

Access to Information Procedure Rules

Report of Head of Legal and Democratic Services

Purpose of the Report

- 1 This report proposes changes to the Access to Information Procedure Rules which are incorporated within the Council's Constitution.

Background

- 2 Constitution Working Group reviewed the Access to Information Procedure Rules on 26 November 2010 and have been further reviewed at its meeting on 9 March 2011. Some amendments are proposed with a view to clarifying the position in relation to some of the paragraphs contained in the current Rules.

- 3 Paragraph 2 – Additional Rights to Information

It is proposed to add the following sentence “nor do these rules limit or diminish the Council's duties to protect certain information, including personal information. This includes the rights and duties from the provisions of the Freedom of Information Act 2000 and the Data Protection Act 1998.”

- 4 Paragraph 18 – Record of Decisions

The current paragraph reads:

“After any meeting of the Executive or any of its Committees, whether held in public or private, the Head of Legal and Democratic Services or, where no Officer was present, the person presiding at the meeting, will produce a record of every decision taken at that meeting as soon as practicable. The record will include a statement of the reasons for each decision and any alternative options considered and rejected at that meeting.”

It is proposed to update this paragraph to reflect the current working practice that it is only for those decisions recorded in public that a record will include a statement of the reasons for each decision and any alternative options considered and rejected at that meeting. The proposed amendment is

“After any meeting of the Executive or any of its Committees held in public the Head of Legal and Democratic Services or, where no Officer was present, the person presiding at the meeting, will produce a record of every decision taken at that meeting as soon as practicable. The record will include a statement of

the reasons for each decision and any alternative options considered and rejected at that meeting.”

Recommendations

5. The content of this report was discussed and agreed at meetings of the Constitution Working Group on 26 November 2010 and 9 March 2011 and County Council are asked to agree the update the Access to Information Procedure Rules as proposed in paragraphs 3 and 4 of this report.

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