

## Access to Information Procedure Rules

### 1. Scope

- 1.1 These rules apply to all statutory meetings of the Council and its committees (together called meetings).
- 1.2 There is a general right to access recorded information (such as emails, meeting minutes, research or reports) held by the Council. In all cases the Council will endeavour to supply the requested information promptly, although some information could be exempt from disclosure. These rules relate specifically to information concerning meetings of the Council.
- 1.3 These rules do not limit or diminish any more specific rights to information conferred on the public or on Elected Members elsewhere in this Constitution or the law; nor do the rules limit or diminish or limit the Council's duties to protect certain information, including personal information. This includes the rights and duties from the provisions of the Freedom of Information Act 2000 and the Data Protection Act 1998.

### 2. Right to attend meetings

- 2.1 Members of the public may attend all meetings of Council and its Committees subject only to the following:
  - a) The public shall be excluded from a meeting of the Council or Standing Committee whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.
  - b) The Council may by resolution exclude the public from a Meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or the proceedings at the Meeting.
  - c) The Mayor or Chairperson may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of Members of the public.
  - d) The Council, having excluded the public, shall only consider the matter referred to it by resolution, If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the chairperson may ask leave of the Council to

take up consideration of such additional matters as may be deemed desirable.

- e) The Council, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a Member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.
- f) When the Council, having transacted business with the public excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

- 2.2 If a Member of the public interrupts proceedings, the Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting room.
- 2.3 If there is a general disturbance in any part of the meeting room open to the public, the Chairperson may call for that part to be cleared.

### **3. Access to agenda and connected reports**

- 3.1 Copies of the agenda and connected reports for meetings open to the public will be available for inspection by members of the public at the Council's designated offices at least five clear working days before the meeting.
- 3.2 If an item is added to the agenda later, the revised agenda will be open for inspection from the time the item was added to the agenda.
- 3.3 The Clerk and Chief Executive will make available a reasonable number of publicly available agendas and reports at the meetings.

### **4. Inspection of minutes and other documents after the meeting**

- 4.1 The Council will make available copies of the following for six years after a meeting:
  - a. The minutes of the meeting or records of decisions taken, together with reasons, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
  - b. A summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
  - c. The agenda for the meeting; and
  - d. Reports relating to items when the meeting was open to the public.

## **5. Inspection of background papers**

- 5.1 The Clerk and Chief Executive will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:
- a) Disclose any facts on matters on which the report or an important part of the report is based; and
  - b) Which have been relied on to a material extent in preparing the report.
- but does not include published works or those which she considers disclose exempt or confidential information, these documents will be made available on request.
- 5.2 The Clerk and Chief Executive will facilitate access to each of the documents on the list of background papers for four years after the date of the meeting.

## **6. Audit recording of Council Meetings**

- 6.1 Council will make an audio recording of Council Meetings that are open to the public.
- 6.2 The recording will be available to the public at the Head Office of Council for a period of six years from the date of the meeting, and on the Council website for a period of two years from the date of the meeting.
- 6.3 This does not apply in relation to meetings of any Committee of Council.

## **7. Additional rights of access to documents for Elected Members**

- 7.1 Any document which is in the possession or under the control of the Council and contains material relating to any business to be transacted at a meeting of Council or Committee of Council must be open to inspection by any member of the Council.
- 7.2 A Member shall not knowingly inspect or request a copy of any document relating to a matter in which he/she:
- Is professionally interested; or
  - Has a pecuniary interest within the meaning of the Code of Conduct for Councillors as set out in this Constitution.
- 7.3 This shall not preclude the Clerk and Chief Executive from declining to allow inspection of any document which is or would be protected by privilege in the event of legal proceedings arising from the relationship of solicitor and client and should be exempt under either the Freedom of Information Act or the Data Protection Act.

## **8. Additional Information**

- 8.1 Council will maintain a register stating the name and address of every member of the Council and details of Committee membership.

8.2 Council will maintain a list specifying those powers of the Council which are exercisable by officers of the Council.