

Subject:	Guidance for Members and Officers on Confidential Information		
Date of Meeting:	Audit and Standards Committee 16 April 2013		
Report of:	Head of Law and Monitoring Officer		
Contact Officer:	Name:	Abraham Ghebre-Ghiorghis	Tel: 291500
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Wards affected:	All		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that while it was necessary to make progress on the implementation of the decisions taken by the committee at their meeting of 22/1/13, it was also necessary to consult on the proposed guidance document appended to this report at the recent meetings of the Informal Chairs and the Standards Working Group.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to bring to the Audit & Standards Committee an updated guidance document on confidential information for Members and Officers which has been drafted following the decisions the Committee took at its meeting on 22nd January 2013.
- 1.2 Those decisions were taken with the intention of improving the way the council manages confidential information.

2. RECOMMENDATIONS:

- 2.1 That the committee approves the Guidance for Members and Officers on Confidential Information appended to this report.
- 2.2 That a copy of the revised guidance be circulated to all Members following approval by the Committee.

3. BACKGROUND INFORMATION:

- 3.1 At its meeting on the 22nd January 2013, the Audit and Standards Committee received a report entitled "Managing Confidential Information". This referred to an investigation that had been carried out by the Monitoring Officer. The investigation took place following a series of unauthorised disclosures of confidential information.
- 3.2 The recommendations made in the January 2013 report were accepted by the members. The members agreed that the wide range of action points detailed in

the appendix to the report, which were aimed at improving the council's management of confidential information, should be implemented.

- 3.3 One of these recommendations was that proposed new guidance and suggested revisions to the various existing codes and protocols on this topic should be submitted to them for approval at a future meeting.
- 3.4 It was just over three years ago that the Standards Committee (of the 19th January 2010) approved the current version of the council's guidance document entitled "Guidance to Members and Officers regarding Confidential Information".
- 3.5 Following the decisions taken at the latest meeting of the Audit and Standards Committee of 22nd January 2013, a revised version of this document is appended to this report.
- 3.6 The proposed guidance attached is a result of a review of the existing 2010 document. It has been drafted as part of the overall exercise of producing the proposed new documents and revisions to existing documents that members are being asked to consider elsewhere on this agenda.
- 3.7 The proposed changes to the 2010 version of this guidance are minor and mainly cosmetic in nature. The opportunity has also been taken to ensure that cross references to and quoted extracts from other relevant documents, such as paragraph 4 (on confidentiality) of the Code of Conduct for Members, are consistent with any proposed changes to those documents.

4. ENGAGEMENT AND CONSULTATION

- 4.1 Prior to accepting the recommendations of the report taken to their meeting of 22 January 2013, members had noted that the outcome of the investigation and recommended actions were taken to the Leaders Group on 7th January 2013 for consideration. The proposed actions and implementation schedule were endorsed there.
- 4.2 Consultation has recently taken place on this guidance document at the Informal Chairs meeting and the Standards Working Group.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The document attached to this report is one of a number to be considered by the committee which relate to the management of confidential information and the proposed actions set out in them involve changes to working practices, codes, protocols and culture, all of which are expected to be achieved within existing departmental revenue budgets.

Finance Officer Consulted: Anne Silley Date: 26/03/13

Legal Implications:

- 5.2 None other than those incorporated in the proposed guidance itself.

Lawyer Consulted:

Name Andy Couper

Date: 08/14/13

Equalities Implications:

- 5.3 There are no equalities implications arising from the report.

Sustainability Implications:

- 5.4 There are no sustainability implications arising from the report.

Crime & Disorder Implications:

- 5.5 In some cases the disclosure of confidential information or the obstruction of access to information may constitute an offence. Observance of the guidance will contribute to minimising such risks.

Risk and Opportunity Management Implications:

- 5.6 The adoption of appropriate protocols and policies and adherence to the guidance produced following the investigation will set a framework for improvement to the council's corporate governance. Observance of the contents of these documents will lessen the risk of unauthorised disclosure of confidential information.

Corporate / Citywide Implications:

- 5.7 The attached document gives direction on dealing with information that is confidential and must remain confidential. Compliance with it should, along with implementation of the other actions agreed by members at their meeting in January 2013, help to promote an increase in security as well as properly managed openness and transparency at the council.

6. REASONS FOR REPORT RECOMMENDATIONS

- 6.1 Acceptance of the recommendation and adoption of the guidance will represent a continued implementation of the broader decisions the committee took on improving the way the council manages confidential information at its meeting on 22/1/13.

SUPPORTING DOCUMENTATION

Appendix:

“Guidance for Members and Officers on Confidential Information”. April 2013.

Documents in Members’ Rooms
None.

Background Documents
None