

3rd May 2013

I write following your FOI request dated 20.3.13 in which you request;

On the 7th January 2013 you informed me that "Currently there are a number of negotiations taking place on this matter and at present it has not been concluded. Once such matters have been finalised this information would be available to the public"

Under the Freedom of Information Act would you please inform me if the negotiations have been concluded and the resultant financial settlement Mr Stuart Pudney received and if any gagging order was part of the financial settlement.

This request has been handled under the Freedom of Information Act 2000.

Regarding your request I can now inform you that I have completed my enquiries and that my reply on behalf of the Office of the Police and Crime Commissioner for Cleveland is as follows.

I can confirm that the Office of the Police and Crime Commissioner for Cleveland does hold some of this information.

I can confirm that the financial settlement has been concluded.

Regarding the financial settlement Mr Pudney received I am refusing your request under s22(1) of the FOIA – 'Information intended for future publication'.

The Public Interest Test

In considering the Public Interest Test I have had regard to the presumption in favour of disclosure, unless there is a good reason not to, the requirement to demonstrate accountability and transparency in the spending of public funds, enhancing decision making and participation in public life.

Conversely, the arguments against disclosure include the likelihood that the information intended for publication would be released before the Police and Crime Commissioner's Independent Audit Committee had had the opportunity to give assurances to the Commissioner that publication, in this case the Statement of Accounts, were acceptable to be audited, as under the 'Audit and Accounts Regulations 2011'.

The FOIA informs that it is good practice to inform the requester of the likely publication date.

The Independent Audit Committee is to meet on 27th June 2013 and should the Audit Committee agree, the information will be available after this. There will be a public notice sent to the local media prior to this meeting and this will read something similar to the following;

*Audit Commission Act 1998
Accounts and Audit Regulations 2011*

