# Woking Borough Council logo

Members’ code of conduct:

Protocol for members’ access to confidential information of council-owned companies

# 1. Introduction

* 1. The council has adopted a members’ code of conduct that sets out the standards of behaviour expected of members.
  2. The council has also adopted ‘Arrangements for dealing with standards allegations under the Localism Act 2011’ (‘Arrangements’).
  3. This protocol applies to members’ access to the confidential information of council-owned companies. Such information includes, but is not limited to, confidential board papers and confidential information imparted at board meetings.

# 2. Confidential Information of council-owned companies

2.1 The members’ code of conduct imposes obligations on members in respect of confidential information. In particular, paragraph 4.1 of the members’ code of conduct provides:

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

a. given to me in confidence by anyone

b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless

i. I have received the consent of a person authorised to give it;

ii. I am required by law to do so;

iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

iv. the disclosure is:

1. reasonable and in the public interest; and

2. made in good faith and in compliance with the reasonable requirements of the local authority; and

3. I have consulted the Monitoring Officer prior to its release.

2.2 The provisions of paragraph 4.1 of the members’ code of conduct shall apply to confidential information of Council-owned companies (note: ‘Council-owned company’ shall be substituted for ‘Council’ in paragraph 4.1b.iv.2).

# 3. Breach of protocol

3.1 On 8 April 2021, Council resolved that compliance with Standards Protocols shall be deemed to be a requirement of the Local Government Association’s Model Members’ Code of Conduct.

3.2 Failure to comply with this protocol could constitute a breach of the members’ code of conduct.

Adopted by the council on 30 July 2020

Amended May 2021 (reference made to the Local Government Association’s Model Members’ Code of Conduct)