

Board Meeting Paper	
Nov 14 BM 13.0	
Purpose of report	<input checked="" type="checkbox"/> Decision ¹ <input type="checkbox"/> Discussion / debate <input type="checkbox"/> Information only ²
Sensitive Information?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If sensitive, protective marking³	OFFICIAL-SENSITIVE: COMMERCIAL
Date of Meeting	13/11/2013
Agenda Item	13
RAILWAYS ACT 2005 (as amended) - LOCAL TRANSPORT ACT 2008 The Passengers' Council (Non-Railway Functions) Order 2010 Resolution of the Passengers' Council (operating as Passenger Focus)	



Explanatory Note⁴

The law **requires** that Board meetings of Passenger Focus are open to the public, but that the public **must** be excluded where any item of business is confidential. Confidential business is defined as being:

- Business where information provided in confidence to Passenger Focus by the Secretary of State or Office of Rail Regulation would be disclosed.
- Business where information relating to the affairs of an individual or organisation would be disclosed, and where such disclosure would 'seriously and prejudicially' affect their interests
- Business which is, by order, specified as such by the Secretary of State

In addition, the Board of Passenger Focus may, by resolution, and provided that the reason is stated, determine that because of the confidential nature of the item of business, it is in the public interest that the public be excluded during that item. The Board must also take full account of the protection of confidential information provisions in respect of any investigations it has carried out under sections 112E and 112F of the Transport Act 1985 (provisions retro-conferred under the above cited legislation). In practice, Passenger Focus will always go into private session by resolution, for whatever reason.

Date of Board Meeting	13 November 2014
Venue	Copthorne Hotel, Birmingham

RESOLVED

that, pursuant to the statutory provisions governing procedure, members of the public shall be excluded from the meeting for the items set out below having regard to the confidential nature of the business:

Item	Description	Reason for conducting business in private session (if appropriate)
13.1	ICT contract award	Comercially confidential: the affairs of an individual or organisations will be disclosed, and such disclosure may 'seriously and prejudicially' affect their interests.
09.1	Remcom	OFFICIAL-SENSITIVE MANAGEMENT/STAFF
Proposed by		
Seconded by		

Signed:

 Colin Foxall CBE
 Chairman, Passenger Focus

 13 November 2014
 Date

¹ If a decision is required, or you are asking for the paper to be formally noted, please set this out in section 2

² If for information only, please make clear in section 1 **why** this information is being provided

³ ie **OFFICIAL/SENSITIVE**: plus COMMERCIAL / POLICY / MANAGEMENT-STAFF / PERSONAL PROTECT

⁴ This is a summary of the provisions with respect to the admission of the public to meetings. For full details, please refer to Schedule 5, Part 6 of the Railways Act 2005 (as amended) and the Passengers' Council (Non-Railway Functions) Order 2010

