

# Public Document Pack

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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Emma Sullivan  
(Rhif Ffôn: 01443 864420 Ebst: [sullie@caerphilly.gov.uk](mailto:sullie@caerphilly.gov.uk))

**Dyddiad: Dydd Mercher, 12 Ebrill 2017**

Annwyl Syr/Fadam,

Bydd cyfarfod **Pwyllgor Archwilio a Disgyblu** yn cael ei gynnal yn **Duffryn House, Ystrad Mynach** ar **Dydd Iau, 20fed Ebrill, 2017** am **10.00 am** i ystyried materion a gynhwysir yn yr agenda canlynol.

Yr eiddoch yn gywir,

A handwritten signature in blue ink that reads 'Chris Burns'.

**Chris Burns**  
PRIF WEITHREDWR DROS DRO

## A G E N D A

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb
- 2 Datganiadau o Ddiddordeb.

Atgoffi'r Cyngorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cyngorwyr a Swyddogion.

- 3 I dderbyn ac ystyried yr adroddiad(au) canlynol sydd ym marn y Swyddog Priodol yn gallu cael ei drafod pan nad yw'r cyfarfod ar agor i'r cyhoedd ac i ystyried yn gyntaf os yw lles y cyhoedd yn golygu y dylai'r cyfarfod gael ei gau i'r cyhoedd ar gyfer ystyriaeth o'r eitem(au):-

1 - 2

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



- 4 I dderbyn ac ystyried atgyfeirio(iadau) o dan Weithdrefn Ddisgyblu y Cyngor ar gyfer Swyddogion Statudol a phenderfynu camau i'w cymryd.

**Cylchrediad:**

Cynghorwyr D.G. Carter (Cadeirydd), N. George, C.J. Gordon, J.A. Pritchard, S. Morgan a J. Taylor

Er gwybodaeth i'r cynghorydd amnewid R.W. Gough, D. Havard a T.J. Williams.

A Swyddogion Priodol



## INVESTIGATING AND DISCIPLINARY COMMITTEE - 20TH APRIL 2017

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

**SUBJECT: TO RECEIVE AND CONSIDER REFERRAL(S) UNDER THE COUNCIL'S  
DISCIPLINARY PROCEDURE FOR STATUTORY OFFICERS AND  
DETERMINE STEPS TO BE TAKEN.**

**REPORT BY: SENIOR SOLICITOR**

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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) (para 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 referral/s contains detailed information regarding personal information which affects a particular individual/s and the affairs of that individual/s.

#### **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 a Public Authority for decisions taken in relation to staffing issues, this must be balanced against the fact that these matters have not yet been concluded at this stage outweigh the need for the information to be made public.

The information is not affected by any other statutory provision, which requires the information to be publicly registered. The information contains personal data of staff members which is protected by the Data Protection Act 1998.

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:**

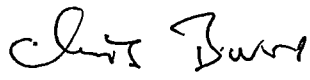
On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the referral/s should be exempt.

**Date:** 11th April 2017  
**Post:** Senior Solicitor

**Signed:** 

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I accept/~~do not accept~~ recommendation made above.

**Signed:**   
\_\_\_\_\_  
Proper Officer

**Date:** 11/4/17