

STANDARDS COMMITTEE

CODE OF CONDUCT – COUNCIL REQUIREMENTS WITH REGARD TO CONFIDENTIAL INFORMATION

21st June 2007

Report of the Monitoring Officer

PURPOSE OF REPORT

To enable the Committee to consider guidance to Members on the Council's requirements with regard to confidential information

This report is public

RECOMMENDATIONS

- (1) That the Committee recommend Council to adopt, as part of the Constitution, information for Members on the Council's requirements for the purposes of paragraph 4((a)(iv)(bb) of the Code of Conduct with regard to the disclosure of confidential information

1.0 Introduction

- 1.1 The revised Code of Conduct adopted by the Council on the 21st May 2007 includes a requirement on Members not to disclose information given to them in confidence, or information which Members believe or ought reasonably to be aware is of a confidential nature. There is however an exemption where the disclosure is reasonable and in the public interest, and made in good faith and in compliance with the reasonable requirements of the authority.
- 1.2 The Standards Board for England has issued guidance on the application of this exemption, and it is felt that it would be helpful for this guidance to be readily available to Members, together with information on the Council's requirements for the purposes of the exemption.

2.0 Proposal Details

- 2.1 A draft document is attached which sets out the relevant paragraph of the Code of Conduct, together with the Standards Board's guidance, and a note of the Council's requirements with regard to the disclosure of information.
- 2.2 The Committee is asked to consider in particular the proposed requirements of the Council as set out in the draft document, with a view to making a recommendation to

Council as to the appropriate wording of such requirements. The Committee may wish to approve the draft document or to make amendments to it, for recommendation to Council.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None

FINANCIAL IMPLICATIONS/SECTION 151 OFFICER COMMENTS

There are no financial implications arising from this report, and the Section 151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS/MONITORING OFFICER COMMENTS

Legal Services have been consulted and have no comments. The report has been prepared by the Monitoring Officer as the adviser to the Standards Committee.

BACKGROUND PAPERS

None

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