2014 CHAPTER 8

PART 6

EXECUTIVE ARRANGEMENTS

Overview and scrutiny committees

Publication etc. of reports, recommendations and responses: confidential and exempt information

33.—(1) This section applies to—

(a) the publication under section 32 of any document comprising—

(i) a report or recommendations of an overview and scrutiny committee, or

(ii) a response of a council to any such report or recommendations; and

(b) the provision of a copy of such a document to a councillor under section 31(4) or section 32 by an overview and scrutiny committee or a council.

(2) The overview and scrutiny committee or the council, in publishing the document—

(a) must exclude any confidential information; and

(b) may exclude any relevant exempt information.

(3) The overview and scrutiny committee or the council, in providing a copy of the document to a councillor, may exclude any confidential information or relevant exempt information.

(4) Where information is excluded under subsection (2) or (3), the overview and scrutiny committee or the council, in publishing, or providing a copy of, the document—

(a) may replace so much of the document as discloses the information with a summary which does not disclose that information; and

(b) must do so if, in consequence of excluding the information, the document published, or a copy provided, would be misleading or not reasonably comprehensible.

(5) Subsection (6) applies if, by virtue of subsection (2), (3) or (4), an overview and scrutiny committee, in publishing or providing a copy of a report or recommendations—

(a) excludes information; or

(b) replaces part of the report or recommendations with a summary.

(6) The overview and scrutiny committee is nevertheless to be taken for the purposes of section 32(3)(c) or (d) to have published or provided a copy of the report or recommendations.

(7) In this section references to relevant exempt information are references to—

(a) in relation to a report or recommendations of an overview and scrutiny committee, exempt information of a description specified in a resolution of the overview and scrutiny committee under section 42(4) which applied to the proceedings, or part of the proceedings, at any meeting of the overview and scrutiny committee at which the report was, or recommendations were, considered; and

(b) in relation to a response of the council, exempt information of a description specified in such a resolution of the council which applied to the proceedings, or part of the proceedings, at any meeting of the council at which the report or response was, or recommendations were, considered.

(8) In this section—

"confidential information" has the meaning given by section 42(3) (admission to meetings of councils);

"exempt information" has the meaning given by section 51.

(9) In this section, references to an overview and scrutiny committee include references to a sub-committee of such a committee.