



HEALTH SOCIAL CARE & WELLBEING SCRUTINY COMMITTEE 23RD OCTOBER 2012

PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS PART 4 SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

SUBJECT: ANNUAL ACCIDENT AND VIOLENT INCIDENTS REPORT 2011/2012

REPORT BY: CORPORATE DIRECTOR OF SOCIAL SERVICES

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendations to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Information relating to a particular individual (paragraph 12) and information, which is likely to reveal the identity of an individual (paragraph 13).

FACTORS IN FAVOUR OF DISCLOSURE:

There is a public interest in the way in which the Council deals with this type of issue.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains detailed information regarding personal and sensitive information which affects particular individuals and the affairs of those individuals.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraphs 12 and 13 should apply. My view on the Public Interest Test is that whilst I am mindful of the need to ensure transparency and accountability of a Public Authority in relation to health and safety issues and the financial implications arising from such issues, this must be balanced against the fact that the Council must maintain the anonymity of the staff whose identity is likely to be revealed as a result of the contents of the Report and that this outweighs the need for the contents for the Report to be made public.

The information is not affected by any other statutory provision, which requires the information to be publicly registered.

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 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 

Dated: 9 October 2012

Post Principal Solicitor/Deputy Monitoring Officer

I accept the recommendation made above.

Signed: 

Proper Officer

Date: 9.10.12