



## STANDARDS COMMITTEE – 10TH JUNE 2013

### PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS PARAGRAPH 13 SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

**SUBJECT: REPORT FROM THE PUBLIC SERVICES OMBUDSMAN FOR WALES**

**REPORT BY: INTERIM MONITORING OFFICER**

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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 that is likely to reveal the identity of an individual (para 13).

#### **FACTORS IN FAVOUR OF DISCLOSURE:**

There is a public interest in the way in which the Council deals with complaints which are referred to the Ombudsman for determination.

#### **PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:**

The Report contains detailed sensitive personal information. In this case the Ombudsman has issued a direction under S.17(9) of the Public Services Ombudsman (Wales) Act 2005 that the Report should not be published.

#### **MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:**

That paragraph 13 should apply. My view on the Public Interest Test is that the anonymity of the individual concerned must be maintained on the basis that the Report contains sensitive personal information. Furthermore in this case the Ombudsman has issued a direction under S.17(9) of the Public Services Ombudsman (Wales) Act 2005 that the Report should not be published in order to maintain and protect the identity of the complainant in this matter.

This information contained in the Report is subject to a Directive from 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: 3rd June 2013

Signed: 

Post: **Interim Monitoring Officer**

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I accept/do not accept the recommendation made above.

Signed:   
**Proper Officer**

Date: 3/6/13