

Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: LGA-1417-13

Meeting / Decision: Restructuring Implementation Committee
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Date: 11 November 2013

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Exempt Report Title: Proposed redundancy– individual case

The Report contains exempt information, according to the categories set out in the Local Government Act 1972 (amended Schedule 12A). The relevant exemption is set out below.

Stating the exemption:

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| <ol style="list-style-type: none">1. Information relating to any individual2. Information which is likely to reveal the identity of an individual3. Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
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The public interest test has been applied, and it is concluded that the public interest in maintaining the exemption outweighs the public interest in disclosure at this time. It is therefore recommended that the Report be withheld from publication on the Council website. The paragraphs below set out the relevant public interest issues in this case.

PUBLIC INTEREST TEST

If the Committee wishes to consider a matter with press and public excluded, it must be satisfied on two matters.

Firstly, it must be satisfied that the information likely to be disclosed falls within one of the accepted categories of exempt information under the Local Government Act 1972.

The officer responsible for this item believes that this information falls within the following exemptions and this has been confirmed by the Council's Information Compliance Manager.

The following exemptions are engaged in respect to this report:

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Exemptions 1 and 2 above must be considered in conjunction with the Principles of the Data Protection Act 1998 (DPA). It is considered that disclosure of the information in this report would breach the first principle of the DPA, which requires personal data to be fairly and lawfully processed.

Secondly, it is necessary to weigh up the arguments for and against disclosure on public interest grounds. It is considered that there is a public interest in information about the organisation of the Council and that all possible Council information should be public.

However, there is a real risk that the first Principle of the DPA will be breached by this disclosure, and that the individual concerned could bring a successful action against the Council if the disclosure occurred. Therefore it is recommended that exemptions 1 and 2 in Schedule 12A stand, and that the report be discussed in exempt session.

Due to the factors outlined above, further consideration has not been given to the application of exemption 3 of Schedule 12A. However, any amounts paid as part of a redundancy payment would be recorded in the annual accounts at the end of the financial year.