



MINUTES PROCEDURE

1. OVERVIEW

(a) Access to Information

The Council's Constitution contains a section on Access to Information Procedure Rules. This section supports the Council's commitment to ensuring high standards of accountability and transparency in local government. It seeks to deliver this commitment through a culture of openness in which the public, press and elected members know how best to influence decisions affecting the local community. Local people and local stakeholders deserve a consistently high standard of access to information to ensure that the Council's decision making is responsive to what they want.

(b) Freedom of Information

The Freedom of Information Act 2000 encourages Councils to be proactive in the provision of information.

1. OBJECTIVES

- To provide an accurate written record of Council and Committee decisions.
- To ensure accessibility to Council and Committee decisions.

3. RESPONSIBLE OFFICER

The Monitoring Officer and relevant Heads of Service for each Committee are responsible for keeping records of decisions and ensuring public access to information.

4. MINUTE WRITING

The Committee Clerk takes notes at the meeting and these are used to provide draft, typed minutes of the meeting's proceedings. Verbatim accounts are not usually required.

Comments by individual Members are not usually recorded except when proposing and seconding a motion.

The book entitled 'Knowles on Local Authority Meetings' refers to the purpose of minutes as being to establish an accurate record of decisions taken and the drafting of minutes be in such a style as to be brief, self-contained and decisive. The author goes on to explain that a minute is not a verbatim record but a summary of proceedings.

5. DRAFT MINUTES

Draft minutes are circulated to Management Team for amendment and/or comment. Comments and amendments from Management Team are considered and the minutes are amended as appropriate. Once the minutes have been finalised as indicated above, they are ready to publish in draft into the public domain.

The Committee Clerk's notes are retained until the draft minutes are approved by the relevant Committee and the minutes have been included for Member questions on a Council Agenda. After the draft minutes are approved at by the Committee ~~and consideration by Council~~, the Committee Clerk's notes are destroyed.

In accordance with the Freedom of Information Act 2000, the Committee Clerk's handwritten notes are not subject to FOI requests. However draft minutes are submissable following approval of Management Team.

6. APPROVAL OF MINUTES

There is an item on almost all Committee agendas that refers to approval of the minutes of the previous meeting.

Once minutes are published into the public domain, they become the property of the ~~next relevant~~ Committee for to which they have been circulated for approval.

If a Member wishes to challenge or amend the draft minutes of the last meeting, this is raised at the meeting where they are presented for approval and a seconder must be sought. If the motion is carried, then the Committee Clerk will record the amendment in ~~his/her notes to include the amendment in~~ the next set of minutes of that Committee meeting. ~~An inaccurate~~ The minutes subject to the change is never are -physically altered ~~once published to reflect the amendment(s) and the approved version replaces the draft version on the website.~~

Once the minutes have been approved by the Committee, ~~a copy of the~~ official copy of the minutes of the meeting is signed by the ~~Chairman~~ Chair as the official record of the meeting. When there is an amendment to the minutes, the minutes are signed by the ~~Chairman~~ Chair of the Committee ~~and a note is included after the amendment has been made so that the Chair signs the approved version.~~ by the Chairman ~~or Committee Clerk at the meeting on the final page of the minutes to indicate an amendment. The amendment is recorded and set out in the minutes of the next meeting of the Committee.~~

7. DECISIONS OF MEETINGS

After the meeting, ~~t~~he Committee Clerk sends to Management Team a Schedule of Decisions of Policy Committee meetings which acts as an aide memoire to officers.

8. ACCESS TO MINUTES AFTER THE MEETING

In the Access to Information Procedure Rules within the Constitution, it is stated that the Council will make available copies of the following for six years after a meeting :-

- (a) the minutes of the meeting excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes are open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting;
- (d) reports relating to items when the meeting was open to the public.

The minutes of a Committee meeting are published in readiness for approval at the next meeting of the Committee. They are available to the public via the Council's website, in local libraries or by appointment with Customer Services at Parkside.

Upon request, published minutes will be emailed to members of the public. Members of the public may purchase a set of minutes at a minimum charge of 10p per A4 sheet (black and white) - £1 minimum charge.

Ownership of minutes remains with Melton Borough Council.

9. EXEMPT MINUTES

When meetings are not open to the public ie. when confidential or exempt items of business are transacted (when the press and public are excluded), access to reports and minutes that contain information under ~~this one of the prescribed categories y~~ is restricted in accordance with ~~the~~ Access to Information ~~rules~~ legislation.

In the case of Council business which is conducted in private (exempt) session, ~~it is good practice that~~ an exempt minute may be required to ensure there is a full record of the debate and decision produced. For this reason, there is a procedure for exempt minutes.

An exempt minute will usually be circulated with the minutes of the meeting to which it refers. Circulation will be restricted to all Members, or to those in accordance with established procedures.

If a Member wishes to raise any matter contained in an exempt minute, this ~~debate would will~~ take place in exempt session following exclusion of the public and this would normally ~~need to~~ occur at the completion of the other business on the agenda.

Any such minutes are to be treated in the same way as an exempt report and are not available to the public.

Exempt minutes are approved in the same way as other Committee minutes and are an extension to the public minutes.

A specific exempt minute procedure has been developed for reviewing exempt minutes and this is attached to this procedure as Appendix A.

10. RETENTION OF MINUTES

Minutes are a permanent record of the Council and are therefore retained in perpetuity.

11. SPECIAL ACCESS REQUIREMENTS

Upon request,

- (a) minutes will be provided in large type;
- (b) every effort will be made to translate minutes into another language;
- (c) any other special requirements will be considered to assist accessibility.

Note: Where Committee minutes are referred to, the same procedure is applicable to Council minutes.



Exempt Minutes

The public may be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

This policy and procedure is to protect the Council from breaches in confidentiality when decision-making. The aims of the policy are :-

- To preserve confidentiality of debate and decisions taken in private (exempt) session, the subject of which must have met at least one of the categories set out in the Access to Information Procedure Rules at Part 4 of the Council's Constitution (Local Government Act 1972 (as amended) Schedule 12A) - Appendix A
- To ensure that the exemption outweighs the public interest in disclosing the information
- To support transparency and accountability in releasing decisions that after a period of time, are no longer confidential and are in the public interest to be released into the public domain
- By regular review of exempt decisions, to encourage positive public perception in the decision-making process

Exempt minutes are to be treated in the same way as an exempt report and are not available to the public.

In the case of Council business which is conducted in private (exempt) session, an exempt minute will be produced to reflect the full debate and decision(s) made.

Exempt Minutes Procedure

1. An exempt minute(s) will be contained in a separate document to the open minutes and be stored in the 'Exempt' Folder under 'Exempt Minutes' for the relevant Committee, named by the meeting date and name with the extra word indicating exempt eg. 070212 CSA Minutes - Exempt

2. An exempt minute will be headed in the same way as the open minute and with the same minute number as the corresponding open minute eg.

- C25 – WATERFIELD LEISURE POOL

3. The format of the exempt minute(s) document will be as set out in Appendix B and include the words 'Exempt Minute' at the top, Committee name, date and the exempt minute. Page numbers are to be included if the minute goes beyond 1 page. It is not necessary to include the Members present or any other detail as this can be referenced in the open minutes.

4. If there are more than ~~4~~one exempt minutes at a meeting, these are to be included in the same document using the relevant minute number from the open minutes.

5. An exempt minute is to be printed on green paper and circulated with the minutes of the meeting to which it refers.

6. Circulation will be restricted to all Members and those in accordance with established procedures.

7. If at a meeting, a Member wishes to raise any matter contained in an exempt minute, this would take place in exempt session following a vote to exclude the public from the meeting. This would usually take place near the end of the meeting, at the completion of the other business on the agenda.

8. Exempt minutes are approved in the same way as other Committee minutes and are an extension to the public minutes.

~~7.9.~~ There is a separate Exempt-exempt official Minutes Book for the ChairmanChair to sign exempt minutes at the same time as signing the ~~annual~~ official Minute Book.

~~8-10.~~ Exempt minutes are reviewed twice per year by the Monitoring Officer to enable release of any minutes that no longer meet their exemption category.

~~9-11.~~ When an exempt minute is released into the public domain, the exempt minute document is added to the relevant Committee date's web page directly underneath the open minutes for that meeting. The document is to be labelled by the minute name eg.

- Exempt Minute C25 – Waterfield Leisure Pool

~~10-12.~~ Once the website has been updated, an email is to be sent to all Councillors, Management Team and the local press containing the weblink to the relevant Committee web page indicating that the full minute is now available.

EXEMPT MINUTE



COMMUNITY AND SOCIAL AFFAIRS COMMITTEE

21 SEPTEMBER 2015

EXCLUSION OF THE PUBLIC

RESOLVED that the Public be excluded during the consideration of the following item of business in accordance with Part 1 of Schedule 12A of the Local Government Act 1972 (Access to Information : Exempt Information) under Paragraph 3.

C25. WATERFIELD LEISURE POOL

The Head of Communities and Neighbourhoods submitted a report (copies of which had previously been circulated to Members) which

Include Member comments and debate

RESOLVED that

(1) ...

(2) ...