

35083

How many formal complaints have been made concerning Sean Bell during his tenure with Edinburgh City Council?

How many informal complaints have been made concerning Sean Bell during his tenure with Edinburgh City Council?

#### General comments

The Inquiry Team recommended that the release into the public domain of an “Open Report” pertaining to complaints in respect of Sean Bell, rather than the full report was a reasonable and proportionate approach which balanced respective rights and interests.

The Open Report details the main issues and findings with regard to complaints made in respect of Sean Bell.

In the interests of transparency, the Council confirms that the formal complaints made concerning Sean Bell during his tenure with Edinburgh City Council, as set out in the Open Report, number five, in total. The Open Report also refers, at paragraph 8.1.1, to a “significant number” of informal disclosures which occurred regarding Sean Bell’s behaviour. However, these are neither numbered nor specifically discussed in the Open Report.

In terms of any further complaints, the Council considers that the information should be withheld.

#### Specific comments

The Council has undertaken an extensive investigation into the complaints surrounding Sean Bell and produced a report that is available to the public. The Council considers that the provision of the information requested, could prejudice its ability to continue to investigate issues relating to Sean Bell and its decision-making around its reporting. The Council’s position is that the full version of the report is not being shared more widely than with the elected members, and then under strict confidentiality restrictions. This is in part because of the need to protect the identities of certain survivors and those who co-operated with the inquiry who wish to remain anonymous.

Given the nature of the inquiry, the expectation of those who participated in the inquiry, many of whom are current or former employees of the Council, was of anonymity. It is acknowledged that there is a public interest in understanding the number of complaints issued against Sean Bell. However, on balance, it is the Council’s view that this is outweighed by the need for the Council to be able to investigate thoroughly and provide transparency to the public in a way that protects those involved in the investigation. rely on the goodwill of those who come forward to provide evidence, and to meet their expectation of privacy. There is a real risk that this expectation of privacy will be impacted by the release of the information which will impact the Council’s ability to conduct investigations in this manner.

Further, the Council considers that the public interest in transparency has been met via its release of the Open Report into the public domain, which sets out complaints made in respect of Sean Bell subject to investigation.

On the above basis, the Council will not provide the information sought.