



## COLWICH PARISH COUNCIL

### **MINUTES OF THE COMPLAINTS COMMITTEE HEARING HELD ON MONDAY 4<sup>TH</sup> AUGUST 2025 AT THE PARISH CENTRE, ST. MARY'S ROAD, LITTLE HAYWOOD, COMMENCING AT 7:30PM.**

**PRESENT** (For all or part of the hearing): Cllr Dunn, Cllr B Forster, Cllr M Forster and Cllr Hill.

**IN ATTENDANCE** (representing the Council): Revd Mr Lennon FSLCC (Chief Officer and Responsible Financial Officer).

**PUBLIC PRESENT:** Four members of the public were present including the two complainants.

### **MINUTES**

Cllr Dunn introduced himself and noted that neither the Chairman nor Vice Chairman of the Council were able to be present due to prior engagements.

Cllr Dunn invited any comments from the public. The only response was from the first complainant which Cllr Dunn noted would be addressed under item 7/25C.

Cllr Dunn, with the agreement of the Committee, noted that the meeting would be held in public as long as no mention is made of individual salaries of officials.

Cllr Dunn introduced the other members of the Hearing Committee.

#### **7/25C THE COUNCIL'S DECISION NOT TO RELEASE SALARY DETAILS OF STAFF.**

The complainant noted that they were seeking information in line with the Local Government Transparency Code 2015 (see FOI 09/25 refers) section 48:

*Local authorities are already required to publish, under the Accounts and Audit Regulations 2015<sup>[\[footnote 41\]](#)</sup>:*

- *the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000*

The Committee asked how the request differs from other decision by the Information Commissioners Office including reference IC-210797-C4RS (Broseley Town Council).

The complainant noted that they did not see how this relates.

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**DATE: 4<sup>TH</sup> SEPTEMBER 2025**

The Chief Officer (CO) provided a history of the request from March 2025 (FOI 01/25) and June 2025 (FOI 09/25). The CO referred to the Transparency Code notably paragraphs 15

*“Where local authorities are disclosing information which potentially engages the Data Protection Act 1998, they must ensure that the publication of that information is compliant with the provisions of that Act.”*

and paragraph 16

*“For other situations where information held by local authorities contains public data which cannot be disclosed in a Data Protection Act compliant manner, the Information Commissioner’s Office has published guidance on anonymisation of datasets, enabling publication of data which can yield insights to support public service improvement, whilst safeguarding individuals’ privacy.”*

The CO then referred the hearing to the ICO’s code *“Anonymisation: Managing data protection code of practice”* which states:

*“2. Anonymisation ensures that the risk of identification is sufficiently remote to minimise the risks to people arising from the use of their information.*

*3. Identifiability is a wide concept. A person can be identifiable from many factors that can distinguish them from someone else, not just a name.”*

The CO confirmed that the method used by Colwich Parish Council for reporting staff salaries, along with the Council’s National Insurance and Pension contributions, as a single figure is in line with ICO guidance on anonymisation and paragraphs 15 and 16 of the Transparency Code. This is the usual method followed by Parish and Town Councils.

The CO reiterated that under section 17 of the Freedom of Information Act the Council neither confirms nor denies that salary paid to any official meets the criteria mentioned in section 48 of the Transparency Code as this would contravene section 15 and 16 as well as section 40(2) of the Freedom of Information Act due to the size of the Council as detailed in the example shown in paragraph 17 of the Broseley Town Council decision. The CO noted that should the Council release any identifiable personal data on officials’ remuneration then it would need to refer itself to the ICO for a breach of Data Protection.

Cllr Dunn noted that any referral to the ICO for a data breach may well result in a fine which would need to be covered from the public purse i.e. the Precept.

Following questions and answers from the Committee and the complainant the Committee made the following ruling:

**The Complainant has not made the case to persuade the Hearing Committee that the Chief Officer erred in his decision on FOI 09/25. The Committee, therefore, agrees with the Chief Officer that Colwich Parish Council, under Section 17 of the Freedom of Information Act, can neither**

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**confirm nor denying that any official meets the criteria within the original request or complaint request. Moreover, the Council agrees that, as the Council employs only 7 officials, to release pay details, in £5,000 bands, would be to provide personal data which could be used to identify an individual and is, therefore, exempt under section 40(2) of the Freedom of Information Act and section 2 of the Data Protection Act 2018.**

Cllr Dunn noted the options available to the complainant if they disagreed with the hearing's decision:

- 1) Appeal to the Full Council in line with paragraph 4.12 of the Council's Complaints Procedure (PD041).**
- 2) Appeal to the Information Commissioners Office.**

**8/25C THE COUNCIL'S RESPONSE THAT THERE IS NO ERROR IN THE SPRING 2025 NEWSLETTER BUDGET FIGURES.**

The complainant noted that they initially believed there was an error in the published budget. They now accept that this is not the case. However, the response received from the CO is confusing and the figures presented for 2024/25 and 2025/26 are inconsistent.

The CO explained the Council's position that the 2024/25 published figures were after deductions, so as to remove the notional amount included for s106 Developer Contributions at the JPF. As no such notional amount was included in the 2025/26 budget then the top line figure was included before any income or use of reserves were considered.

Following questions and answers the Complaints Committee made the following ruling:

**There is no error nor inconsistency but only a different way of presenting the 2024/25 and 2025/26 figures.**

**The Council will add a clarification note in the next Newsletter.**

**The Committee will write to the Chairman of the Council asking that they clarify the figures as part of the Parish Assembly on 8<sup>th</sup> September 2025.**

The complainant confirmed their agreement with this decision.

The meeting closed at 8:43pm