

LTC12D014

Title: Reserved Areas of Business and Confidentiality
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Issue

Statement on the University's reserved areas of business and confidentiality.

Recommendation

None.

Resource Implications

Not relevant

Equality and Diversity

Not relevant.

Timing of decisions

Not relevant.

Further Information

Further information is available from, Mrs Rebecca Phillips, tel. 01603 593203, email rebecca.phillips@uea.ac.uk

Background

Not relevant

Discussion

1. Reserved Areas of Business

To report

(1) that the Council (4 July 1977 : Minute 143(5)) and the Senate (15 June 1977 : Minute 254(5)) have adopted the following convention of operation of reserved areas of business (ie business in which a student may not participate) which incorporates the definition included in the University's Statutes:

"(a) In any case where a student is a member of, or is admitted to any meeting of, the Court, the Council, the Senate or any other body established under or in accordance with the Charter and Statutes of the University, the student shall not receive papers or be concerned

with discussion on appointments, promotions and matters affecting the personal position of employees of the University or the admission and academic assessment of students whether in general or in any particular case. Such matters shall be declared "reserved areas of business", ie business in which a student may not participate: "Students should, however, have opportunities to discuss the general principles involved in such decisions and have their views properly considered." (CVCP/NUS Joint Statement, October 1968.)

- (b) The student shall withdraw from the meeting when it is declared by the chair of the meeting that the meeting is about to discuss a reserved area of business and shall not return to the meeting until the discussion on the reserved area of business is concluded.
 - (c) Subject to the matters referred to in (1) above and to any instructions or guiding principles laid down from time to time by or on behalf of the Council and/or Senate, the chair of the meeting may decide in any case of doubt whether a matter is a reserved area of business or not but this shall be construed benevolently and the chairs' decision shall be final."
- (2) that the Council (6 July 1981 : Minute 103(2)) and the Senate (17 June 1981 : Minute 201(2)), in relation to reserved areas of business, have adopted the following code of practice for chairs and secretaries of University boards and committees on which students are represented.
- (a) Care must be taken over the decision as to whether or not an item is to be classified as confidential and reserved. Whole items or papers should not be marked reserved when only parts are in that category. If doubt exists, secretaries should refer to the Registrar and Secretary or the latter's representative.
 - (b) Chairs and secretaries should consider whether items might properly be classified confidential rather than confidential and reserved. Student members of committees are bound by the rules of confidentiality in the same way as all other members.
 - (c) The definition urges chairs to be benevolent in their decisions as to whether or not an item is to be regarded as reserved, and it is important that chairs and secretaries attempt to ensure an equitable and consistent interpretation of the definition of reserved areas of business.
 - (d) The definition makes it clear that student members should have the opportunity to discuss the general principles involved in items in reserved areas and to have their views properly considered. For example:
 - (i) while the selection of individual students for admission is not a matter for students, they should be able to participate in other admissions business such as arrangements for group visits and interviews, departmental brochures, etc.
 - (ii) in relation to academic assessment, students should know how they are to be assessed, what pieces of work, for example, are to count towards the assessment, how they will be weighted, etc and students should be allowed to attend for general discussion of such business. Student members should also be allowed to attend discussion of overview reports on the outcome of assessment procedures, provided these reports do not refer to any individual students.

- (e) Opportunities for student committee members to discuss the general principles involved in reserved items should be made consistently available in order to avoid unnecessary suspicion and frustration. Chairs and/or secretaries should arrange to discuss with student members of committees the nature of any reserved items on an agenda before the relevant meeting.

2. Confidentiality

To report

that there are three types of classified documents in the University:

- (1) **Confidential** (printed on blue paper): papers which members of a statutory body or committee may retain but which they must not show to others or use as a background for general discussion without the approval of the body concerned, even when the decisions have been published.
- (2) **Confidential and reserved** (printed on yellow paper): as category (1) but in addition falling within the category of "reserved areas of business" as defined by the Council and the Senate (see item 1 above).
- (3) **Secret** (printed on pink paper): papers which a member of a statutory body or committee may not retain. Such papers will be issued to members at the meeting and collected from them before they leave the meeting. On no account shall the contents of these papers be discussed or made known even when the decisions have been published.

Members of a statutory body should note that they have a personal responsibility for safeguarding the confidentiality of documents and for the safekeeping of committee papers, which should be kept under lock and key.