College Policy on the Categorisation of Committee Business

1. Introduction

1.1 In line with the Freedom of Information Act 2000, Queen Mary, along with other HEIs, is a ‘public authority’ and is obliged to have open and transparent systems in place to exercise its duties for the general right of access to information it holds.

1.2 The College’s committee structure is where the major decisions relating to College business are discussed and determined. Papers presented to committees represent the substantive basis on which Council and its committees makes decisions, and the confirmed minutes of each meeting provide the formal College record of key discussions held and decisions reached. The ‘general right of access’ under FoI means that most information presented to and arising from College committees should be made available unless there is a specific entitlement or obligation to withhold that information under FoI or the Data Protection Act.

2. Categorisation of Committee Business

2.1 In order to have a clear system in place, each paper presented to Council should be assigned to one of the categories of Open, Confidential or Reserved Business.

2.2 Open Business

A paper designated ‘Open Business’ means that it the material is appropriate to be made available to all members of the College community, and by implication to the general public. In principle, this means that the paper is publishable on the College’s website, although this does not automatically mean that the paper will be made available and would instead be accessible through a request under Freedom of Information. When constructing an agenda if a paper is ‘Open’ this does not need to be specified, but by implication will be considered as such unless it has been designated Confidential or Reserved as in 2.3 and 2.4 below.

2.3 Confidential Business

A paper designated ‘Confidential’ means that a judgment has been made that a general right of access to the paper and its contents does not exist. Business judged to be confidential must be one of the following:

- Exempt under the Freedom of Information Act (see the College’s Freedom of Information Policy). Key exemptions not requiring a public interest test include personal information (see below) and information provided in confidence. Most of the College’s exemptions would be require a public interest test and include information intended for future publication, commercial interests, publication that would threaten the integrity of investigations and proceedings conducted by public authorities, endanger health and safety, security and Environmental Information available under the Environmental Information Regulations.
• Be ‘personal data’, as defined by the Data Protection Act, (see the College’s Data Protection Policy) which cannot be classified as Open Business (because it relates to a person other an a current student or staff member)

2.4 **Reserved Business**

A paper designated ‘Reserved’ Business relates to the personal affairs or discipline, complaint or other grievance-related matter of individual members of staff or students, such that the Data Protection Act (1998) would not normally permit disclosure other than to the individual who is the subject of the material (the Data Subject).

2.5 The record of discussions and decisions with respect of Reserved Business should be recorded in Restricted Minutes. The following Committees of the College should produce Restricted Minutes:

- Honorary Degrees and Fellowships Committee
- Remuneration Committee
- Staff Policy Committee (Extracts)

2.6 In addition, a number of Boards and Panels designated to deal with individual staff and student matters should have total or partial restricted Minutes, the key example of which are:

- Subject Examination Boards
- Degree Examination Boards
- Staff Discipline and Grievance Panels

2.7 The above committees, Boards and Panels should create separate Open minutes of any business where restricted access is not justified - for example minutes of procedural discussions, which are likely to be disclosable to the general public by law on request.

3. Changing the status of categorised business

3.1 There may be rare circumstances in which the status of a paper would change over time and/or if considered by more than one Committee. Instances for consideration would include:

- mis-designation in error to one of the three categories
- revision to a document that increased or reduced its confidentiality
- revision to a document that increased or reduced its commercial sensitivity
- the publication intentions for a document were modified.

4. **Interpretation and Application of the Policy**

4.1 Authors of papers hold primary responsibility for the designation of papers as Open, Confidential or Reserved Business according to this Policy, best placed as they are to make judgments on the content.

4.2 The Secretary of the Committee and staff in Council Secretariat will be able to provide advice on the interpretation and application of this Policy.
4.3 In the event that the Secretary or member of the Academic or Council Secretariat where this differs, will contact the author of the paper where further information or clarification is required.

4.4 The designation given to each paper should be indicated on the cover sheet paper, and agenda, for the purpose of transparency with the exception of ‘Open’ business which will be deemed such by implication.

5. Useful Reference Points and Further Reading


- Further advice on the interpretation of the Policy can be provided by Council Secretariat. Contact Adam Dawkins in the first instance.

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July 2009