

**PROTOCOL FOR
DISCLOSURE OF CONFIDENTIAL OR EXEMPT INFORMATION BY MEMBERS**

Under paragraph 4 of the Members' Code of Conduct, there are only limited situations where a Member is entitled to disclose confidential information. One of these is where the disclosure is reasonable and in the public interest, and is made in good faith and in compliance with the 'reasonable requirements' of the Council. These requirements are set out below.

Where a decision has been made under these Rules to exclude public access on the basis that confidential or exempt information would otherwise be disclosed, or in any other circumstances where a Member wishes to disclose a document containing confidential or exempt information, the Council requires the Member to approach the Monitoring Officer for a decision as to whether that information should be disclosed by taking the following steps: -

- 1) The Member must submit a request in writing to the Monitoring Officer stating:
 - the information which he/she proposes to disclose;
 - to whom it is proposed disclosure will be made to; and
 - the rationale for its disclosure stating why they consider it to be reasonable and in the public interest to do so.

- 2) The Member should give reasonable notice of their intention to make such a disclosure (usually 5 working days notice unless exceptional circumstances apply which are set out in the request).

The Monitoring Officer will consider whether, if the Council received a Freedom of Information request at the time, the Council would not be obliged to disclose that information. In such a case disclosure will be refused. The Monitoring Officer in coming to his/her decision will give particular consideration to the public interest reasons for disclosure proposed by the Member, and to the Member's right of freedom of expression and the particular importance of that right for elected representatives.