



INVESTIGATING AND DISCIPLINARY COMMITTEE – 5TH SEPTEMBER 2019

**PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS
SCHEDULE 12A LOCAL GOVERNMENT ACT 1972**

SUBJECT: DISCIPLINARY PROCEEDINGS - CHIEF EXECUTIVE

REPORT BY: HEAD OF LEGAL SERVICES & MONITORING OFFICER

I have considered grounds for exemption of information to be presented to the Committee and make the following recommendations to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Information relating to a particular individual(s) - (paragraph 12).

FACTORS IN FAVOUR OF DISCLOSURE:

There is a public interest in the way in which the Council deals with staffing issues.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains detailed personal information of particular individuals .

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraph 12 should apply. My view on the Public Interest Test is that whilst there is a need to ensure transparency and accountability of the council for decisions taken in relation to staffing issues, this must be balanced against the information being made public whilst the disciplinary process is ongoing.

The information is not affected by any other statutory provision which requires the information to be publicly available. The information contains personal information of staff member(s) which is protected by the Data Protection Act 2018.

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the press and public from this part of the meeting.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

Signed: *[Signature]* Date 21/8/19
Post: Head of Legal Services & Monitoring Officer

I accept/do not accept recommendation made above.

Signed: *D.M. Steff* Date: 21/8/19
Proper Officer