



SPECIAL COUNCIL – 18TH MARCH 2021

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

SUBJECT: EMPLOYMENT TRIBUNAL CLAIM OF THE FORMER CHIEF EXECUTIVE

REPORT BY: HEAD OF LEGAL SERVICES AND MONITORING OFFICER

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, information relating to the financial or business affairs of any particular person, information in relation to any labour relations matter and information which is legally privileged - (paragraphs 12,14, 15 & 16 Schedule 12A LGA 1972).

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 personal information, financial information, information on a labour relations matter and information which is legally privileged.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraph 12, 14, 15 and 16 should apply. My view on the Public Interest Test is that whilst there is a need to ensure transparency and accountability of a Council for decisions taken in relation to staffing issues, this must be balanced against personal and financial information of an individual being made public, in the context of an employment dispute.

The information is not affected by any other statutory provision which requires the information to be publicly registered or publicly available. The information contains personal data which is protected by the Data Protection Act 2018.

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 these factors when determining the public interest test, which they must decide upon when considering whether to exclude the press and public from this part of the meeting before considering the report.

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 treated as exempt.

Signed:

Date: 10th March 21

Post: Head of Legal Services and Monitoring Officer

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

Signed:

Proper Officer

Date: 10th March 21