

13. RIGHTS OF ACCESS TO DOCUMENTS FOR MEMBERS

13.1 Material relating to previous executive business

13.1.1 All Members will be entitled to inspect any document which is in the possession or under the control of the Cabinet or its Committees and contains material relating to any business previously transacted at a *statutory* private meeting of *the executive* unless either (a) or (b) below applies.

- (a) it contains exempt or confidential information; or
- (b) it contains the advice of a political adviser.

13.2 Material relating to key decisions

13.2.1 All Members will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Cabinet or its Committees which relates to any key decision unless paragraph 13.1.1 (a) or (b) above applies.

13.3 Nature of rights

13.3.1 These rights of a Member are additional to any other legal rights he or she may have.

14. MEMBERS' RIGHTS IN RELATION TO OTHER DOCUMENTS

14.1 A member can inspect any document the Council holds or controls (*except those only available in draft form*) which contains material about any business the Council deals with, unless the document reveals exempt or confidential information.

14.2 *Where a Member wishes to inspect a document containing exempt or confidential information* the Member will say which document they want to inspect and why they want to inspect it. If the Chief Executive or the Solicitor to the Council is satisfied that the Member has a reason to inspect the document in order to carry out their duty as a Member, he or she will allow the Member to inspect it. If the Chief Executive or Solicitor to the Council is not satisfied, he or she will refer the request to the next Council *or Committee* meeting. The Chief Executive or the Solicitor to the Council will tell the Chairman of the appropriate meeting that a Member has asked to see the document *and the Chairman shall decide if the Member has a right to inspect the document.*

14.3 *Where the Chief Executive or the Solicitor to the Council decides to disclose exempt information which discloses any personal information he or she will generally not have to seek the consent of the individual to disclose that information to a member if:*

- *The Member represents the ward in which the individual lives*
- *The Member makes clear that they are representing the individual*
- *The information is necessary to respond to the individual's complaint*

14.4 *Where however the information is particularly sensitive the Chief Executive or the Solicitor to the Council may choose to obtain the individual's specific consent.*

14.5 If a Member has inspected or received documents which contain exempt or confidential information they will not reveal the information to anyone who is not authorised by the Council or the Chief Executive to receive the information.

15. ADDITIONAL RIGHTS AND RESPONSIBILITIES IN RELATION TO DOCUMENTS

15.1 A Member will not knowingly inspect and will not call for a copy of any document relating to a matter which they are professionally interested in, or which they have any financial interest in

15.2 The Chief Executive or the Solicitor to the Council may refuse to allow a Member to inspect any document which is, or in the event of legal proceedings would be, confidential between solicitor and client.

15.3 If a meeting finds out that a Member has revealed confidential or exempt information which it is responsible for, it will consider the matter and, if it feels it is necessary, it will recommend that the Council remove the Member from that body, or take other appropriate action.

NB..All additions shown in italics.