



STRANMILLIS UNIVERSITY COLLEGE  
A College of Queen's University Belfast

## **GOVERNING BODY**

## **STANDING ORDERS**

**Reviewed September 2023**

## **1. Introduction**

Standing Orders are a key element of Governance and help to ensure transparent and effective decision making through regulating the proceedings, meetings and business of the Governing Body and its Committees. The Standing Orders set out in this document should be read in conjunction with the Instrument and Articles of Government and the Governing Body's Operating Framework and Code of Conduct.

## **2. GOVERNING BODY COMPOSITION**

The Governing Body of Stranmillis University College currently comprises 13 Non-Executive Members, the Principal of the College and a Student and two Staff representatives. The maximum number of members permitted by the Instrument of Government is 18.

## **3. MEETINGS**

3.1 Ordinary Meetings of the Governing Body shall be held not less than 4 times in an Academic Year. Meetings shall normally take place on a Wednesday.

### **3.2 Convening of Meetings**

- (a) The Chair of the Governing Body may call a special meeting of the Governing Body at any time.
- (b) The Chair of the Governing Body shall call a meeting of the Governing Body, if a requisition for such a meeting signed by any six members of the Governing Body, is presented to him/her; and if he/she refuses to call a meeting on such a requisition, or if he/she does not call such a meeting within the period of seven days from the date of service of the requisition on him/her, any six members of the Governing Body may, on that refusal or on the expiration of that period, forthwith call a meeting of the Governing Body.
- (c) Seven days at least before a meeting of the Governing Body a summons to attend the meeting, specifying the time and place of the meeting and the business to be transacted thereat, shall be issued to every Member of the Governing Body by e-mail by the Secretary to the Governing Body together with all papers for the meeting. Papers will also be uploaded to MS Teams in order to facilitate electronic access to Papers at meetings.

### **3.3 Adjournment of Meetings**

- (a) The Governing Body may adjourn any meeting to a later hour on the same day, or to any other day and hour.
- (b) If any meeting is adjourned to a specified date, the adjourned meeting shall be deemed a continuation of the original meeting. If a meeting is adjourned a line will be drawn under any business left unfinished and the business shall be postponed until the next stated meeting.

- (c) Where any meeting is adjourned to another day, notice of the adjourned meeting shall, whenever practicable, be sent by the Secretary to the Governing Body to each Member of the Governing Body.
- (d) No business shall be transacted at an adjourned meeting which was not included in the notice convening the meeting of which it is an adjournment, unless notice thereof shall have been delivered or sent by the Secretary to the Governing Body to each Member of the Governing Body three clear days at least previous to the meeting.

#### **4. CHAIR OF MEETING**

- (1) At a meeting of the Governing Body, the Chair of the Governing Body, if present, shall preside.
- (2) If the Chair of the Governing Body is absent from the meeting of the Governing Body, the Vice-Chair of the Governing Body, if present, shall preside.
- (3) If both the Chair and Vice-Chair of the Governing Body are absent from a meeting of the Governing Body, such Member, as the Members present shall choose from those Members appointed under paragraph 2(1)(a) of Schedule 2 to the Colleges of Education (Northern Ireland) Order 2005 (hereafter referred to as the Order), shall preside.

#### **5. QUORUM**

No business shall be transacted at a meeting of the Governing Body unless at least seven Members of the Governing Body are present, at least five of whom are Members appointed under paragraph 2(1)(a) of Schedule 2 to the Order.

#### **6. NAMES OF MEMBERS OF THE GOVERNING BODY TO BE RECORDED**

The names of the Members of the Governing Body present at a meeting of the Governing Body shall be recorded by the Secretary to the Governing Body. All apologies shall be recorded in the Minutes of the meeting.

#### **7. DECISIONS ON QUESTIONS**

- (1) All acts of the Governing Body and all questions coming or arising before the Governing Body shall be done and decided by a majority of the Members present and voting thereon at a meeting of the Governing Body.
- (2) In the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

## **8. MODE OF VOTING**

The mode of voting at meetings of the Governing Body shall be by a show of hands. On the requisition of any Member, who is supported by at least one other Member, the voting on any question shall be recorded so as to show whether each Member present and voting gave his vote for or against that question.

## **9. MINUTES**

- (1) Minutes of the proceedings of a meeting of the Governing Body or of a Committee thereof, shall be drawn up and entered in a bound book, or on loose leaves consecutively numbered for the purpose and shall be signed at the next ensuing meeting of the Governing Body if approved by that meeting.
- (2) Any minute purporting to be signed as mentioned in sub-paragraph (1) shall be received in evidence without further proof.

## **10. ORDER OF BUSINESS**

The order of business at every meeting of the Governing Body shall be as follows:

- 1) Introductions.
- 2) Apologies.
- 3) Conflicts of Interest.
- 4) Any Other Business to be considered and disposed of.
- 5) The Minutes of the Previous Meeting, having been circulated following the previous meeting. No discussion shall take place upon the minutes except upon their accuracy and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the Minutes.
- 6) Matters arising from the Minutes, including Action Points.
- 7) High level read-out from the summary of business discussed at Committee meetings and any business requiring a decision by the Governing Body.
- 8) Adoption of agreed Committee Minutes.
- 9) Consideration of motions of which due notice has been given;
- 10) Corporate Risk Register
- 11) General Agenda Items and Routine Business.
- 12) Principal's Report.
- 13) Chair's Business.
- 14) Student President's Report.
- 15) Corporate Risk Register.
- 16) Reserved Business.

The order of business may at any time be altered or varied if, in the opinion of the majority of the Members present, it is expedient to do so.

## **11. RESERVED AND UNRESERVED BUSINESS**

- 11.1 The College is required to comply with the Freedom of Information Act 2000 (“the Act”) which gives general right of access to information held by public authorities in the UK. The College is committed to ensuring that staff comply with the Act so that information held by the College can be made available to the general public whenever it is possible or appropriate to do so under its terms. It is College Policy that Exemptions under the Act will therefore be applied as and when necessary to ensure the proper conduct of the College’s business.
- 11.2 The 24 exemptions provided in the Act are either absolute or conditional in their effect. Information that is absolutely exempt does not have to be disclosed and relate to, for example, information that has been provided in confidence. Information that is conditionally exempt is subject to a Public Interest Test and/or Prejudice Test. Conditional exemptions, for example cover information relating to national security, health and safety, law enforcement and commercial interests.
- 11.3 In applying the Public Interest Test, the College will assess whether or not it is in the Public Interest to withhold or release information that is conditionally exempt under the Act. The Public Interest in withholding information must outweigh the Public Interest in disclosure in all cases. The Public Interest is not defined in the Act, but is considered to relate to information that would, in its release, serve to:
- further understanding of, and participation in public debates;
  - facilitate accountability and transparency of decisions;
  - facilitate accountability and transparency of public spending; and
  - bring to light information affecting public safety.
- 11.4 In applying the Prejudice Test, the College will consider whether or not the release of information that falls under a prejudice-based exemption (e.g. s.36 – the effective conduct of affairs) would prejudice the purpose of that exemption. The risk of harm in disclosing the information must be greater than that of withholding the information.
- 11.5 To assist the Governing Body to manage and comply with its Freedom of Information (and Data Protection obligations), those categories of exemption that are likely to be relevant to the work of Governing Body and its Committees are identified in Appendix A. Please be aware that this is not a definitive list and in rare situations there may be other exemptions that apply - see Paragraphs 11.11 – 11.13.
- 11.6 In light of the above the Agenda and Minutes of Governing Body and Committee Meetings will be divided into Unreserved and, where necessary, Reserved Business sections as described below.

### **Unreserved Business**

- 11.7 Unreserved Business refers to agenda items which are deemed to involve, and are likely to generate information in the resulting minutes, which WOULD NOT be

exempt from disclosure under the Freedom of Information Act. Any agenda item which does not match with one or more of the exemption categories at Appendix 1 should therefore be placed on the Unreserved agenda, and the discussion normally recorded in the Unreserved minutes.

### **Reserved Business**

- 11.8 Reserved Business refers to agenda items which are deemed to involve, and are likely to generate information in the resulting minutes, which WOULD be exempt from disclosure under the Freedom of Information Act. Any agenda item which matches with one or more of the exemption categories at Appendix 1 of this document should therefore be placed on the Reserved agenda, and the discussion normally recorded in the Reserved minutes.
- 11.9 It must be emphasised that an item should only be placed on the Reserved agenda if it is genuinely considered that it clearly meets at least one of the Freedom of Information exemptions. Very often a meeting will only deal with Unreserved Business, in which case there is obviously no need to produce a Reserved Business agenda (and vice versa for meetings which only have Reserved Business).
- 11.10 If there is uncertainty as to whether a specific agenda item is likely to be covered by an exemption and should be placed in Reserved Business, or if it is believed that an item should be withheld but it does not seem to fit within one of the above exemption categories, advice should be sought.

### **Final decisions on exemptions**

- 11.11 It must be emphasised that the Chair and Secretary to the Governing Body are not being asked to make the final decision on whether an agenda item involves information which is or is not exempt under the Freedom of Information Act. They can only identify items which involve information which is likely to be exempt, and to place such items in the Reserved Business section of agendas and minutes. The final decision on whether information classified as Reserved Business is actually exempt if the subject of an FOI request will depend on the circumstances at the time.
- 11.12 The University College might decide to release Reserved information in cases where: a. it is no longer sensitive: for example, information which is commercially sensitive often remains sensitive for only a limited period; b. the exemption does apply but the case requires a public interest test, and the public interest at the time favours release of the information c. the University College decides that some of the information in an FOI request is not actually exempt and should be released. As indicated above, FOI exemptions apply to the actual information in question and final decisions will be made at the time of the request. The Chair and Secretary to the Governing Body, on the other hand, are only being asked to recognise and classify broad categories of information at the time that the Governing Body/Committee papers are prepared.
- 11.13 Agenda items which involve such information should be placed in Reserved Business, as it may result in the discussion of information the release of which

would be a serious breach of confidence and the College could be liable to legal action. This information may be exempt from release under Section 41 of the Freedom of Information Act.

## **12. URGENT BUSINESS**

The Chair of the Governing Body or other Member nominated by the Chair, following consultation as he/she deems appropriate, shall be authorised to deal with any urgent business that may arise from day to day and all such emergency decisions shall be reported at the next meeting of the Governing Body.

## **13. QUORUM - COUNT OUT**

- 13.1 During any meeting, upon the attention of the Chair being called by a Member of the Governing Body or the Secretary to the Governing Body to the fact that there is not a quorum present, the Secretary to the Governing Body shall count the Members present and if it shall appear that there is not a quorum present the Chair shall declare the meeting of the Governing Body at an end and the names of those who are present and those who are absent shall be recorded in the minutes of the Governing Body.
- 13.2 If the number and/or composition of Members assembled for a meeting does not constitute a quorum, the meeting shall not be held.

## **14. MOTIONS AND AMENDMENTS**

### **14.1 Notices of Motions**

Notice of every motion other than a motion which under Standing Order 14.2 may be moved without notice shall be given in writing, signed by the Member or Members of the Governing Body giving the notice and delivered at least 10 clear days before the next meeting of the Governing Body, to the Secretary to the Governing Body by whom it shall be dated and numbered in the order in which it is received.

The Secretary to the Governing Body shall set out in the summons for every meeting of the Governing Body all motions of which notice has been duly given in the order in which they have been received.

If a motion thus set out in the summons be not moved either by a Member who gave notice thereof or by some other Member on his/her behalf it shall, unless postponed by the consent of the Governing Body, be treated as withdrawn and shall not be moved without fresh notice.

If the subject matter of any motion of which notice has been duly given comes within the province of any Committee it shall, upon being moved and seconded, stand referred without discussion to such Committee for consideration and report: provided that the Chair may, if he/she considers it convenient and conducive to the

dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

## **14.2 Motions and Amendments Not Requiring Notice**

Save with the permission of the Chair, if he/she considers it convenient and conducive to the dispatch of business, and subject to the provisions of the next paragraph, only the following motions and amendments may be moved without notice:-

- (a) appointment of a Chair of the meeting at which the motion is made;
- (b) motions relating to the accuracy of minutes;
- (c) that an item of business specified in the summons has precedence;
- (d) remission to a Committee;
- (e) appointment of a Committee, working party or Members thereof, occasioned by an item mentioned in the summons to the meeting;
- (f) adoption of reports and recommendations of Committees and any consequent resolutions;
- (g) that leave be given to withdraw a motion;
- (h) extending the time limit for speeches;
- (i) amendments to motions;
- (j) that the Governing Body proceed to next business;
- (k) that the question be now put;
- (l) that the debate be now adjourned;
- (m) that the Governing Body do not adjourn.

Where a Committee has sat since the last meeting of the Governing Body, and the Minutes of the meeting have not been formally agreed by the Committee, the Chair of the Committee concerned or a Member of that Committee authorised, will provide a high level overview of the discussions that took place at the meeting and may raise any urgent business requiring Governing Body decision.

## **14.3 Relevance of Motions**

Only Motions that are relevant to some matter in relation to which the Governing Body has powers or duties may be moved.



#### **14.4 Power to withdraw Motions and Amendments**

A motion or amendment, once made and seconded, shall not be withdrawn without the consent of the Governing Body. No Member may speak upon it after the Member has asked permission for its withdrawal, unless such permission shall have been refused.

#### **14.5 Definition of an Amendment**

An amendment shall be relevant to the motion and shall either be:-

- (a) to refer a subject of debate to a Committee for consideration or reconsideration;
- (b) to leave out words;
- (c) to leave out words and to insert or add others; or
- (d) to insert or add words;

but such omission, insertion or addition of words shall not have the effect of negating the motion before the Governing Body.

If an amendment is rejected, other amendments may be moved to the original motion.

If an amendment is carried, the motion as amended shall take the place of the original motion, and shall become the substantive motion to be put to the meeting and upon which any further amendment may be moved.

A Member may, with the consent of the Governing Body signified without discussion:-

- (a) alter a motion of which he has given notice;
  - (b) with the further consent of his seconder alter a motion which he has moved;
- if (in either case) the alteration is one which could be made as an amendment thereto.

### **15. RULES OF DEBATE**

#### **15.1 Motions and Amendments to be reduced to Writing and Seconded**

A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Order 14 it shall, if required by the Chair, to be put in writing, and handed to the Chair before it is further discussed or put to the meeting.

A Member when seconding a motion or amendment may, if he/she declares his/her intention to do so, reserve his speech until a later period of the debate.

## **15.2 Mode of Address**

A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

A Member shall not be interrupted on a point of order. A Member raising the point of order shall be heard, and the question of order shall be disposed of before the subject be resumed or any other subject entered upon. Whenever the Chair speaks, no Member shall continue speaking.

## **15.3 Precedence in Speaking**

Whenever two or more Members signify to the Chair their wish to speak the Chair shall decide who shall have precedence.

## **15.4 Definition of Point of Order**

A point of order shall relate only to an alleged breach of Standing Orders and the Member shall specify the Standing Order and the way in which he/she considers it to have been broken.

## **15.5 A Member may raise a Point of Order.**

A Member who wishes to raise a point of order shall be entitled to be heard forthwith.

## **15.6 Ruling of the Chair on Points of Order**

The ruling of the Chair on a point of order shall not be open to discussion.

## **15.7 Member to Speak to the Motion**

A Member who speaks shall direct his/her speech strictly to the motion under discussion, or an amendment thereof or to such a motion as is permitted under Standing Order 15.11

## **15.8 Member shall not speak more than once**

A Member who has spoken on any motion shall not speak again whilst it is the subject of debate, except;

- (a) to speak once on an amendment moved by another Member;
- (b) if the motion has been amended since he/she last spoke to move a further amendment;

(c) if his/her first speech was on an amendment moved by another Member to speak on the main issue whether or not the amendment on which he/she spoke was carried;

(d) in exercise of a right of reply given by Standing Order 15.14;

(e) on a point of order.

### **15.9 Duration of Speeches**

Except with the permission of the Governing Body, a Member, in introducing a motion, shall not speak for more than five minutes, and in replying, for more than five minutes. Other Members shall not speak for more than five minutes.

### **15.10 Addressing the Governing Body**

The Governing Body during its sitting, shall not, unless with the permission of the Chair, be addressed, by any person who is not a Member of the Governing Body.

### **15.11 Exceptions**

When a motion is under debate no other motion shall be moved except the following:-

(a) to amend a motion;

(b) to adjourn the meeting;

(c) to adjourn the debate;

(d) to proceed to next business;

(e) that the question be now put.

### **15.12 Chair not to receive Motion for a Direct Negative**

The Chair shall not receive a motion for a direct negative to a question, but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

### **15.13 Mover of a Motion's Right of Reply**

The mover of a motion has a right to reply at the close of the debate on the motion immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment.

15.14 `That the Governing Body proceed to the next business'

`That the question be now put'

`That the debate be now adjourned' or

`That the Governing Body do now adjourn'

A Member may move without comment at the conclusion of a speech of another Member, `That the Governing Body proceed to the next business', `That the question be now put', `That the debate be now adjourned', or `That the Governing Body do now adjourn', on the seconding of which the Chair shall proceed as follows:-

- (a) On a motion to proceed to the next business, unless in his opinion the matter before the meeting has been insufficiently discussed, he/she shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to the next business;
- (b) On a motion that the question be now put, unless in his opinion the matter before the meeting has been insufficiently discussed, he/she shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion his right of reply under Standing Order 14.14 before putting his/her motion to the vote;
- (c) On a motion to adjourn the debate before the meeting, if in his/her opinion the matter has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion he shall put the adjournment motion to the vote without giving the mover of the original motion his right of reply on that occasion.

## **16. RESCISSION OF A PRECEDING DECISION**

No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a Member unless the notice thereof given in pursuance of Standing Order 14 bears the names of at least one half of the Members of the Governing Body. When any such motion or amendment has been disposed of by the Governing Body, it shall not be open to any Member to propose a similar motion within a further period of six months: provided that this Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee.

## **17. DECLARATION OF INTEREST**

If any Member of the Governing Body has any pecuniary interest, direct or indirect, in any contract, proposed contract or other matter, and is present at the meeting of the Governing Body or of its Committees at which the contract or other matter is the subject of consideration, he/she shall at the meeting and as soon after its commencement disclose the fact and shall not take part in the consideration or discussion of the contract or other matter or vote on any question with respect to it.

The Secretary to the Governing Body shall record the name of the Member and the nature of the interest in the minutes of the meeting of the Governing Body or Committee at which the interest was declared.

**These Standing Orders shall be reviewed every two years or sooner if required**

**Revision Date September 2023**

### **Freedom of Information Exemption Categories Considered Relevant to the Work of the Governing Body and its Committees**

#### **Exemption categories**

The most relevant exemption categories for the Governing Body and its Committees are as follows, and agenda items should be placed in Reserved Business if they deal with:

#### **Personal data**

This category covers information about any named or identifiable living person. Personal data is protected by the Data Protection Act, which makes it unlawful to transfer or release certain types of personal information. This is reflected in Section 40 of the Freedom of Information Act, which allows personal data to be withheld if its release to a third party would contravene the Data Protection Act. Some personal information dealt with by can be treated as Unreserved Business, whilst some should be treated as Reserved Business because placing it in the public domain, such as on the University College's website, would breach the Data Protection Act. The Information Commissioner, as the authority which regulates Freedom of Information and Data Protection, has suggested that public bodies can release certain types of personal information in response to Freedom of Information requests, because doing so does not contravene the principles of the Data Protection Act and is in the interests of public accountability.

Based on this guidance, it is appropriate for the following types of personal information to be placed on the Unreserved agenda and recorded in the Unreserved minutes:

- i. routine notices of the appointment, departure or promotion of staff (but not details of the reasons for such events)
- ii. basic information about the job titles, roles, duties and responsibilities of staff, and their work contact details
- iii. grades and salary bands of staff (but NOT specific salaries, except for staff earning over £100,000 where the Information Commissioner suggests the disclosure of salaries in £10,000 bands)
- iv. minor references to individuals which do not convey anything substantive about them
- v. personal information which is already in the public domain, such as on the University College website
- v. information about the decisions or actions of individuals that are taken in a work or official capacity (e.g. as a Committee member), unless it is covered by another exemption category. Other types of personal information which come before the Governing Body/a Committee should be placed on the Reserved agenda and recorded in the Reserved minutes, as releasing it

could breach the privacy rights of individuals under the Data Protection Act. Examples of personal information that should always be treated as Reserved Business include:

- a) sensitive employment-related information about individual staff, such as grievance, discipline, or performance issues.
- b) sensitive information about the health, welfare or personal lives of individuals.
- c) information about individual students, such as academic progress, examination performance, or disciplinary matters. Occasionally there may be discussion about specific post titles rather than named individuals, and this will not necessarily amount to personal data; for example, discussing the case for the creation of a new post will not involve personal data because no one has yet been appointed to it. On the other hand, information about a post will involve personal information if the post can be associated with a named individual through sources such as the University College website. Whether the discussion of a specific post should be placed in Unreserved or Reserved business will inevitably depend on the individual circumstances and the wider context outlined above.
- d) Commercial Interests. This category covers information which, if released, could harm the commercial interests of the University College or another organisation. Examples include: discussion of forthcoming contracts, negotiations or purchases; details of ongoing negotiations (e.g. involving contracts or purchases), where release of the information might jeopardise the negotiations or the University College's bargaining position; sensitive operational information, trade secrets or pricing details received from suppliers, tenderers or contractors; information which might be of value to a competitor, such as information about the University College's student recruitment or commercial activities, or its plans to expand in a particular area.

Agenda items which involve such information should be placed in Reserved Business, as the information may be exempt under Section 43 of the Freedom of Information Act. It is unlikely that the disclosure of high-level financial information about the University College's income and expenditure would normally be regarded as harming its commercial interests, but a detailed breakdown of financial information might be exempt if, for example, it disclosed the price charged by a supplier, or the salary of an individual (see Personal Data above).

- e) information provided in confidence. This category covers information which: i. has been supplied by an organisation or individual outside the University College (including another HEI); and ii. the information is not in the public domain; and iii. the University College does not have permission to make the information available; and iv. the supplier of the information has indicated that they regard it as confidential; or v. a

reasonable person would assume that permission should be sought before making the information publicly available.

- f) **Health and Safety** This category covers information which, if released, might endanger the physical or mental health or safety of any person. This might occur, for example, if there was a risk that placing the information in the public domain would expose an individual to threats. Agenda items which involve such information should be placed in Reserved Business, as the information may be exempt under Section 38 of the Freedom of Information Act.
- g). **Law enforcement.** This category covers a wide range of law enforcement interests, and whether these could be prejudiced by the disclosure of certain types of information. In the University College's context this is most likely to involve information which could prejudice the prevention and detection of crime, for example by: i. revealing details of security arrangements, procedures and monitoring systems ii. revealing details of financial procedures and processes, which might make it easier for someone to commit fraudulent acts against the University College iii. compromising IT security systems and protocols. Agenda items which involve such information should be placed in Reserved Business as the information may be exempt under Section 31 of the Freedom of Information Act.
- h) **Information intended for future publication.** This category covers information which may be exempt from disclosure in response to an FOI request because it is already intended for publication by the University College at a later date. This could include, for example, financial information which is intended to be published in the Financial Statements, or the intended publication of the findings from a research project. The intention to publish at a later date (and within a reasonable timescale) must already be in place at the time the request is received, even if the exact date of publication is still to be decided, and it must be deemed to be reasonable in all the circumstances to withhold the information until the date of publication. Agenda items which involve such information should be placed in Reserved Business as the information may be exempt under Section 22 of the Freedom of Information Act.
- i). **Legally privileged information.** This category covers information about legal advice provided to the University College or another organisation, or communications with the University College's legal advisers or representatives. Agenda items which involve such information should be placed in Reserved Business as the information may be exempt under Section 42 of the Freedom of Information Act.
- j) **Prejudice to the free and frank provision of advice, exchange of views for deliberation or effective conduct of public affairs.** Section 36 of the Freedom of Information Act makes provision for information to be withheld if releasing it would prejudice "the free and frank provision of advice", "the free and frank exchange of views for the purposes of



deliberation" or "the effective conduct of public affairs". It might be appropriate to use this exemption to place in Reserved Business high-level strategic or policy discussions (e.g. about the future of the University College), if placing the record of those discussions in the public domain would constrain either those discussions or similar discussions in the future. This exemption is rarely used, as it is necessary to make a very strong case in order to use it in response to a Freedom of Information request. It is most likely to apply to a detailed record of what was said at a meeting, and by whom, rather than to what was decided at the meeting. As the aim is to produce minutes that are brief and concise, and to record decisions rather than provide detailed accounts of discussions, this exemption should rarely be applicable.