

## **CQ01 Cllr Clive Stevens: Access to Information**

It is a very sad day when the Vice Chair of this Committee has to file formal questions to get straight answers. But that day has come.

Regarding the written answer provided to Suzanne Audrey's question PQ01 of August 27th about Audit Committee's need for equal access to documents as Cabinet and Scrutiny. The answer given to PQ01 stated it is a priority for resolution (for the year 20/21). The paper that came to Full Council (that we didn't see on 28th August, it was released the next day) stated that "Equal Access" was a priority for this municipal year 20/21.

And regarding the paperwork at Full Council on 8th Sept 2020 (Pages 51 & 52), states:

6.1 "Ensuring the committee has potential access to all papers without restriction to enable it to operate effectively. Audit Committee is a key part of the Council's governance arrangements and must have access to papers equal to that of other members of the Council. The Committee should have access equal to that of scrutiny and cabinet."

So my two questions...

Q1 - Will officers prepare a paper recommending Audit Committee be granted access rights to all papers equal to those rights granted to Cabinet and Scrutiny?

Q2 - If so will this be enacted please so that Full Council can vote through the change at its next meeting (which I believe is 10th November 2020)?

### **Answer:**

Q1 The legal framework in which the rights of councillors to access information is set out in legislation. These rules are incorporated into the Council's Constitution and provide the framework within which the Council must operate. Officers advise the Council, Cabinet and committees on the scope and extent of the legal framework within which the Council operates, including the rights of councillors to access information. Officers are satisfied that the application of the legal rules set out in legislation relating to access to information is applied lawfully at Bristol City Council. Officers cannot prepare a report which would make a recommendation that would result in Full Council conferring additional rights of access to information on the Audit Committee that go beyond the legal framework within which the Council must operate. Such a recommendation, if adopted, would be ultra vires (i.e. unlawful). The Monitoring Officer will write to all members of the Audit Committee setting out the detail of the legal and constitutional framework relating to access to information so that all members of the committee are aware of the extent of their rights to access information.

Q2 For the reasons set out in the response to Q1, any vote of Full Council which approved conferring additional rights of access to information on members of the Audit Committee would be ultra vires.