

EAST RENFREWSHIRE COUNCIL**1 MARCH 2018****Report by Deputy Chief Executive****PROTOCOL FOR COUNCILLOR/EMPLOYEE RELATIONS****PURPOSE OF REPORT**

1. To seek approval of a local Protocol for Councillor/Employee Relations to supplement the protocol contained in the Councillors' Code of Conduct.

RECOMMENDATION

2. That the Council approve the East Renfrewshire Council Protocol for Councillor/Employee Relations.

REPORT

3. The Ethical Standards in Public Life etc (Scotland) Act 2000 provides for the introduction of codes of conduct for local authority councillors and members of relevant public bodies; imposes on councils and relevant public bodies a duty to help their members comply with the relevant code; and establishes a Standards Commission for Scotland to oversee the new framework and deal with alleged breaches of the codes. The Act requires the issue of a Code of Conduct for Councillors, which applies to every member of a local authority in Scotland, and it is the personal responsibility of those elected to make sure that they are familiar with, and their actions comply with, the provisions of the Code.

3. On being elected to office, councillors are required to sign a Declaration of Acceptance of Office undertaking that they will:-

- Accept the office
- Duly and faithfully fulfil the duties of the office according to the best of their judgement and ability; and
- Meet the requirements of the Councillors' Code of Conduct.

4. All East Renfrewshire councillors have signed the Declaration of Acceptance of Office.

5, The Councillors' Code of Conduct is divided into a number of different sections. Section 3 covers General Conduct, including sub-sections 3.3 to 3.5 with deal with Relationships with Council Employees. These sub-sections emphasise the need for mutual respect and courtesy between councillors and employees; and highlight that councillors and employees have separate responsibilities and councillors should not engage in direct operational management. Sub-section 3.5 also makes it clear that councillors must follow the Protocol for Relations between Councillors and Employees which is annexed to the Code, and that a breach of that Protocol will be considered as a breach of the Code.

6. Due to the applicability of the Councillors' Code of Conduct to councillors in all councils across Scotland, it has to be more generic in nature and focus on general principles rather than specific local circumstances. This is equally the case with the Protocol between

Councillors and Employees. As a result, it can be a challenge for councillors to make the connection between what they do locally and the Code.

7. On behalf of the Accounts Commission, Audit Scotland has prepared an improvement series for councillors and employees comprising a suite of documents. One of the documents produced is *Roles and working relationships: are you getting it right?* This document stresses the importance of good working relationships between councillors and employees. Amongst other things, the introduction to the paper states that "Trust, confidence and good conduct between councillors, and between councillors and officers, are essential for building and maintaining good relationships, and supporting good leadership, management and performance." The document contains a number of key points for action by both councils and councillors, one of the actions for councils being to consider the development of a local councillor-officer protocol.

8. In order to assist councillors, a draft local Protocol for Councillor/Employee Relations has been prepared. (Appendix 1) This complements the Protocol for Relations between Councillors and Employees, and sets out the roles and responsibilities of councillors and employees, but in a local context. In particular, Section 4 of the local protocol provides more specific advice on the relationship between councillors and employees. This will assist both groups by making the Protocol more relevant to how they conduct their business with each other at a local level.

Breaches of the Protocols

9. As outlined in Paragraph 5 above, a breach of the Protocol for Relations between Councillors and Employees will be considered as a breach of the Code. In the event that the Standards Commission decide that a councillor has breached the Protocol (and as a result the Code), there are a number of sanctions that can be applied. These are:-

- (i) Censuring the councillor
- (ii) Suspending, for a period not exceeding 1 year, the councillor's entitlement to attend one or more but not all of the following:
 - (a) all meetings of the Council;
 - (b) all meetings of one or more committees or sub-committees of the council;
 - (c) all meetings of any other body on which the councillor is a representative or nominee of the council;
- (iii) Suspension, for a period not exceeding 1 year, of the councillor's entitlement to attend all meetings of the Council, and of any committee or sub-committee of the Council; and any other body on which the councillor is a representative or nominee of the Council
- (iv) Disqualifying the councillor, for a period not exceeding 5 years, from being or being nominated for election as, or from being elected as, a councillor

10. It should be noted at any suspension under (ii) or (iii) above which would continue until or beyond an ordinary election will come to an end at the beginning of the day on which the election is held, and that disqualification of a councillor has the effect of vacating their office and extends to the councillor's membership of any committee, sub-committee, joint committee joint board or other body on which the councillor is a representative or nominee of the Council.

11. As the local protocol is supplementary to the Protocol contained in the Code, it may well be the case that a breach of the local protocol may also be a breach of the Code's protocol, in which case the sanctions listed above may apply. However, the Council itself has no power to apply these sanctions and this would be a matter for the Commissioner for Ethical Standards and the Standards Commission to determine through their normal processes, any complaint to the Commissioner being in the context of the Protocol contained in the Code and not the local protocol.

12. Notwithstanding, there are a number of actions that could be taken if it was considered that the actions of either councillors or employees were contrary to the terms of the protocol. For example, if a councillor considers the actions of an employee not to comply with the Protocol they can raise the matter with the relevant director, or in the case of a director with the Chief Executive. This can be dealt with thereafter through the Council's normal procedures for staff. Issues in relation to the Chief Executive would be dealt with in accordance with the nationally agreed procedures set out in the SJNC Circular.

13. In circumstances where an employee considers that a councillor has not complied with the protocol, for example attempting to become directly involved in operational management, being disrespectful/bullying in either discussion or correspondence, directing employees to take actions, or raising in public the conduct or capability of employees, they can raise the matter with their director. In the event the director considers that the actions of the councillor are contrary to the terms of the protocol they can invite the councillor in question to modify their manner/actions to ensure they comply with the protocol and explain the potential consequences of failing to do so. This could include for example, channels of communication between the councillor and employees being withdrawn, support for the councillor being withdrawn, or in the event the issue at hand was considered also to be a breach of the national protocol, for the matter to be referred to the Commissioner for Ethical Standards.

FINANCE AND EFFICIENCY

14. There are no financial or efficiency implications associated with the proposals contained in this report

CONSULTATION

15. The Corporate Management Team and the Chief Officer – Legal and Procurement have been consulted in the preparation of this report.

IMPLICATIONS OF THE PROPOSALS

16. There are no staffing, property, legal, IT, equalities or sustainability implications associated with this report.

CONCLUSIONS

17. By its nature, the Protocol for Councillor/Employee Relations annexed to the Councillors' Code of Conduct does not deal with processes and procedures at an individual council level. This report proposes the introduction of a local protocol which provides more local context which will in turn assist councillors to more fully understand their roles and responsibilities within the Council, particularly in respect of the relationships between councillors and employees.

RECOMMENDATION

18. That the Council approve the East Renfrewshire Council Protocol for Councillor/Employee Relations.

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East Renfrewshire

Council

Protocol for

Councillor/Employee Relations

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1 Introduction and Principles

- 1.1 This local protocol sets out the roles and responsibilities of Elected Members ('Councillors') and Council employees ('Employees') to ensure clarity when carrying out their respective duties. The protocol and how it is followed should reflect the Council's values which are: caring, trustworthy, efficient, innovative and people-centred.
- 1.2 The protocol complements the Protocol for Relations between Councillors and Employees contained in the Councillors' Code of Conduct (the 'Code') but does not replace any duties laid out in the Code.

2 Role of Councillors

- 2.1 The role of Councillors includes, but is not restricted to:
 - 2.1.1 providing strategic leadership;
 - 2.1.2 determining policy aims and objectives;
 - 2.1.3 taking decisions not delegated to Employees (subject to 2.2.1 below);
 - 2.1.4 reviewing and scrutinising the Council's performance;
 - 2.1.5 assisting constituents, as required, in their dealings with the Council;
 - 2.1.6 representing and advocating the interests of their wards in Council decision making; and
 - 2.1.7 representing the Council in partnership arrangements, civic society and on outside organisations.
- 2.2 The role of Councillors **does not** include, amongst other things
 - 2.2.1 Taking decisions individually on behalf of the Council
 - 2.2.2 Being involved in the direct operational management of Council services, including the direction of staff in the conduct of their duties

Conveners/Committee Chairs

- 2.3 Councillors who are Conveners or committee Chairs will have increased contact with senior Employees. It is important that this is a close working relationship, but it should not restrict the ability of Councillors or Employees to deal with one another impartially.
- 2.4 Conveners and committee Chairs may be consulted on agendas for meetings and often on reports, the subject matter of which sits within their area of responsibility. The Employee whose name the report has been submitted under is fully responsible for the contents of that report. Employees should listen to the

views of Conveners and committee Chairs, but ultimately Employees retain final responsibility for a report's contents.

- 2.5 Employees have the right to submit reports to the Council and committees on areas within their service.
- 2.6 When Conveners or committee Chairs meet with senior Employees for a pre-meeting or to discuss reports that are being submitted to the relevant body for consideration, the following points should be noted:
 - 2.6.1 the meeting may consider reports in their draft form;
 - 2.6.2 the meeting is not empowered to make decisions on behalf of the Council;
and
 - 2.6.3 the provision of information and advice at such a meeting does not act as a substitute for the provision of all necessary information and advice to the body that will consider the final report when the matter in question is considered formally by Councillors.

3 Role of Employees

- 3.1 The Council has delegated powers to the Chief Executive, Directors and other Employees in order that they can act and take decisions on behalf of the Council in predetermined areas. These powers are set out in the Council's Scheme of Delegated Functions. Employees must comply with the Scheme when taking decisions.
- 3.2 Employees are employed by the Council and are accountable to it. Employees serve the Council as a corporate body rather than any political group, combination of groups or individual Councillor.
- 3.3 Employees have a duty to follow Council policies and to implement the decisions of the Council and its committees. Employees may advise Councillors on matters of policy and make professional recommendations on how to proceed. However, it is for Councillors to determine the Council's policies and Employees to act on those policies.
- 3.4 It is the duty of the Chief Executive and other senior Employees to ensure that the policies of the Council are implemented.
- 3.5 The role of all Employees in discharging their duties is to:
 - 3.5.1 act in an open, honest and transparent manner;
 - 3.5.2 implement and/or act in accordance with the policies of the Council;
 - 3.5.3 implement the decisions of Council, committees and sub-committees;
 - 3.5.4 inform Councillors of any decision that they cannot fully implement;

- 3.5.5 behave in a professional manner in accordance with the Council's values;
- 3.5.6 serve all Councillors;
- 3.5.7 comply with all relevant legal, regulatory and professional requirements, taking reasonable steps to ensure they are not placed in a position where they are unable to comply; and challenge non-compliance by others raising with the appropriate management;
- 3.5.8 fulfil any obligations to report information to relevant regulatory authorities;
- 3.5.9 ensure good governance is followed and risk taken fully account of, and
- 3.5.10 support Councillors in their role ensuring all the required information is disclosed to Council, committees and Councillors to allow them to carry out their duties and make informed decisions.

4 Relationship between Councillors and Employees

- 4.1 It is important that any dealings between Councillors and Employees, both written and oral, should observe professional standards of courtesy and respect and reflect the Council's values.
- 4.2 The relationship between Councillors and Employees should be appropriate at all times and will be enhanced by cordial and businesslike relations. However, mutual respect and the belief that Employees are providing objective professional advice to Councillors must not be compromised. Councillors and Employees should be cautious in developing close friendships.
- 4.3 Councillors have no direct authority over an employee and no role in recruiting employees except the most senior appointments.
- 4.4 To avoid reputational damage to the Council, differences of opinion between Councillors and Employees should be acknowledged and resolved internally, rather than in public or through the media including social media. The Councillors' Code prohibits Councillors raising matters related to the conduct or capability of individual employees in public.
- 4.5 Councillors must be aware of the lines of accountability within service areas and must not apply pressure to an Employee to act in a manner contrary to the instructions of his or her line manager.
- 4.6 Employees must not allow their personal or political opinions to influence or interfere with their work. Employees should not take part, and Councillors should not ask Employees to take part, in any activity which could be seen as influencing support for a political party. Employee support in these circumstances must not extend beyond providing information and advice in relation to matters of Council business.

- 4.7 Employees must not be involved in advising Councillors on matters of party political business.
- 4.8 Employees must respect the confidentiality of any political group discussions at which they are present. They should not relay the content of any such discussion to another political group or the media. This does not however override any obligations on Employees under FOI legislation.
- 4.9 Some Employees are in posts which are “politically restricted” by law. This means that individual postholders are prevented from carrying out any active political role either outside or inside the Council.
- 4.10 Councillors should raise with the Chief Executive any concerns about the political neutrality of an Employee in the performance of their duties.
- 4.11 Both Councillors and Employees should adhere to the rules and regulations set by Council to manage committee business, for example, Standing Orders, Committee Terms of Reference (Scheme of Administration) and Scheme of Delegated Functions.
- 4.12 Both Councillors and Employees often have access to information which has not been made public and is confidential. It is a betrayal of trust to breach such confidences. Confidential information must never be disclosed or used for personal or political advantage or to the disadvantage or the discredit of the Council or anyone else. The Chief Executive will instigate any appropriate investigations into actual or alleged breaches of confidence in relation to the release of confidential information which in the case of Councillors may lead to the matter being referred to the Commissioner for Ethical Standards, and in the case of Employees may lead to disciplinary procedures being invoked
- 4.13 Employee attendance at party or political group meetings will require the approval of the Chief Executive. Permission will not be granted when those attending a party group meeting include persons who are not Councillors as such persons will not be bound by the Councillors’ Code of Conduct (in particular, the provisions concerning the declaration of interests and confidentiality). .
- 4.14 Employees should ensure that they provide the necessary respect and courtesy due to Councillors in their various roles and in accordance with the Council’s values. Equally, Councillors should ensure that they provide the necessary respect and courtesy due to Employees in their roles and in accordance with Council values.
- 4.15 Councillors should not put pressure on Employees with regard to matters which have been delegated for Employee decision under the Scheme of Delegated Functions. Employees should be left to make decisions that:
 - 4.15.1 are objective and can be accounted for; and
 - 4.15.2 are fair and consistent in their application.

4.16 Councillors should not bring influence to bear on any Employee to take any action which is contrary to law or against the Council's procedures, including but not limited to the following procedures:

4.16.1 a breach of Human Resources procedures and policies;

4.16.2 conflict with Standing Orders; or

4.16.3 conflicts with planning procedures and policies.

4.17 Councillors should respect the formal operating structures that exist in every area of the Council. In addition to the Members' Portal all other contact with services should be through Directors and Heads of Service or other officers within their service as determined by Directors as the recognised point of contact for Councillors in their respective service areas.

4.18 Councillors must declare to Employees any close personal relationships with constituents when acting on their behalf. Although Councillors are elected to represent the interests of their constituents, they should not seek special treatment for any individual.

5 Access to Information and Documents

5.1 Councillors have a right to access information to allow them to discharge their duties. The key principle is **in favour of disclosure** and in accordance with the following legal provisions.

The Local Government (Scotland) Act 1973

5.2 Councillors have statutory rights of inspection of various documents related to business to be transacted by the Council, unless the documents disclose certain types of "Exempt Information".

5.3 In terms of section 50F (1) of the Local Government (Scotland) Act 1973 (the "1973 Act") as inserted by the Local Government (Access to Information) Act 1985 (the "1985 Act"), any document which is in the possession or under the control of a local authority and contains material which relates to any business to be transacted by the authority is to be open to inspection by any member of the authority. In addition, any document which is used in proceedings at a meeting of the authority or of a committee or sub-committee of the authority whether it is statutory or non-statutory should also be open to inspection by any Councillor.

5.4 These statutory rights of inspection are qualified by section 50F(2) which states that if it appears that a document discloses "Exempt Information" then the statutory rights do not apply.

5.5 Schedule 7A of the 1973 Act outlines descriptions of the kind of information which is to be considered exempt from the statutory rights of inspection. A list of categories of Exempt Information is contained at Appendix 1 to this Protocol.

- 5.6 Section 50F (2) of the 1973 Act provides that some information held to be exempt under the Act is still accessible to all Councillors. These include the financial or business affairs of any particular person (Paragraph 6); local authority expenditure on contracts for the acquisition of property and for the supply of goods and services (Paragraph 8); the identity of the local authority as a person offering a tender for a contract for the supply of goods and services (Paragraph 10); labour relations (Paragraph 11) and the identity of a protected informant (Paragraph 15).

Effect of being classified as Exempt Information

- 5.7 Certain committee reports are classed “Exempt” reports because they contain Exempt Information. This is where it has been considered that the reports are likely to be taken in private. These reports will be marked ‘not for publication’ and include the exemption under Schedule 7A of the 1973 Act. The decision on whether the public should be excluded from a meeting is taken by a resolution of the Council or committee. This resolution will identify the proceedings to which it applies and state the exemption under the 1973 Act.
- 5.8 The effect of information being classified as Exempt Information is that it should not be disclosed by the Council to third parties or Councillors who are not directly involved in decisions relating to that Exempt Information. In some instances, the exempt information may also be provided at a later time when the need for it to be considered exempt no longer exists.
- 5.9 There are some circumstances where the Council may be prohibited from disclosure of Exempt Information for another reason – for example, because of the Council’s obligations under the Data Protection Act 1998 (“DPA”).
- 5.10 There are also some circumstances where, although legally permissible, it would be inadvisable for the Council to disseminate the information wider than absolutely necessary because of certain other risk factors, for example, when such dissemination may constitute a waiver to the Council’s right to legal professional privilege.
- 5.11 In the case of information that is exempt, but not determined by the Chief Executive and/or Monitoring Officer to be legally privileged, where such information is not already provided to Councillors they will be entitled to have that information shared with them, on request.

Process of Requesting Exempt or Other Information

- 5.12 Councillors’ requests for information they do not have ready access to should be made to the Chief Executive or relevant Director/designated officer. Employees will be mindful that the key principle in relation to these requests is in favour of disclosure, subject to statutory responsibilities. Employees will endeavour to respond to requests for information in accordance with the timescales in the Council’s customer care standards: within 5 working days (either to answer a query or to advise when a full response will be given). If, for any reason, information cannot be provided as requested this should be explained clearly and timeously, to the Councillor. If an Employee has concerns regarding the disclosure of information requested by Councillors, they should discuss their concerns promptly

with their Director, or the Chief Executive if the request for information has been made to a Director.

Freedom of Information (Scotland) Act 2002

- 5.13 Councillors have the same of rights to access information in accordance with the provisions of this Act as members of the public. Councillors should request information they do not have ready access to from the Chief Executive or relevant Director via the procedures outlined in paragraph 5 of this Protocol.

6 The Council as Employer

- 6.1 Employees are employed by the Council and are governed by contracts of employment and Council policies and procedures. The Council has a duty of care towards all of its employees and this protocol reflects existing HR strategies and policies.
- 6.2 Councillors are only involved in recruitment to the most senior posts in the Council. In making recruitment decisions, the key principles for Councillors to follow are:
- 6.2.1 Councillors should not gain financially or personally, nor should their family or friends;
 - 6.2.2 Councillors have a duty to declare any private interest, and to protect the public interest;
 - 6.2.3 Councillors should have no involvement in employment or recruitment cases in which they have a personal interest of this kind;
 - 6.2.4 Councillors must, when making public appointments or recommending people for rewards or benefits, make choices on merit, using objective criteria;
 - 6.2.5 Councillors must not solicit a job with the Council for any person (but may give them a written testimonial); and
 - 6.2.6 If Councillors canvass support for a candidate for a job with the Council this may disqualify the candidate from that job.
- 6.3 Councillors are not the employer. The Council is an equal opportunities employer and Councillors should be guided by this principle in all contact with staff. Councillors should note that any individual who commits an act of discrimination can be personally liable.
- 6.4 Councillors should not be involved in individual staffing matters unless they are a member of a committee set up for that purpose. The Council will establish an ad-hoc Appointments Committee as required for Chief Officer appointments. The Council's Appeals Committee and Teaching Staff Appeals Committee exist to hear appeals lodged by employees against grievance outcomes and certain disciplinary decisions.

- 6.5 Apart from as set out at 6.4, Councillors must not become involved in the management of Council Employees. All other disciplinary, capability or grievance processes must be dealt with by Employees. Councillors must not engage in activities which might undermine management or compliance with Council procedures, or try to influence recruitment processes.
- 6.6 Councillors will frequently come into contact with representatives of the recognised Trades Unions at formal settings. The remit of these groups is often to:
- 6.6.1 provide a channel for consultation between the Council and the Trades Unions;
 - 6.6.2 discuss significant changes to the Council affecting the welfare or conditions of employment of its employees; and
 - 6.6.3 consider any employment matter referred to them by the staff side or the Council.
- 6.7 These groups do not have a remit to become involved in matters affecting an individual employee's terms, conditions or pay and Councillors must observe this remit in their contacts with Trades Union officials.
- 6.8 Councillors must, at all times, adopt a professional approach in any informal dealings with the Trades Unions.
- 6.9 Individual Employees must not raise directly with Councillors any personal matter relating to their jobs, or relating to any potential appointment.

7 Monitoring Performance

- 7.1 Councillors set the policy parameters for Council work and Employees carry out the implementation.
- 7.2 Councillors have a right to scrutinise performance in delivering services and implementing policy. This includes scrutiny of reports or the actions taken by Employees, but they should always:-
- 7.2.1 avoid personal attacks on Employees such as personal criticism at a meeting, in a public forum or in the media including social media; and
 - 7.2.2 ensure that scrutiny and feedback is constructive and well founded.
- 7.3 Complaints about Employees or Council services should be made to the relevant director or to the Chief Executive. Complaints about the Chief Executive will be dealt with in accordance with nationally agreed procedures as set out in the Scottish Joint Negotiating Committee Circular.

8 Support Services to Councillors and Political Groups

8.1 The Council can only lawfully provide support services – secretarial, administrative, resources, printing, photocopying, transport etc – to Councillors to assist them in discharging their role as members of the Council. These

services must only be used for Council business. They must never be used in connection with party political or campaigning activity or for private purposes. Councillors should never prevail upon the loyalty and enthusiasm of Employees to provide improper support.

8.2 The protocols governing the duties of Employees in Members' Services are summarised below:

8.2.1 Employees in Members' Services are Council employees and must comply with the Council's agreed policies and procedures (e.g. Employee Code of Conduct);

8.2.2 they cannot represent or stand in for Councillors at events or decision-making bodies;

8.2.3 they must respect confidentiality regarding parties, groups and individual Councillors; and

8.2.4 the existence of Employees in Members' Services should not detract from normal Councillor /Employee relationships.

8.3 Councillors should observe policy and procedures with regard to the office accommodation they occupy.

9 Training for Councillors

9.1 In order that Councillors are suitably trained in the skills needed for the effective discharge of their duties, training/briefings will be provided for Councillors covering topics such as induction for new Councillors, managing information and presentation and relevant technical skills. Some training may be a requirement before Councillors can take part in a specialist committee or Board. All Councillors are also encouraged to take the opportunity to build upon their existing skills.

10 Review of the Protocol

10.1 This protocol will be reviewed once in the lifetime of each elected council.

Appendix 1

Exempt Information

Type	Exemption	Qualification	Paragraph of Part 1, Schedule 7A, 1973 Act
Council employees	Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder, former office-holder or applicant to become an office-holder under, the authority.	<i>Information is not exempt by virtue of this paragraph unless it relates to a person of that description in the capacity indicated by the description.</i>	1
Occupiers of Council accommodation	Information relating to any particular occupier or former occupier of, or applicant or, accommodation provided by or at the expense of the authority.	<i>Information is not exempt by virtue of this paragraph unless it relates to a person of that description in the capacity indicated by the description.</i>	2
Applicants for/recipients of Council services	Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.	<i>Information is not exempt by virtue of this paragraph unless it relates to a person of that description in the capacity indicated by the description.)</i>	3
Applicants for/recipients of financial assistance.	Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.	<i>Information is not exempt by virtue of this paragraph unless it relates to a person of that description in the capacity indicated by the description.</i>	4

Type	Exemption	Qualification	Paragraph of Part 1, Schedule 7A, 1973 Act
Social work/children	Information relating to the adoption, care, fostering or education of any particular child or [where any particular child is subject to a compulsory supervision order or interim compulsory supervision order (as defined respectively in sections 83 and 86 of the Children’s Hearing (Scotland) Act 2011) information relating to the order.]		5
Financial/business affairs of any person	Information relating to the financial or business affairs of any particular person (other than the authority).	<i>Information is not exempt under this paragraph if it is required to be registered under</i> <i>(a) the Companies Acts (as defined in section 2(1) of the Companies Act 2006);</i> <i>(b) the Friendly Societies Act 1974;</i> <i>(c) the Industrial and Provident Societies Act 1965 to 1978; or</i> <i>(d) the Buildings Societies Act 1962.</i>	6
Social Work	Information relating to anything done or to be done in respect of any particular person for the purposes of any of the matters referred to in section 27(1) of the Social Work (Scotland) Act 1968 (providing reports on and supervision of certain persons).		7

Type	Exemption	Qualification	Paragraph of Part 1, Schedule 7A, 1973 Act
Expenditure under contract	The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods and services.	<i>Information falling within this paragraph is exempt information if and so long as disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, or seeking to enter into, a contract with the authority in respect of the property, goods or services, whether the advantage would arise as against the authority or as against such other persons.</i>	8
Negotiations	Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal or property of the supply of goods and services.	<i>Information falling with this paragraph is exempt information if and so long as disclosure to the public of the terms would prejudice the authority in those for any other negotiations covering the property or goods or services.</i>	9
Identity of tenderer	The identity of the authority (as well as of any other person, by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.		10
Labour relations	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relation matter arising between the authority or a Minister of the Crown and employees of, or office- holders under, the authority.	<i>Information falling within this paragraph is exempt information if and so long as disclosure to the public of the information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.</i>	11

Type	Exemption	Qualification	Paragraph of Part 1, Schedule 7A, 1973 Act
Legal advice/instructions	<p>Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:</p> <ul style="list-style-type: none"> (a) any legal proceedings by or against the authority, or (b) the determination of any matter affecting the authority, <p>(whether, in either case, proceedings have been commenced or are in contemplation).</p>		12
Statutory notices	<p>Information which, if disclosed to the public, would reveal that the authority proposes—</p> <ul style="list-style-type: none"> (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment. 	<p><i>Information falling within this paragraph is exempt information if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for the notice, order or direction is to be give or made.</i></p>	13
Crime	<p>Any action to be taken in connection with the prevention, investigation or prosecution of a crime.</p>		14
Protected Informants	<p>The identity of a protected informant.</p>		15