



**HEALTH SOCIAL CARE & WELL BEING SCRUTINY COMMITTEE –
14TH MAY 2013**

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

SUBJECT: ANNUAL ACCIDENT AND VIOLENT INCIDENT REPORT – 2012/13

REPORT BY: ACTING CORPORATE DIRECTOR 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 identify of an individual (paragraph 13).

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 information regarding personal information which affects a particular individual and the affairs of that individual.

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 for decisions taken in relation to health and safety issues, this must be balanced against the fact that the Council must maintain the anonymity of the individuals referred to in 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.

Date: 7th May 2013

Signed:



Post: Monitoring Officer/Principal Solicitor

I accept/do not accept recommendation made above.

Signed:



Proper Officer

Date: 7/5/13.