

Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: LGA-11-010

Meeting:
Restructuring Implementation Committee

Date: 25th July 2011

Author:

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Report / Appendix Title/s:

Appendix: Transitional staffing Issues

Indicate which of the following categories the report / appendix falls in to.

1. The report / appendix constitute confidential information, and the meeting must therefore resolve to exclude the public.

Confidential information is defined as:

- I. Information furnished to the council by a Government department upon terms which forbid the disclosure of the information to the public;
- II. Information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.

2. The report / appendix constitutes 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:

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)

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 meeting resolve to exclude the public. The paragraphs below sets out the relevant public interest issues in this case.

Factors for withholding:

The discussion concerns the approach the Council may or will take to put in place for suitable and effective transitional management arrangements. The discussion will include the identification of potential individuals, the possible terms of engagement and negotiating parameters.

It would be contrary to the public interest to hold such discussions in public due to:

1. the potential prejudice to the Council's bargaining position
2. the possibility that individual staff details will be released prematurely into the public domain in advance of discussions with such individuals.

Factors for disclosure:

- Further public understanding of the issues concerned.
- Promote accountability and transparency by the Council for the decisions it takes.

Reasons why the public interest favours non-disclosure:

It is recognised that there is presumption in favour of disclosure but there appear no compelling reasons why discussions that are at this stage exploratory should be so released.

It is important for public authorities to have some measure of 'private thinking space', and that they are able to share important information with Elected Members tasked with representing the local community.