



COUNCIL – 10TH MARCH 2020

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

SUBJECT: APPOINTMENT OF CHIEF EXECUTIVE

REPORT BY: HEAD OF LEGAL SERVICES AND 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 particular individual(s) (paragraph 12).

FACTORS IN FAVOUR OF DISCLOSURE:

There is a public interest in the way in which the Council recruits its Chief Executive.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

Council will receive detailed personal information regarding individual(s) who are being considered for the post as part of the appointment process which is on-going and has yet to be concluded.

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 in its process in relation to the appointment of the Chief Executive, this must be balanced against the fact that this process has not yet been concluded together with the right of third parties(the applicants) to privacy in respect of their personal information, which, at this stage outweighs the need for the information to be made public.

The information is not affected by any other statutory provision, which requires the applicants' personal information to be made publicly available.

On that basis I feel that the public interest in maintaining the exemption clearly 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 from publication.

Signed: *B. Smith* Date: 3/3/20
Post: Head of Legal Services and Monitoring Officer

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

Signed: *[Signature]* Date: 3/3/2020
Proper Officer