

SECTION 3

3. GETTING INFORMATION AND GETTING INVOLVED

3.1 GETTING INFORMATION

3.1.1 Information Available to Members of the Public

- (a) When meetings will take place: A programme of meetings is available contacting the CJC direct or via the website.
- (b) Forward Work Programme: From the Forward Work Programme, see what decisions will be taken by the CJC and what issues the Sub- Committees will be considering and when these matters will be discussed.
- (c) Information Available Prior to a Meeting: 5 clear days before a meeting, the agenda, any non-confidential or exempt report likely to be discussed and background papers to that report shall be available for inspection at the offices of the CJC and on the 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 or exempt report will be made available to the public as soon as it is available and sent to Members.
- (d) Confidential or exempt reports and all background papers to such reports will not be available for public inspection or placed on the website. Information which is confidential or exempt (as defined in Section 2.2) will not be disclosed to members of the public.
- (e) Information Available After a Meeting: 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 The non-confidential background papers will not be published on the website but shall remain open for inspection for a period of four years.
- (f) CJC's Accounts: 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 after the date appointed by the auditor. Information which is confidential or exempt (as defined in Section 2.2) will not be disclosed to members of the public at any time.

3.1.2 Information Available to Members of the CJC

- (a) Members can see any information, which is available to a member of the public.
- (b) In addition, a Member may see any information which he or she needs to know in order to fulfil his or her role as a Member of the CJC (otherwise known as "need to know"). A Member will not make public information which is confidential or exempt

(as defined in Section 2.2) without the consent of the CJC or divulge information given in confidence to anyone other than a Member, or person(s) or organisation(s) entitled to know it.

- (c) A Member must not prevent any person from gaining information to which that person is entitled by law but prior to providing that information the Member must first check the alleged lawful entitlement with the Monitoring Officer - Paragraph 5(b) of Part 2 of The Local Authorities (Model Code of Conduct) (Wales) Order 2008.
- (d) 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 2018, any person's rights in respect of confidentiality, or commercial interests, any provision of this Constitution or any Government policy, rule or procedure.
- (e) No Member is entitled to see any information relating to a matter in which he or she has a prejudicial interest.

3.1.3 Members of any Scrutiny Committees.

A Member of a Scrutiny Committee considering a matter which relates to the CJC may also see any document containing material relating to the matter that is before the committee:

- (a) any business transacted at or meeting of the CJC;
- (b) any decision taken by an individual Officer of the CJC.

A Scrutiny Committee Member is not entitled to:

- (c) any document in draft form;
- (d) 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 Committee's Forward Work Programme.
- (e) 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

NB. No Member is entitled to see any information relating to a matter in which he or she has a prejudicial interest.

3.1.4 Information Available to Officers

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. Other Officers may see any information held by the CJC provided:

- (a) they need to see the information to do their job; and

- (b) that information is processed lawfully in accordance with the Data Protection Act 2018.

3.2 GETTING INVOLVED – MEMBERS OF THE PUBLIC

3.2.1 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. Members of the public can get involved in the following ways:

- 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;
- 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, exempt 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

3.2.2 Members of the public 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.

3.2.3 Members of the public should note that in the event that they are violent, abusive or threatening steps may be taken in line with the CJC's policies in respect of unreasonable behaviour.

3.3 GETTING INVOLVED – MEMBERS

Members can get involved by:

- 3.3.1** As a Member of the CJC, you have the same rights as members of the public. In addition to these rights you also have the following rights:
- 3.3.2** Members of the CJC are entitled to suggest an item of business and attend any formal meeting of the CJC or its sub-committees. Members of the CJC may attend and speak at any meetings where they are a Member of that body. Where they are not a Member of that body, their attendance and right to speak is at the discretion of the Chair of the body.

3.4 MAKING COMMENTS/COMPLAINTS

- 3.4.1 A member of the public may comment or complain about CJC services by:**
- (A) contacting their regional Members;
 - (B) contacting the Officer responsible for delivering the service or their manager;
 - (C) using the CJC's complaints procedure;
 - (D) contacting the Public Services Ombudsman for Wales at 1 Ffordd Yr Hen Gae, Pen-coed, CF35 5LJ. Telephone: 0300 790 0203 or via the website www.ombudsman-wales.org.uk.
- 3.4.2** Comments or complaints can be made about an Officer or Members by:
- (A) Officer: Contacting the Officer or the Officer's manager.
 - (B) Members: If the complaint is against a Member then the complaint should be referred to the Monitoring Officer or the Public Services Ombudsman for Wales (contact details above).
- 3.4.3** If a Member wishes to complain about an: (i) Officer – the procedure set out in the Protocol on Member/Officer Relations may be used []. (ii) Member – the procedure set out in [] may be followed.