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What guidance is issued to council officials regarding legal privilege and what information can be disclosed on the case or other matters involving that party.

When councillors are first elected, they receive training from Legal Services on their duties as elected members. During these sessions the concept of legal privilege is explained, and it will be highlighted to councillors that any legal advice that councillors receive is subject to legal professional privilege and subsequently what that means in practice.

For example, would council legal privilege guidance advise officers not to provide information on a constituent's case to a councillor?

Legal professional privilege is a principle observed by all practising legal professionals in Scotland. This means that client confidentiality will be maintained unless the instructing client waives this confidentiality explicitly. Legal services follow the same standard of legal professional privilege as expected by the [Law Society of Scotland](#) and therefore legal officers are unable to disclose information which is confidential to parties who are not directly involved in matters. Legal services do not discuss cases with councillors if the councillors are not instructing on the matter and are not involved.