

Cyngor Sir Ynys Môn / Isle of Anglesey

REPORT TO	County Council
DATE	8 th March 2011
TITLE OF REPORT	Member Information Protocol
REPORT BY	Huw Pierce Pritchard, Corporate Information Officer
PURPOSE OF THE REPORT	The report introduces the draft protocol which is a summary of Members' rights to information in order that the Council adopts it into the Constitution.

Background.

- 1.1 Access to relevant information is essential to the exercise of the role of the County Councillor.
- 1.2 Advice about the rights of access to information is contained in part 5.3.8 of the Council's Constitution (Members' Access to Information and to Council Documents).
- 1.3 The information contained in part 5.3.8 of the Council's Constitution, whilst accurate, is not currently presented in an easily digestible form. It is important that Members' rights of access and the Council's obligations to provide access to information is expressed in a clear and unequivocal statement. The Protocol does not change Member's rights.
- 1.4 The draft Information Protocol provides a summary of how the Members' rights of access to information are established in statute and common law and also expectations in relation to confidentiality.
- 1.5 Providing this information in the form of a single, self-contained Protocol will present a definitive statement on access to information issues. A protocol will also enable the Council to develop its content in order to better reflect changes to the legal landscape.
- 1.6 The Protocol refers to visits by Members to Council facilities, briefings and the interactions of Councillors with others, because these matters are underpinned by the law of confidentiality and related issues.

2. Provision of Information

- 2.1 This part of the Protocol provides information about Members' rights of access and how the need to know information is worked out. Information about confidentiality and statutory obligations under the Data Protection Act 1998 is provided in this section.

3. Visits

- 3.1 The Protocol stresses that visits by Members to Council facilities should be supported by a reasonable need in order to fulfil his or her duties. The Protocol interfaces with the Council's CRB policy.

4 Ward Matters, Briefings and Managing Director's briefings for Group Leaders.

- 4.1 These issues are linked by the importance of respecting confidentiality and are included in the Protocol in order to regulate conduct.
- 4.2 The section on Briefings replaces part 5.3.6 of the protocol for Member / Officer relations.

5. Amendments to the draft Protocol considered by the Executive

- 5.1 Please note that following consideration of the Protocol at the Executive of 23rd February 2011, two minor amendments have been made in order to clarify the Protocol. The words "*and been cleared by...*" have been inserted to part 9(c) and point 29 has been inserted to modify the section on Managing Director's briefings for Group Leaders. The amendments are shown in italics.

6. Recommendations

- 5.1 That the Council approves the draft Information Protocol and adopts it into the Constitution.