

## **GUIDANCE FOR CHAIRS / VICE CHAIRS**

### **Adjourning / suspending or terminating a meeting and for considering exempt items**

This guidance provides guidance only to Chairs / Vice Chairs of Council Committees on whether to suspend / adjourn or terminate a meeting; or for considering exempt items and the role of Senior Officers at meetings.

#### **Terminology**

‘Going into committee’ – the meeting continues, but any press or public present are excluded and webcasting stopped only for the duration of time that the exempt information is being discussed;

Suspending / adjourning a meeting – a temporary suspension / adjournment of the meeting (and if webcasted, this is also suspended);

Adjournment – suspension / pause of proceedings to another time or place.

Terminating a meeting - if the Chair ‘ends’ a meeting, 3 clear days will need to be allocated in order to call a further meeting to continue with the agenda.

This list is not exhaustive and are only examples.

#### **Confidential / Exempt information**

Exempt matters are laid out in legislation and fall into 10 categories which are listed in the Council’s Constitution. These are listed in Appendix A.

#### ***Exempt papers***

If the agenda includes papers that are exempt, then these will be clearly marked. Chairs / Vice Chairs will have been briefed on the need to exclude the public and press should there be a discussion on these papers.

1. The Chair must first of all seek agreement by the Committee that they are happy to go ‘into committee’;
2. It is advised that the Chair reads the paragraph on the agenda, prior to asking for a proposer and seconder and then going to the vote;
3. If it is agreed that the Public Interest Test has been met, and that the exempt item must remain exempt; if the Committee wishes to consider the item in private, then the Chair must ensure that the public and press have left the meeting (both in the Chamber and remotely).

If the meeting is being webcasted, the Chair must await confirmation that this has been stopped prior to discussing the exempt information.

All Councillors and Council Officers can remain in the meeting to discuss exempt information with the exception of those that have declared a personal and prejudicial interest;

4. Following discussion regarding the exempt information, the press and public are invited to re-join the meeting and the webcasting can resume;
5. The Chair must make it clear than on returning to an 'open committee' they cannot refer to the information contained in the exempt paper;
6. Any decision, should be made in the 'open meeting'.

***Exempt/confidential information is discussed at a meeting (without a paper)***

The same categories listed in Appendix A apply to any information that is discussed during a meeting, even if there is no accompanying paper on the agenda.

In the event that this should happen, the Chair must immediately bring the discussion to an end.

He/she must then ascertain whether the information is exempt/confidential based on the 10 categories. If so, then steps 1 – 6 above must be taken.

**Quorum**

Chairs / Vice Chairs should ensure that meetings remain quorate at all times. In the event that the meeting is inquorate, the meeting will need to be terminated and reconvened when the meeting is quorate.

The Chair / Vice Chair should become familiar with what is quorum for their respective committees. This information is available in the Council's Constitution [The Council's Constitution - Ceredigion County Council](#)

The Chair should make it clear that the meeting is being terminated as the committee is inquorate.

**Suspending / adjourning a meeting**

***Disruption by members of the public***

If a meeting is disrupted by member of the public, the Chair should seek to resolve such matters initially with the support of Officers present; however, if it cannot be resolved, the Chair has discretion to remove members of the public.

The Chair may want to consider adjourning/suspending the meeting whilst the disruption is dealt with.

The Chair should make it clear that the meeting is being adjourned/suspended and if known, for what duration. A return time should be given.

### ***Other examples of interruption to a meeting***

There are other examples where a Chair may decided to suspend or terminate a meeting. These could include:

- Comfort breaks;
- Lunch breaks;
- Disruption to electricity supply or internet, including significant issues with the hybrid system;
- Adverse weather;
- Where a Councillor, Officer or member of the public is taken ill
- Where a Councillor, Officer or member of the public is visibly distressed and continuation of the meeting would be likely to lead to further distress or embarrassment. In such circumstances, the meeting will be adjourned / suspended for a maximum of 30 minutes to allow the individual to compose themselves or withdraw from the meeting to allow it to proceed.

If the meeting is suspended / adjourned, the Chair should make it clear that the meeting is being suspended / adjourned and if known, for what duration. A return time should be given.

### **Broadcasting meetings**

If a meeting is being broadcast, that too should be paused in the event of a meeting 'going into committee' or if a meeting is being suspended or adjourned.

### **Code of Conduct**

All Councillors will have agreed to follow the Code of Conduct to ensure high standards in the way they undertaken their duties. They will at all times observe the Code of Conduct and the Protocol for Member/Officer Relations.

At meetings, there is a role for the Chair, Group Leader and the Monitoring Officer (or Deputy) to ensure that the Code of Conduct is observed at all times.

If the Chair, Group Leader or the Monitoring Officer (or Deputy) believes that there may have been a potential breach of the Code at the meeting, the Councillor in question should be given the opportunity to apologise and to rescind their comments / actions.

### **The role of Senior Officers at meetings**

Senior Officers may have to interject at a meeting to ensure that procedure rules are followed correctly.

If a Senior Officer wishes to speak, they should seek the attention of the Chair (and/or the Democratic Services Officer supporting the meeting). The Chair will add that Officer's name to the list of those wishing to speak.

There may be occasions where the Senior Officer will need to interject urgently. They should first attempt to seek the attention of the Chair; however, where this is not possible the Senior Officer must interject to ensure correct procedures are followed.

(Senior Officers are defined as Chief Executive, Corporate Directors and Corporate Lead Officers – specifically the Monitoring Officer and the Head of Democratic Services).

Other Senior Officers may also be present at meetings to support their Cabinet Member and to present information to the Council, Cabinet or Committee,

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### 10.5 Meaning of Exempt Information

Exempt information means information falling within the following 10 categories (subject to any qualification):

CATEGORY	QUALIFICATION
12. Information relating to any individual	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
13. Information which is likely to reveal the identity of an individual	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
<p>14. Information relating to the financial or business affairs of any particular person (including the Council)</p> <p><i>Note : 'financial or business affairs' includes contemplated, as well as past or current, activities</i></p>	<p>Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information falling within paragraph 14 is not exempt information by virtue of that paragraph if it is required to be registered under –</p> <ul style="list-style-type: none"> <li>(a) the Companies Act 1985</li> <li>(b) the Friendly Societies Act 1974</li> <li>(c) the Friendly Societies Act 1992</li> <li>(d) the Industrial and Provident Societies Acts 1965 to 1978</li> <li>(e) the Building Societies Act 1986</li> <li>(f) the Charities Act 1993</li> </ul>
<p>15. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Council or a Minister of the Crown and employees of, or office holders under, the Council</p> <p><i>Note : 'Labour relations matters' are as specified in paragraphs (a) to (g) of</i></p>	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

<p><i>Section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 i.e. matters which may be the subject of a trade dispute</i></p>	
<p>16. Information in respect of which a claim to legal professional privilege could be maintained in legal Proceedings</p>	
<p>17. Information which reveals that the Council proposes –  (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>	<p>Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p>
<p>18. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p>	<p>Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p>