

Confidential Information Protocol

Introduction

- 1.1 This Protocol supports Paragraph 4 (iv) of the Members' Code of Conduct which allows for the disclosure of confidential information by a Member where the disclosure is reasonable, in the public interest, made in good faith and complies with the reasonable requirements of the Council.
- 1.2 **This Protocol sets out the reasonable requirements of the Council:**
 - (1) That careful consideration is given to the question of whether to make the disclosure and if the disclosure is made, the Member retains a note of the main considerations in reaching that decision.
 - (2) That the content of Committee reports, minutes, appendices or other documents that are marked as confidential or exempt items will not be disclosed without the prior written agreement of the Monitoring Officer who will re-consider the need to retain confidentiality under the provisions relating to exempt information under Schedule 12A of the Local Government Act 1972 and the Freedom of Information Act 2000.
 - (3) That the detail of legal or other professional advice is not disclosed without the prior written agreement of the Monitoring Officer.
 - (4) That the Council's Whistle-Blowing Policy and Anti Fraud and Corruption Policy are considered.
 - (5) That the current Member/Officer Protocol (found in Part V, of the Constitution) is considered.
 - (6) That the Members' Code of Conduct and associated guidance is considered.
 - (7) That the advice of the Monitoring Officer or Deputy Monitoring Officer is sought prior to disclosure of the information unless agreement has already been secured under (2) or (3) above.
- 1.3 Agreement to the disclosure of confidential information may be with or without conditions.
- 1.4 In instances involving particularly sensitive or highly confidential information, a Member may be asked to sign a confidentiality notice before information is released to them. In such cases, it would be the Council's expectation that the information is not disclosed.