

MINUTES

The Minutes published on this Website remain unconfirmed until they are signed and adopted at the next Council or Committee meeting.

CONFIDENTIAL ITEMS

Every effort is made by the Parish Council to conduct its business as openly and transparently as possible. There will be occasions, however, when items of a confidential or sensitive nature need to be discussed. Such items generally relate to

- Engagement, terms of service, conduct, and dismissal of employees
- Terms of tenders and proposals in negotiating contracts
- Preparation of cases in legal proceedings (where information is subject to legal professional privilege)
- The early stages of a dispute

Powers to exclude the public from a meeting

The Public Bodies (Admission to Meetings) Act 1960 Sec 1 (2) states *A body may, by resolution, exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings; and where such a resolution is passed, this Act shall not require the meeting to be open to the public during proceedings to which the resolution applies.*

Section 3 of the Parish Council's adopted Standing Orders states *Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.*

The Agenda

Consideration to exclude the public by resolution will be on the Agenda, followed by the Confidential item of business to be discussed. Section 11 of the Parish Council's adopted Standing Orders states

The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.

The Minutes

Principal authorities have a statutory ability to prepare a "Confidential Minute", but Parish and Town Councils do not have the same ability. If any supporting notes are taken, they are notes not Minutes and it is recommended that such notes are destroyed once the Minutes have been approved by the Council as a true record of the meeting.

Any resolution made for Confidential items will be recorded in the Minutes of the main meeting whilst preserving confidentiality. Exempt information will not be included in the Minutes available for public inspection if, in the opinion of the Proper Officer, that document or part of a document contains or is likely to contain exempt information.

Where the Minutes do not provide members of the public with a reasonably fair and coherent record of the whole or part of the proceedings, the Proper Officer shall make a written summary of the proceedings or the part, as the case may be, which provides such a record without disclosing the exempt information.

Reference

Wiltshire Association of Local Councils – Closing Meetings to the Public – January 2015 Guidance1/15