

Information relating to the pay raise consideration

This article is an appeal against the order prohibiting the disclosure of information regarding the procedures for considering a pay raise for the civil servant in the Municipality. Let's see whether such information shall be disclosed and how it shall be disclosed.

Mr. Wutthipong, the former Municipal Clerk of Lam Plai Town Municipality, who has been transferred to the position of Municipal Clerk of Thung Luang Town Municipality on 4th April 2024, filed a document to Lam Plai Town Municipality requesting information regarding the 1st cycle of performance appraisal (1st October 2023 - 31st March 2024) which the appraisal result was approved by the Mayor on 19th April 2024, and issued following the order concerning pay raise consideration on 22nd April 2024. The requested information consist of (1) the Memorandum of the Proposals for the Pay Raise Consideration (2) the Order of the Appointment of the Performance Appraisal Committee (3) the criteria and conditions for the performance appraisal (4) related Committee's meeting minutes (5) the Announcement of Lam Plai Town Municipality regarding the consideration of the Pay Raise Screening Committee, and (6) the performance appraisal form of Lam Plai Town Municipality's civil servants and officials. Lam Plai Town Municipality agreed to disclose parts of the requested information, while refusing to disclose the minutes of the Pay Raise Screening Committee meeting and minutes of the Performance Appraisal Committee meeting for the reason that Mr. Wutthipong is not the direct stakeholder of such information, and the requested information contained personal information under Section 15 Paragraph 1 (5) of the Official Information Act, B.E. 2540 (1997). Therefore, Mr. Wutthipong filed an appeal letter to the Information Disclosure Commissioner.

The Information Disclosure Commissioner, relating to society, public administration, and law enforcement, concluded that since the appraisal has been completed, the disclosure of the information as appealed will not result in a decline in law enforcement efficiency or failure to achieve its objectives, as per Section 15, Paragraph 1 (2) of the Official Information Act, B.E. 2540 (1997). At the time of the event, Mr. Wutthipong held the position of Municipal Clerk of Lam Plai Town Municipality, making him an appraiser, an employee being appraised, a higher-level supervisor, and the chairperson of the Screening Committee. Therefore, Mr. Wutthipong is considered a direct stakeholder for disclosing the requested information. After considering the performance of the state agency's duties, public interests, and the interests of the private individuals concerned, the Commissioner decided that information shall be disclosed, including information (1) - (3), only the minutes of the meeting on 26th March 2024 of information (4), and information (5). According to Section 15, Paragraph 1 (5) of the Official Information Act, B.E. 2540 (1997), the disclosure of the rest of the requested information could result in an inappropriate encroachment upon privacy rights. Therefore, the minutes of the meeting on 19th April 2024 of information (4) shall be disclosed with the redaction of names, surnames, and the position of the Committee members who gave an opinion in the meeting. Moreover, the performance appraisal form of the information (6) shall be disclosed with the redaction of the identification number.

Should there be any inquiries on practices regarding the Official Information Act, B.E. 2540 (1997), please contact the Office of the Official Information Commission, the Office of Permanent Secretary, the Prime Minister's Office via telephone at 0 2283 4678-79.

"To disclose is the key, to conceal is the exemption"