

## **Section 3 – Getting Information and Getting Involved**

### **Information Available to Members of the Public**

#### ***When Meetings of the Member Bodies Will Take Place***

3.1 A programme of meetings is available via the CJC website.

#### ***Forward Work Programme***

3.2 The CJC and Sub-Committees will publish Forward Work Programmes, which set out the decisions and / or issues to be discussed by the CJC and what issues the Sub-Committees will be considering and when these matters will be discussed.

#### ***Information Available Prior to a Meeting***

3.3 3 clear days before a meeting, the agenda and any non-confidential report to be discussed shall be available for inspection on the CJC website. If an item is added to the agenda later, the revised agenda will be open to inspection from the time when the item is added to the agenda and any non-confidential report will be made available to the public as soon as it is available and sent to Members.

3.4 Confidential reports and all background papers to such report will **NOT** be available for public inspection or placed on the website.

3.5 Information which is confidential or exempt (as defined in Section 8) will not be disclosed to members of the public.

#### ***Information Available After a Meeting***

3.6 For a period of six years the agenda, non-confidential reports and the minutes of the meeting shall be available for inspection and / or on the website. The non-confidential background papers will not be published on the website but shall remain open for inspection for a period of four years.

#### ***CJC's Accounts***

3.7 Members of the public may inspect the CJC's accounts and make views known to the external auditor (sections 29 and 30 Public Audit (Wales) Act 2004). Under the Accounts and Audit (Wales) Regulations 2005, the accounts will be available for public inspection for twenty (20) working days before the date appointed by the auditor.

#### ***Information Given in Confidence.***

3.8 A Member will not make public information which is confidential or exempt or should reasonably be regarded as such (as defined in Section 8 without the consent of a person authorised to give such consent or unless required by law to do so;

3.9 A Member must not prevent any person from gaining information to which that person is entitled by law <sup>1</sup> but prior to providing that information the Member must first check the alleged lawful entitlement with the Monitoring Officer.

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<sup>1</sup> See Paragraph 5(b) of Part 2 of The Local Authorities (Model Code of Conduct) (Wales) Order 2008

## **Section 3 – Getting Information and Getting Involved**

### **Information Not Available to Members of the CJC**

- 3.10 A Member may not see any information or document where to do so would be in breach of any legislative provision such as the Data Protection Act 1998, any person's rights in respect of confidentiality, or commercial interests, any provision of this Constitution or any Government policy, rule or procedure.
- 3.11 No Member is entitled to see any information relating to a matter in which he or she has a prejudicial interest.

### **Members of the Scrutiny Sub-Committee.**

- 3.12 A Member of the Overview and Scrutiny Sub-Committee may also see any document within the remit of the Committee which contains material relating to:
- 3.12.1 any business transacted by or at a meeting of the CJC;
  - 3.12.2 any document which is in the possession or control of the CJC, its Sub-Committees and / or individual CJC Members, and which contains material relating to 3.13.1 above.
- 3.13 A Member of the Scrutiny Sub-Committee is not entitled to:
- 3.13.1 any document in draft form;
  - 3.13.2 any part of a document which contains confidential or exempt information unless that information is relevant to an action or decision they are reviewing or scrutinising or intending to scrutinise and is included in the Scrutiny Sub-Committee's Forward Work Programme;
  - 3.13.3 any part of a document if to do so would be in breach of any legislative provision such as the Data Protection Act 1998, any person's rights in respect of confidentiality, or commercial interests, any provision of this Constitution or Government policy, rule or procedure.

### **Information Available to Officers**

- 3.14 The Monitoring Officer, the Section 151 Officer and the Chief Executive may see any papers or records held by any part of the CJC or its Officers.

### **Getting Involved**

- 3.15 The CJC must encourage local people to participate in the making of decisions by the CJC. See the CJC's public participation strategy for more information.

### **Citizens' Involvement**

- 3.16 Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Procedure Rules:
- 3.17 Citizens have the right to:
- obtain a copy of the Constitution from the CJC's website, or on payment of a reasonable fee if a hard copy is required;
  - attend meetings of the CJC and its Sub-Committees except where personal or confidential matters are being discussed;
  - attend meetings and ask questions direct to the CJC and its Sub-Committees. The Overview and Scrutiny Committee must take into

## Section 3 – Getting Information and Getting Involved

account any views brought to their attention under these arrangements pursuant to Section 62 of The Measure;

- petition a CJC in accordance with the Petition's Scheme;
- find out, from the forward work programme, what business is to be considered by the CJC;
- see reports and background papers considered by the CJC and any of its Sub-Committees and the record of any decisions made by the CJC or its Sub-Committees, except where they contain personal or confidential information;
- make comments, compliments and complaints to the CJC about any matters that are the responsibility of the CJC. A complaint is one where someone feels that the CJC has failed to do something or done something badly or if they feel they have been unfairly treated by the CJC;
- complain to the Ombudsman if they think they have suffered injustice because the CJC has not followed its procedures properly. However, they are encouraged only to do this after using the CJC's own complaints process;
- complain to the Ombudsman if they have evidence which they think shows that a member or co-opted member of the CJC has not followed the Members' Code of Conduct; and
- inspect the CJC's accounts and make their views known to the external auditor.
- seek to get a matter included in an agenda by asking the Chair of the CJC or a Sub-Committee to add an item to the agenda

### **Citizens' Responsibilities**

3.18 Citizens must not be violent, abusive or threatening to members or officers (which shall include inappropriate use of social media) and must not wilfully harm things owned by the CJC or its officers

3.19 Citizens should note that in the event that they are violent, abusive or threatening steps maybe taken in line with the CJC's policies in respect of unreasonable behaviour policies.

### **Complaints Against a Member**

3.20 A complaint against a Member should be referred to the Public Services Ombudsman for Wales at 1 Ffordd Yr Hen Gae, Pencoed, CF35 5LJ. Telephone: 0845 601 0987 or via the website [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk).