**Briefing Note for Councillors on Sharing Information**

This Briefing Note is designed to ensure that you understand your duties around the issue of confidentiality relating to information you receive in your role as Councillor.

As a Councillor, you will receive official reports at Committee that you require to retain as private. However you may also receive confidential information informally, for example in meetings or correspondence with officers. Such information can be no less sensitive, private or confidential. You have duties under the [Councillors Code of Conduct](https://www.standardscommissionscotland.org.uk/codes-of-conduct/councillors-code-of-conduct) in section 3.21- 3.23 in respect of how you treat such information.

***Material/Information Shared by Officers with Councillors***

You will receive information from officers all the time as a Councillor by way of telephone calls, e-mails, texts, letters, Reports, Policies, Procedures, Committee Reports, Briefing Notes, Information Meetings, Ward Meetings, Social Media and so on.

Much of the information that officers share with you will be public information, but there will be circumstances where the information shared is confidential. Officers will endeavour to ensure that we make it clear to you, as Councillors, that such information is confidential and why it cannot be shared. However you should be mindful of any information you receive and where you have concerns that information may be confidential you should seek clarification from officers.

**Any information that you receive as a Councillor of which you have been advised it is confidential, must not be shared with you unless you have received the prior written consent of the appropriate Council Officer. Doing so may mean that you breach the requirements of the Code of Conduct and/or the Data Protection legislation and may adversely impact on the business or reputation of the Council.**

***What about Information Shared by Councillors with Officers?***

Sometimes as a Councillor, you will contact an officer, often with a matter raised by a constituent. If you advise the officer that the correspondence is confidential, the Officer should only conduct what investigations are absolutely necessary and only reply to you.

Where you, as a Councillor, do not mark your correspondence as confidential, or where in responding, an officer has information that may be relevant to other Councillors representing the local ward, for example, the Council has guidelines for officers which will be applied.

***What Should I Do If I Am Not Sure Whether Information is Confidential or Not?***

If you are in any doubt, please feel free to discuss confidentiality, or your obligations as a Councillor, with one of the solicitors in the Governance Team.

***What Should I Do if I Divulge Information that Should Not Have Been Disclosed?***

Where confidential information is divulged you should contact one of the solicitors in the Governance Team as quickly as possible so that assistance or a follow up meeting can be arranged.