

## **Appendix 'Q'**

### **Protocol on the Disclosure of Confidential Information for Members of the County Council**

Lancashire County Council seeks to make information it holds freely available to the public in fulfilling its responsibility for openness and accountability.

In doing so, it must respect the rights of individuals. It is also in the public interest that its commercial interests are protected to the extent recognised by the Freedom of Information Act.

This protocol sets out the arrangements agreed by the County Council for the treatment by councillors of confidential information.

1. Confidential information will be identified in one of the following ways:
  - a. Marked "not for publication" and include a statement that the report contains confidential or exempt information
  - b. Included in Part 2 of an agenda for a formal meeting of the County Council
  - c. Received with a covering letter or other communication which indicates the document is confidential
2. If you receive confidential information you should assume that it is provided to you for your personal information and you should not disclose it to anyone unless one of the following applies;
  - a. Information at 1b above will be supplied to all other members attending the meeting in question and will be shared and discussed with them. It should not however, be shared with officers and councillors who are not involved in the meeting
  - b. You have the written consent of the person who provided you with the information or of the Chief Executive to the specific disclosure made.
  - c. You have received legal advice that you are under a legal obligation to disclose that information to a person who has requested it. The Director of Corporate Services will provide advice on this point if requested.
  - d. You may disclose the information if it is necessary for you to do so in order to obtain advice from a professional adviser, provided that adviser gives a binding obligation not to disclose the information themselves.

**(Last updated to reflect the Council's new senior management structure,  
3 January 2018  
Owner – Chris Mather)**

3. If none of the circumstances outlined in paragraph 2 apply, but you still wish to make a disclosure of confidential information, there are certain circumstances where it is lawful for you to do so. However, it is a requirement of this authority that before doing so, you seek advice from the Director of Corporate Services.