



**Dinas a Sir Abertawe**

**Hysbysiad o Gyfarfod**

Fe'ch gwahoddir i gyfarfod

## **Pwyllgor Safonau**

**Lleoliad:** O bell drwy Microsoft Teams

**Dyddiad:** Dydd Gwener, 20 Ionawr 2023

**Amser:** 10.00 am

**Cadeirydd:** Mike Lewis

**Aelodaeth:**

Cynghorwyr: O G James, M B Lewis a/ac L G Thomas

Cynghorydd Cymuned: Carlo Rabaiotti

Aelodau Cyfetholedig: Michaela Jones, Janet Pardue-Wood, Mark Rees a/ac Margaret Williams

**Gwyllo ar-lein:** <http://bit.ly/3Q2roMm>

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### **Agenda**

**Rhif y Dudalen.**

- |          |                                                                                                                                                                |                |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>1</b> | <b>Ymddiheuriadau am absenoldeb.</b>                                                                                                                           |                |
| <b>2</b> | <b>Datgeliadau o fuddiannau personol a rhagfarnol.</b><br><a href="http://www.abertawe.gov.uk/DatgeluCysylltiadau">www.abertawe.gov.uk/DatgeluCysylltiadau</a> |                |
| <b>3</b> | <b>Cofnodion.</b><br>Cymeradwyo a llofnodi, fel cofnod cywir, gofnodion y cyfarfod blaenorol.                                                                  | <b>1 - 7</b>   |
| <b>4</b> | <b>Llythyr Ombwdsmon Gwasanaethau Cyhoeddus Cymru.</b>                                                                                                         | <b>8 - 12</b>  |
| <b>5</b> | <b>Diweddariad ar Gynlluniau Hyfforddi Cynghorau Tref/Cymuned. (Llafar)</b>                                                                                    |                |
| <b>6</b> | <b>Torri Cod Ymddygiad - Cwynion a wnaed i Ombwdsmon Gwasanaethau Cyhoeddus Cymru). (Er Gwybodaeth)</b>                                                        | <b>13</b>      |
| <b>7</b> | <b>Cynllun Gwaith 2022-2023.</b>                                                                                                                               | <b>14</b>      |
| <b>8</b> | <b>Gwahardd y cyhoedd.</b>                                                                                                                                     | <b>15 - 18</b> |
| <b>9</b> | <b>Apelio'r Polisi Ymddygiad Afresymol gan Gwsmeriaid.</b>                                                                                                     | <b>19 - 35</b> |

**Cyfarfod nesaf:** Dydd Gwener, 17 Mawrth 2023 am 10.00 am

*Huw Evans*

**Huw Evans  
Pennaeth y Gwasanaethau Democraidaidd  
Dydd Gwener, 13 Ionawr 2023**

**Cyswllt: Gwasanaethau Democraidaidd**

**Cynghorwyr Llafur: 2**

Oliver G James	Mike B Lewis
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**Cynghorydd y Democraidaidd Rhyddfrydol 1**

L Graham Thomas
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**Aelodau annibynnol**

Enw	Cyfnod y Swydd	Enw	Cyfnod y Swydd
Michaela Jones	01.10.2017 i 30.09.2023	Mike Lewis	01.10.2017 i 30.09.2023
Janet Pardue-Wood	24.05.2022 i 23.05.2028	Mark Rees	19.10.2022 i 18.10.2028
Margaret Williams*	01.04.2015 i 31.03.2021 Ail-benodwyd i 31.03.2025		

**Cynghorydd Cymuned:**

Name	Term of Office
Carlo Rabaiotti	06.10.2022 tan Etholiadau Llywodraeth Leol nesaf 2027

**SYLWER:**

1. \* Mae'n dynodi na all **cyfnod y swydd gael ei ymestyn ymhellach**.
2. Gall **cyfnod Aelod Annibynnol yn ei swydd** fod o leiaf 4 blynedd ac nid mwy na 6 blynedd. Gall gael ei ailbenodi am un cyfnod olynol arall ond ni all y cyfnod hwnnw fod am fwy na 4 blynedd.
3. Bydd gan **Aelodau'r Awdurdod Lleol/Cynghorwyr Cymuned/ Tref** sy'n aelodau o'r Pwyllgor Safonau gyfnod swydd nad yw'n fwy na 4 blynedd neu bydd yn dod i ben yn ystod etholiad cyffredinol nesaf y llywodraeth leol yn dilyn eu hetholiad, p'un bynnag sy'n fyrrach.
4. Ni fydd y Pwyllgor Safonau **yn mynd rhagddo os bydd nifer yr Aelodau Annibynnol yn llai na nifer y Cynghorwyr**. Bydd Cynghorydd yn gadael y cyfarfod er mwyn trafod y busnes.
5. Dim ond un Aelod Gweithredol (ac eithrio'r Arweinydd) sy'n gallu eistedd ar Bwyllgor Safonau.

# Agenda Item 3



City and County of Swansea

## Minutes of the Special **Standards Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

Teams

Wednesday, 5 October 2022 at 2.00 pm

**Present:** Jill Burgess (Chair) Presided

**Councillor(s)**

O G James

**Councillor(s)**

M B Lewis

**Councillor(s)**

L G Thomas

**Co-opted Member(s)**

Michaela Jones

**Co-opted Member(s)**

Janet Pardue-Wood

**Co-opted Member(s)**

Margaret Williams

**Officer(s)**

Tracey Meredith

Huw Evans

Allison Lowe

Chief Legal Officer / Monitoring Officer

Head of Democratic Services

Democratic Services Officer

**Apologies for Absence**

Independent Member(s): Mike Lewis

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**9 Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City & County of Swansea, no interests were declared.

**10 Exclusion of the Public.**

The Committee was requested to exclude the public from the meeting during the consideration of the item(s) of business identified in the recommendation to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exemption paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item(s) of business where the Public Interest Test was relevant as set out in the report.

**Resolved** that the public be excluded for the following items of business.

**(Closed Session)**

**11 Recruitment of a Community / Town Councillor to the Standards Committee.**

The Committee interviewed one candidate for the role of Community / Town Council representative to the Standards Committee.

The candidate answered a number of set questions.

**Resolved** that CR be recommended to Council for appointment as the Community / Town Council representative to the Standards Committee.

The meeting ended at 2.33 pm

**Chair**



City and County of Swansea

## Minutes of the **Standards Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

### Teams

Friday, 7 October 2022 at 10.00 am

**Present:** Jill Burgess (Chair) Presided

**Councillor(s)**

O G James

C Rabaiotti (Community / Town Council Representative)

**Councillor(s)**

M B Lewis

**Councillor(s)**

L G Thomas

**Co-opted Member(s)**

Michaela Jones

**Co-opted Member(s)**

Janet Pardue-Wood

**Officer(s)**

Tracey Meredith

Huw Evans

Allison Lowe

Chief Legal Officer / Monitoring Officer

Head of Democratic Services

Democratic Services Officer

### Apologies for Absence

Independent Member(s): Mike Lewis and Margaret Williams

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As there were more Councillors than Independent Members present, Councillor M B Lewis withdrew from the meeting and took no further part.

### 12 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City & County of Swansea, no interests were declared.

### 13 Minutes.

**Resolved** that the Minutes of the Standards Committee held on 24 June 2022 be approved and signed as a correct record.

### 14 Member / Member Local Dispute Resolution Protocol.

The Monitoring Officer presented a report to consider the Protocol on Member / Member Local Dispute Resolution Protocol and proposed changes.

**Resolved** that Appendix A be recommended to Corporate Management Team and Council for formal adoption subject to the following amendments:

- 1) Paragraph 3.1 – Add the Monitoring Officer to those notified when a member wishes to use the Protocol;
- 2) Paragraph 3.2 - The word “formally” be added after the word “referred”.

**15 Protocol on Member / Officer Relations.**

The Monitoring Officer presented a report to consider the Protocol on Member / Officer Relations and proposed changes.

**Resolved** that the Standards Committee recommend the updated Protocol at Appendix A to the Corporate Management Team and Council for formal adoption subject to the following amendment:

- 1) A footnote / link regarding the Nolan Principles & the Officers Code be added to the “Respect and Courtesy” section.

**16 Group Leader Duty.**

The Monitoring Officer presented a report to consider the template for Group Leaders to complete in relation to their duty to the Local Government & Elections (Wales) Act 2021.

**Resolved** that the template attached at Appendix A be approved, subject to the following additions:

- 1) A date field be added to the form;
- 2) Guidance on how to complete the form and an explanation of why the information is required be included;
- 3) Section 1. Training – Responses should be split to differentiate between new members and existing members;
- 4) Examples be included in Sections 2 and 4.

**17 Public Services Ombudsman for Wales Annual Report and Accounts 2021/2022.**

The Monitoring Officer provided a “For information” report to update the Standards Committee on the Annual Report and Accounts of the Public Services Ombudsman for Wales 2021/2022.

**18 Breach of Code of Conduct - Complaints made to the Public Services Ombudsman for Wales (PSOW).**

The Monitoring Officer presented a “For Information” report to update the Standards Committee on decisions made by the PSOW in relation to allegations that Local Authority and Community / Town Councillors had breached the Code of Conduct.

**19 Workplan 2022-2023.**

The Monitoring Officer presented the Work Plan for 2022-2023.

**Resolved** that the Work Plan be noted.

**20 Thanks and Welcome.**

The Monitoring Officer outlined that this was probably the current Chairs last meeting of the Standards Committee as her term of office would end on 18 October after 10 years. The Committee thanked the outgoing Chair for the work undertaken during that period.

The Monitoring Officer also welcomed Councillor Carlo Rabaiotti, the Community / Town Council representative to his first meeting, following his appointment on 6 October 2022.

The meeting ended at 10.46 am

**Chair**



City and County of Swansea

## Minutes of the Special **Standards Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

### Teams

Friday, 25 November 2022 at 9.35 am

#### Present:

##### Councillor(s)

O G James

##### Councillor(s)

M B Lewis

##### Councillor(s)

#### Community / Town Council Representative:

Councillor C Rabaiotti

##### Co-opted Member(s)

Michaela Jones  
Mike Lewis

##### Co-opted Member(s)

Janet Pardue-Wood  
Mark Rees

##### Co-opted Member(s)

Margaret Williams

##### Officer(s)

Huw Evans  
Allison Lowe  
Debbie Smith

Head of Democratic Services  
Democratic Services Officer  
Deputy Chief Legal Officer

#### Apologies for Absence

Councillor(s): L G Thomas

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#### 21 Election of Chair.

**Resolved** that Mike Lewis, Independent Member be elected Chair.

**Mike Lewis, Chair Presided**

#### 22 Election of Vice Chair.

**Resolved** that Janet Pardue-Wood, Independent Member be elected Vice Chair.

#### 23 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City & County of Swansea, no interests were declared.



**24 Welcome.**

The Chair welcomed Mark Rees, Independent Member to his first meeting of the Standards Committee.

**25 Exclusion of the Public.**

The Committee was requested to exclude the public from the meeting during the consideration of the item(s) of business identified in the recommendation to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exemption paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item(s) of business where the Public Interest Test was relevant as set out in the report.

**Resolved** that the public be excluded for the following items of business.

**(Closed Session)**

**26 Unreasonable Customer Behaviour Policy Appeal.**

The Deputy Monitoring Officer presented a report to consider whether to allow personal attendance on an appeal under the Unreasonable Customer Behaviour Policy.

**Resolved** that the Monitoring Officer write to the appellant again, requesting a response to previous correspondence within a 2 week period.

The meeting ended at 9.52 am

**Chair**

# Agenda Item 4



## Report of the Monitoring Officer

Standards Committee – 20 January 2023

### Public Service Ombudsman for Wales Letter

<b>Purpose:</b>	To consider the Public Service Ombudsman for Wales (PSOW) letter regarding minor changes to procedure
<b>Policy Framework:</b>	Standards Committee Terms of Reference – Council Constitution.
<b>Consultation:</b>	Legal, Access to Services and Finance.
<b>Recommendation(s):</b>	It is recommended that the Standards Committee:  1) Consider the PSOW letter dated 10 November 2022 attached at Appendix A and note the minor changes to procedure.
<b>Report Author:</b>	Tracey Meredith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Background

- 1.1 All Chairs of Standards Committee's in Wales have been sent a letter from the PSOW relating to minor changes to the PSOW Code of Complaints guidance and process.
- 1.2 A copy of the letter received and dated 10 November 2022 is attached at Appendix A.

#### 2. Key issues for Consideration

- 2.1 The attached letter advises that to support Standards Committees some minor changes have been made to the PSOW Code of Conduct Complaints Guidance and processes.
- 2.2 The PSOW will continue to share its decisions with Monitoring Officers as required under legislation. However the PSOW will now be sharing the complaint and their decision in a stand alone decision notice to facilitate the Monitoring Officer being able to share the complaint information with the

Standards Committee where Monitoring Officers consider it appropriate to do so.

- 2.3 In addition, since June 2022, the PSOW has been trialling a new approach as to how Members are informed about complaints made against them. Previously, the PSOW would inform the Member about whom the complaint was made and the Monitoring Officer/Clerk of the Community/Town Council as soon as received. The PSOW now informs the relevant parties at the point where the PSOW either declines to investigate or decides to investigate the complaint. During the trial the PSOW has found that approach speeds up the process.
- 2.4 The letter also urges Members to use any local arrangements for dealing with Member v Member complaints. The PSOW is of the view that this has proved very effective as a means of resolving cases.
- 2.5 The Committee will also note that the PSOW intends to engage with the Chairs of the Standards Committees through the National Forum for Standards Committee when established.

### **3. Integrated Impact Assessment**

- 3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure and must in the exercise of their functions, have due regard to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 3.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

#### **4. Financial Implications**

4.1 There are no financial implications associated with the report.

#### **5. Legal Implications**

5.1 There are no legal implications associated with this report.


#### **Background Papers:**

None


#### **Appendices:**

Appendix A – PSOW letter dated 10 November 2022

Appendix A  
Ask for: Communications

 01656 641150

Date: 10 November 2022

 Communications  
@ombudsman.wales

## Our Code of Conduct complaints guidance and process

Dear Chairs

I took up my role as Public Services Ombudsman for Wales on 1 April 2022. Since then we have continued to promote high standards in public life to maintain trust and confidence in those who hold public office.

As political leaders and Standards Committees across Wales take forward their new duties to promote high standards of conduct under the Local Government & Elections (Wales) Act 2021, I have taken the opportunity to review my guidance for members. This will help my office support them in their work and help all members fully understand the requirements placed upon them when fulfilling their role.

To support the Standards Committees, we will be making some minor changes to our process. We will continue to share our decisions with Monitoring Officers, as required by legislation. However, we will now be sharing the complaint and our decision in a standalone decision notice to facilitate the Monitoring Officers in sharing complaint information with Standards Committees (when they consider it appropriate to do so).

Since June, we have been trialling a fresh approach to how we inform members about complaints made against them. Our practice had been that we informed the accused member, the Monitoring Officer, and the Clerk (if a Town/Community Council) of a complaint as soon as it was received. We now inform the relevant parties at the point when we either decline to investigate or decide to investigate the complaint. During the trial, we found that this approach sped up our process. It also helped to avoid unnecessary concern for members complained about, as they waited for a decision on whether the complaint should be investigated. Therefore, we will be continuing with this approach.

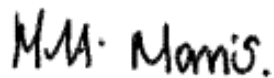
Whenever possible, I would like to see any concerns about a member's conduct to be resolved locally and at an early stage. This can calm situations down and prevent the need for further escalation and formal investigation by my office. The guidance and the changes we have made to our process will assist Standards Committees by keeping them informed of current issues, so they can take steps to address any potential concerns.

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Ensuring Standards Committees are adequately informed will also support them to draw up training plans. I, and members of the public, expect all members to take advantage of training which is available to them. I would also urge members to use any local arrangements for dealing with 'member versus member' complaints, which have proved very effective as a means of resolving many of these cases.

We should continue to work collaboratively to drive up standards in public life and to create a culture where members are respected for their selflessness, objectivity and respectful behaviour. If we do so, we can build public confidence in our democratic institutions and promote good governance for the benefit of the people in all of our communities. I, and my office, look forward to engaging with you all via the National Forum for Standards Committees.

Yours sincerely,

A handwritten signature in black ink that reads "M.M. Morris".

**Michelle Morris**  
**Public Services Ombudsman**

Cc. Monitoring Officer

# Agenda Item 6



## Report of the Monitoring Officer

Standards Committee – 20 January 2023

### **Breach of Code of Conduct - Complaints made to the Public Services Ombudsman for Wales (PSOW)**

The Committee is advised of the following decisions by the PSOW in relation to allegations that Local Authority and Community and Town Councillors have breached the Code of Conduct.

<b>Name of Council / Councillor</b>	<b>Name of Complainant</b>	<b>Ombudsman Reference</b>	<b>Result of Investigation and date of the current situation</b>
Mumbles CC	Councillor	202203391	PSOW not investigating
Mumbles CC	Public	202203422	PSOW not investigating
Mumbles CC	Public	202203423	PSOW not investigating
Pennard CC	Public	202205841	PSOW not investigating

# Agenda Item 7



## Report of the Chair

### Standards Committee – 20 January 2023

### Work Plan 2022-2023

Date	Item
24 June 2022	<ul style="list-style-type: none"><li>• Dispensations</li><li>• Draft Standards Committee Annual Report 2021-2022</li><li>• Duty under the Local Government &amp; Elections (Wales) Act 2021:<ul style="list-style-type: none"><li>➢ Group Leaders responsibilities</li><li>➢ Annual Report</li></ul></li></ul>
5 October 2022 (Special)	<ul style="list-style-type: none"><li>• Recruitment of Community / Town Councillor to the Standards Committee</li><li>•</li></ul>
7 October 2022	<ul style="list-style-type: none"><li>• Review of Officer / Member Relations Protocol</li><li>• Review of Member –v- Member Internal Dispute Resolution Protocol</li><li>• Group Leader Duty (Template)</li></ul>
25 November 2022 (Special)	<ul style="list-style-type: none"><li>• Unreasonable Customer Behaviour Policy Appeal</li></ul>
20 January 2023	<ul style="list-style-type: none"><li>• Update on Community / Town Council Training Plans (including financial training)</li><li>• Unreasonable Customer Behaviour Policy Appeal</li><li>• Letter from PSOW</li></ul>
February 2023 (Possible Special Meeting)	<ul style="list-style-type: none"><li>• Annual Meeting with Group Leaders</li><li>• Dispensation Form</li></ul>
17 March 2023	<ul style="list-style-type: none"><li>• Social Media Guidance for Councillors</li><li>• Whistleblowing Policy (Head of HR to provide background information)</li><li>• Indemnity Scheme</li></ul>



# Agenda Item 8



## Report of the Chief Legal Officer

Standards Committee – 20 January 2023

### Exclusion of the Public

<b>Purpose:</b>	To consider whether the Public should be excluded from the following items of business.	
<b>Policy Framework:</b>	None.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
<b>1)</b>	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	9	12 & 13
<b>Report Author:</b>	Democratic Services	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Tracey Meredith – Chief Legal Officer (Monitoring Officer)	

#### 1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependent on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

## **2. Exclusion of the Public / Public Interest Test**

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.
- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

## **3. Financial Implications**

- 3.1 There are no financial implications associated with this report.

## **4. Legal Implications**

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
  - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
  - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
  - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

**Background Papers:** None.

**Appendices:** Appendix A – Public Interest Test.

## Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
<b>12</b>	<b>Information relating to a particular individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. Their view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data they felt 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.</p>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. Their view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis they felt 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.</p>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. Their view on the public interest test was that:</p> <ul style="list-style-type: none"> <li>a) Whilst they were mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</li> <li>b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</li> </ul> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they felt 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.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p><b>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. Their view on the public interest test was that whilst they are mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them they were satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis they felt 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.</p>
16	<p><b>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b></p>
	<p>No public interest test.</p>
17	<p><b>Information which reveals that the authority proposes:</b>  <b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b>  <b>(b) To make an order or direction under any enactment.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt 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.</p>
18	<p><b>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt 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.</p>

# Agenda Item 9

Yn rhinwedd paragraff(au) 12, 13 Atodlen 12A  
o Ddeddf Llywodraeth Leol 1972  
fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at  
Wybodaeth) (Amrywiad) (Cymru) 2007.

Document is Restricted

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