

Guidance on Confidentiality

1. Information about the following matters should be regarded as confidential except in the circumstances outlined in section 2 of this guidance:
 - (a) Information which is marked as being confidential.
 - (b) Information where the recipient has been advised by a Council officer or member that the information is confidential.
 - (c) Information about individual service users or clients (past, present and prospective).
 - (d) Information about individual employees or office holders (past, present and prospective).
 - (e) Information relating to the names of tenderers, contractors, companies and the amounts and terms of contracts with the Council (past, present and prospective) prior to such information being released into the public domain when the tendering process has been completed.
 - (f) Information relating to potential or actual criminal proceedings.
 - (g) Information in documents which are circulated in draft.
 - (h) Personal information covered by the Data Protection Act 1998.
 - (i) Information relating to any court case or legal action which is not already in the public domain, unless there is specific legal advice to the contrary.
 - (j) Information supplied at spokes briefings, joint member meetings with the Corporate Leadership Team, and County Advisory Groups. Members will be advised whether the information may be made public.
2. Information is not confidential if it is already in the public domain. This will be:
 - (a) Information contained in a published official document.
 - (b) Information reported at a meeting which is open to the public.
 - (c) Information on the Council's website (this does not include the Council's Intranet).
 - (d) Information where the member has been advised that it is in the public domain.
 - (e) Information to which the public have the right of access under the Local Government (Access to Information Act) 1985 which is not deemed to be exempt information.

3. Members must seek advice from the Monitoring Officer on the disclosure of confidential information in advance of the information being disclosed.