to people, public funds, or the reputation of the ETB.

This policy does not apply to:

- complaints made by identified individuals under the Protected Disclosures Act;
- personal workplace issues or interpersonal disputes that are more appropriately dealt with under human resources policies such as grievance, dignity at work, or disciplinary procedures; or
- routine service quality or customer service complaints, which are normally handled under the Customer Care Policy.

Where an anonymous complaint raises safeguarding or child protection concerns, the ETB will manage the matter in line with its safeguarding and child protection policies and all relevant legal requirements.

3. Definitions

Anonymous Complaint: A complaint, concern or allegation made to where the identity of the complainant is unknown and no contact details are provided.

Confidential Complaint: A complaint where the complainant's identity is known to the ETB but is protected and disclosed only on a need-to-know basis.

Designated Person (DP): The person appointed by the ETB to receive and manage protected disclosures and, where appropriate, anonymous complaints of a serious nature.

4. Policy Statement

4.1 The ETB will give due consideration to anonymous complaints, particularly where the issues raised are serious, credible and capable of verification.

4.2 Each anonymous complaint will be considered on its own merits; however, they will only be progressed where sufficient information is provided to allow for meaningful assessment

4.3 Anonymous complaints are not excluded from consideration; however, the ETB's ability to investigate such complaints may be limited by the absence of identifiable complainants and the inability to seek clarification or further information.

4.4 The ETB reserves the right to determine the appropriate response to an anonymous complaint, including the decision not to pursue the matter where it is deemed:

- Vexatious, frivolous or malicious;
- Based on unsupported speculation or opinion;
- Lacking sufficient detail to allow for meaningful assessment or follow-up; or
- More appropriately addressed under another policy or procedure.

4.5 All anonymous complaints will be assessed in line with the principles of fairness, natural justice and proportionality, including the rights of any persons who may be the subject of allegations.

5. Making an Anonymous Complaint

5.1 The ETB has a range of policies and procedures in place, including the Protected Disclosures Policy, which provides appropriate protections for individuals who wish to raise concerns in a confidential manner. Anonymous reporting should generally be considered as a last resort where an individual does not feel in position to identify themselves.

5.2 Anonymous complaints may be submitted in writing, including by email or letter, and must include sufficient detail to enable consideration. Unless an anonymous complaint contains the following, it will not be possible to consider:

- The nature of the concern or allegation;

- Relevant dates, locations and events;
- Any supporting documentation or evidence, where available; and
- The names of individuals involved, where known and necessary.

5.3 Individuals making anonymous complaints are encouraged, where possible, to consider availing of the confidential reporting mechanisms under the Protected Disclosures Policy, which provide statutory protections.

5.4 Anonymous complainants should be aware that the absence of contact details may limit the ETB's ability to seek clarification or provide feedback.

5.5 Where insufficient information is provided, the ETB may be unable to take further action. In such cases, the complaint will be recorded for reference but not progressed and no further action will be taken.

6. Assessment of Anonymous Complaints

6.1 All anonymous complaints will be acknowledged (where possible) within 5 working days and assessed within 20 working days.

6.2 All anonymous complaints will undergo an initial assessment by the Designated Person or an appropriate senior officer nominated by the ETB.

6.3 The initial assessment will consider:

- The seriousness of the issues raised;
- The credibility and plausibility of the information provided;
- Whether the matter falls within the remit of the ETB;
- Whether sufficient information exists to carry out an examination or investigation; and
- Any immediate risks to people, property, public funds or reputation.

6.4 Decisions regarding notification of any person(s) who is subject of the complaint will be made on a case-by-case basis. Once it is decided that the subject of the complaint is to be notified, such notification will issue within 5 working days.

6.5 Following the initial assessment, the ETB may decide to:

- Take no further action, recording the reasons for this decision;
- Refer the matter for informal review or management action;
- Initiate a formal investigation under an appropriate policy or procedure;
- Refer the matter to an external body, where required by law or regulation; or

- Retain the information on file for future reference should additional information emerge.

As part of the assessment process, consideration will be given to whether the matters raised would be more appropriately addressed under another ETB policy or procedure, including but not limited to the Customer Care Policy or relevant HR policies, where sufficient information exists to allow the matter to be examined.

7. Investigation and Fair Procedures

7.1 Where an investigation is initiated as a result of an anonymous complaint, it will be conducted in accordance with the ETB's policies and procedures and the principles of natural justice.

7.2 Individuals who are the subject of allegations will be afforded fair procedures, including the right to be informed of allegations (insofar as is practicable) and the opportunity to respond. This may not apply where the complaint is not being progressed (for example, where it falls under Section 5.5 due to insufficient information).

7.3 The anonymity of the complainant will be respected at all times where applicable; however, the ETB cannot provide feedback to an anonymous complainant.

8. Record Keeping and Data Protection

8.1 The ETB will maintain a confidential record of all anonymous complaints received, the assessment undertaken, and any actions arising.

8.2 Records will be retained in accordance with data protection legislation and the ETB record retention policies.

8.3 Anonymous complaint records will be securely stored with access restricted to authorised personnel only.

9. Relationship with Protected Disclosures Policy

9.1 Where information provided anonymously meets the criteria of a protected disclosure under the Protected Disclosures Act, the ETB may process the information in accordance with its Protected Disclosures Policy, to the extent possible.

9.2 Individuals should be aware that statutory protections under the Act, including protection from penalisation and access to redress mechanisms, generally require the reporting person to be identifiable.

10. Communication and Review

10.1 This policy will be made available to staff via StaffConnect and to the public via the ETB website, as appropriate.

10.2 The policy will be reviewed every three years, or earlier where required due to legislative or organisational changes.