



## Balancing act

### Scenario A2: Is there an issue?

Councillor Bear, whose husband is a member of the district and county councils, is unhappy with the proposal, although her group has clearly indicated it is minded to support it. She, like a number of members, has received confidential information relating to both the business plan of the airport as well as certain information relating to possible contamination of the land which could prejudice the viability of the development. The information supplied by officers, having been received from the airport / developers, was clearly supplied on a confidential basis; Councillor Bear has chosen to share it with her husband and he has used it and referred to it at the district council public meeting and debate as a result of which the matter has passed into the media and questions have been raised about it.

Councillor Eagle, to overcome what he regards as inappropriate muck-raking, albeit by one of his own members, decides to conduct a full and frank press briefing at which he discusses in detail the confidential documentation.

Neither member discusses their plans, or their intention to disclose this information with officers prior to undertaking these activities nor neither member speaks with or has any discussion with the airport or developer, their agents or representatives.

An FOI request is subsequently received by the local authority for the documentation by a pressure group of local residents opposing the airport. This is refused by the local authority on the grounds that the release of such information would be contrary to the best interests of effective public administration.

The airport and the developer's lawyers jointly write to the local authority threatening an injunction against both the authority and the two members for breaching confidentiality and registering their intention of lodging complaints with the Standards Board for England for breaches of confidentiality by both Councillor Bear and Councillor Eagle.

**What do you think about the circumstance and behaviours?**

**What are the differences of opinion around your table?**

**Where are the areas for consistency greatest?**