# FORWARD PLAN OF KEY DECISIONS 1 December 2024 – 28 February 2025

This is formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of Key Decisions due to be taken by the Authority and of those parts of the Cabinet meeting identified in this Forward Plan will be held in private because the agenda and reports for the meeting will contain confidential or exempt information as defined in the Local Government Act 1972.

Contact Information:-

**Democratic Services Riverside House** Main Street Rotherham S60 1AE

governance@rotherham.gov.uk Email: Tel: 01709 822477



## Updated: 1 December 2024

## What is the Forward Plan?

The Forward Plan contains all the key decisions the Council expects to take over the next three months. It will be refreshed monthly and will give at least 28 days' notice of any Key Decisions and, if applicable, the Cabinet's intention to discuss an item in private. This gives you the opportunity to submit relevant documents to the decision maker concerning any individual Key Decisions and draws to your attention any relevant constitution process.

## What is a Key Decision?

A Key Decision is one which is likely to:-

- relate to the capital or revenue budget framework that is reserved to the Council, or
- result in income, expenditure or savings of £400,000 or greater, or •
- have a significant effect on two or more wards •

A Key Decision can be made by the Cabinet. The Forward Plan also includes some matters which are not Key Decisions under the heading "Decisions which are not Key Decisions".

## What does the Forward Plan tell me?

The plan gives information about:

- what key decisions are to be made in the next three months.
- the matter in respect of which the decision is to be made.
- who will make the key decisions.
- when those key decisions are likely to be made.
- what documents will be considered.
- who you can contact for further information. •

### Who takes Key Decisions?

Under the Authority's Constitution, Key Decisions are taken by the Cabinet. Key Decisions are taken at public meetings of the Cabinet. The Cabinet meets once a month on a Monday at 10.00am at Rotherham Town Hall. Meeting dates for 2022/23 are:

20 June 2022	19 September 2022	21 November 2022	23 January 2023	20 March 2023	15 May 2023
11 July 2022	17 October 2022	19 December 2022	13 February 2023	24 April 2023	

### Further information and Representations about items proposed to be heard in Private

Names of contact officers are included in the Plan.

If you wish to make representations that a decision which is proposed to be heard in private should instead be dealt with in public, you should contact Democratic Services by no later than five clear working days before the meeting. At the end of this document are extracts from the Local Government Act 1972 setting out the descriptions of information which may be classed as "exempt", and the definition of confidential information.

### The members of the Cabinet and their areas of responsibility are: -

Councillor Chris Read	Leader of the Council
Councillor Sarah Allen	Deputy Leader and Cabinet Member for Neighbourhood Working
Councillor Saghir Alam	Cabinet Member for Corporate Services, Community Safety and Finance
Councillor Dominic Beck	Cabinet Member for Transport and Environment
Councillor Amy Brookes	Cabinet Member for Housing
Councillor Victoria Cusworth	Cabinet Member for Children and Young People
Councillor Denise Lelliott	Cabinet Member for Jobs and Local Economy
Councillor David Roche	Cabinet Member for Adult Social Care and Health
Councillor David Sheppard	Cabinet Member for Social Inclusion

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Direct furthe
KEY DECISIONS TO BE	TAKEN ON 1	6 DECEMBER 2024						
ADULT CARE, HOUSING	AND PUBLI	C HEALTH						
HRA Business Plan, Rent Setting and Service Charges 2025- 26	October 2024	To recommend to Council approval of the HRA 2025-26 business plan and associated rents, fees and services charges for 2025-26.	Cabinet Member for Housing	Cabinet Member, Ward Members and tenant representatives.	Report and appendices	All Wards	Open	lan Spie Tel: 01 ian.spic
ASSISTANT CHIEF EXE	CUTIVE							
Community Recovery Fund	November 2024	To approve the allocations of the Government Grant Funding.	Leader of the Council	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Jo Brov Tel: 017 jo.brow
CHILDREN AND YOUNG	PEOPLE'S S	SERVICES						
Special Educational Needs and Disabilities Sufficiency Planning at Newman School	November 2024	To approve capital investment at Newman School to provide sufficiency of accommodation and contribute towards the improved condition of the school site.	Cabinet Member for Children and Young People	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Nicola ( nicola.c
FINANCE AND CUSTOM	IER SERVICE	S						
Medium Term Financial Strategy Update	August 2024	To note the updates to the Council's Medium Term Financial Strategy.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Judith E Tel: 017 judith.b
REGENERATION AND E	NVIRONMEN	т						
Borough wide and Town Centre Public Space Protection Orders (PSPO's)	October 2024	To approve the Boroughwide and Town Centre PSPO's.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Judith E Tel: 017 judith.b

s the decision to be made in private	Directorate and contact for further information
Open	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
Open	Nicola Curley nicola.curley@rotherham.gov.uk
Dpen	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private
Refreshing the Health and Safety Policy	October 2024	To approve the refreshed Health and Safety Policy.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Officers, Cabinet Members and relevant Ward Members.	Report and appendices	All Wards	Open
Indicative Highway Repair Programme 2024/25 - Additional Schemes	November 2024	To approve the proposed additional roads to be added to the Highway Repair Programme 2024/2025.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
Waste Collections Policy	August 2024	To approve the revised Waste Collections Policy.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
Our Places Fund	August 2024	To agree to the allocation of the Our Places Fund and the subsequent implementation of projects.	Deputy Leader and Cabinet Member for Social Inclusion & Neighbourhood Working	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
CHILDREN AND YOUNG	<b>PEOPLE'S S</b>	SERVICES	Cabinet	Relevant Members,	Report and	All Wards	Open
Scrutiny Review Recommendations - Preparation for Adulthood	2024	Improving Lives Select Commission Review Recommendations – Preparation for Adulthood.	Member for Children and Young People	Officers and Stakeholders.	appendices		Ореп
FINANCE AND CUSTOM	IER SERVICE	S					
Building Compliance Policies	November 2024	To approve the updated Compliance Policies for Fire and Legionella in relation to Council Buildings.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
New Applications for Business Rates Relief for Arc Church	October 2024	To consider the recommendations for a new application for Business Rates discretionary relief.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report	All Wards	Open

Directorate and contact for further information
 lan Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
 Andrew Bramidge
Andrew.Bramidge@rotherham.gov.uk
Andrew Bramidge
Andrew.Bramidge@rotherham.gov.uk
Andrew Bramidge
Andrew.Bramidge@rotherham.gov.uk

Nicola Curley

nicola.curley@rotherham.gov.uk

Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate further info
KEY DECISIONS TO BE	TAKEN ON 2	20 JANUARY 2025						
ADULT CARE, HOUSING	G AND PUBL	IC HEALTH						
Re-commissioning of Rotherham's Domestic Abuse Refuge	December 2024	To re-commission and undertake a procurement exercise for Rotherham's Domestic Abuse Refuge.	Cabinet Member for Adult Social Care and Health	Cabinet Member and relevant Members.	Report and appendices	All Wards	Open	lan Spicer Tel: 01709 2 ian.spicer@r
FINANCE AND CUSTON	IER SERVICE	ES						
November 2024-25 Financial Monitoring Report	November 2024	To note the current revenue and capital monitoring position and agree any required actions.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Judith Badge Tel: 01709 82 judith.badger
Property Transactions	August 2024	To consider any recommendations for property transactions, including disposals, acquisitions, leases and licenses.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report	All Wards	Open	Judith Badge Tel: 01709 8 judith.badger
REGENERATION AND E	ENVIRONMEN	іт						
Bassingthorpe Farm Supplementary Planning Document	November 2024	To approve the draft Supplementary Planning Document for public consultation and to give authority to explore a collaborative working agreement.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Officers and Cabinet Member.	Report and appendices	Greasbrough; Rawmarsh West; Rotherham West	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Andrew Bran

ne ision e le in ate	Directorate and contact for further information
n	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
n	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
n	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
exempt mation ing to inancial usiness rs of any cular on uding the ority ing that mation)	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk

Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private
December 2024	To adopt the proposed policy for the management of Archives and Local Studies Collections and delegate future alterations and updates to the Policy to the Assistant Director in consultation with the Cabinet Member, in line with other collections management policies.	Deputy Leader and Cabinet Member for Social Inclusion & Neighbourhood Working	Relevant Members, Officers and Stakeholders	Report and appendices	All Wards	Open
D BE TAKEN	ON 20 JANUARY 2025					
AND PUBLI	C HEALTH					
November 2024	To update on Housing Service delivery against the social housing regulations.	Cabinet Member for Housing	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Open
CUTIVE						
November 2024	Report on progress against Council Plan performance and the Year Ahead Delivery Plan for 2024-25.	Leader of the Council	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
November 2024	To receive the report and note the recommendations from the Children's Commissioner's Takeover Challenge – Health and Wellbeing.	Cabinet Member for Adult Social Care and Health	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
ER SERVICE	S					
		Cabinet	Relevant Members,	Report and appendices	All Wards	Open
	the Forward Plan December 2024 DBE TAKEN November 2024 CUTIVE November 2024 November 2024	the Forward PlanTo adopt the proposed policy for the management of Archives and Local Studies Collections and delegate future alterations and updates to the Policy to the Assistant Director in consultation with the Cabinet Member, in line with other collections management policies.DEE TAKEN ON 20 JANUARY 2025CHE TAKEN ON 20 JANUARY 2025AND PUBLIC HEALTHNovember 2024To update on Housing Service delivery against the social housing regulations.November 2024November 2024November 2024To receive the report and note the Year Ahead Delivery Plan for 2024-25.November 20242024To receive the report and note the recommendations from the Children's Commissioner's Takeover Challenge – Health	the Forward PlanTo adopt the proposed policy for the management of Archives and Local Studies Collections and delegate future alterations and updates to the Policy to the Assistant Director in consultation with the Cabinet Member, in line with other collections management policies.Deputy Leader and Cabinet Member for Social Inclusion & Neighbourhood WorkingDEE TAKEN ON 20 JANUARY 2025Deputy Leader and Cabinet Member, in line with other collections management policies.Deputy Leader and Cabinet Member for Social Inclusion & Neighbourhood WorkingDet E TAKEN ON 20 JANUARY 2025Deputy Leader and Cabinet Member Deputy Leader November 2024To update on Housing Service delivery against the social housing regulations.Cabinet Member for HousingNovember 2024To update on Housing Service delivery against the social housing regulations.Cabinet Member for HousingNovember 2024Report on progress against Council Plan performance and the Year Ahead Delivery Plan for 2024-25.Leader of the CouncilNovember 2024To receive the report and note the recommendations from the Children's Commissioner's Takeover Challenge – Health and Wellbeing.Cabinet Member for Aduit Social Care and Health	the Forward PlanTo adopt the proposed policy for the management of Archives and Local Studies Collections and delegate future alterations and updates to the Policy to the Assistant Director in consultation with the Cabinet Member, in line with other collections management policies.Deputy Leader and Cabinet Member for Social Inclusion & Neighbourhood WorkingRelevant Members, Officers and StakeholdersDe E TAKEN ON 20 JANUARY 2025Deputy Leader and cabinet Member to policies.Relevant Members, officers and StakeholdersNovember 2024To update on Housing Service delivery against the social housing regulations.Cabinet Member for HousingRelevant Members, officers and stakeholders.November 2024To update on Housing Service delivery against the social housing regulations.Cabinet Member for HousingRelevant Members, officers and stakeholders.November 2024Report on progress against Council Plan performance and the Year Ahead Delivery Plan for 2024-25.Leader of the Council Cabinet Member for HousingRelevant Members, Officers and Stakeholders.November 2024To receive the report and note the recommendations from the Children's Commissioner's Takeover Challenge – Health and Wellbeing.Cabinet Member for Adult Social Care and Health	the Forward PlanTo adopt the proposed policy for the management of Archives and Local Studies Collections and delegate future alterations and updates to the Policy to the Assistant Director in consultation with the collections and updates to the Policy to the Assistant Director in consultation management policies.Deputy Leader and Cabinet Member for Social Inclusion WorkingRelevant Members, Officers and StakeholdersReport and appendicesDetermine 2024To adopt the proposed policy for the Policy to the Assistant Director in consultation management policies.Deputy Leader and Cabinet Member for Housing Service Cabinet Member for Housing regulations.Relevant Members, officers and stakeholders.Report and appendicesNovember 2024To update on Housing Service delivery against the social housing regulations.Cabinet Member for HousingRelevant Members, officers and stakeholders.Report and appendicesNovember 2024Report on progress against Council Plan performance and the Year Ahead Delivery Plan for 2024-425.Leader of the CouncilRelevant Members, Officers and Stakeholders.Report and appendicesNovember 2024Report on progress against Council Plan performance and the Year Ahead Delivery Plan for 2024-425.Cabinet Member for Adut Social Cabinet for Adut Social Care and HeatthRelevant Members, Officers and Stakeholders.Report and appendicesNovember 2024Rerect collenge – Health and Weilbeing.Cabinet Member for Adut Social Care and HealthRelevant Members, Officers and Sta	ImageImageImageImageImageImageDecember 2024To adopt the proposed policy for the management of Archives and Local Studies Collections and updates to the Policy to the Assistant Director in consultation with the Cabinet Member, in line with other collections assistant Director in consultation & NorkingRelevant Members, Officers and StakeholdersReport and appendicesAll WardsDEE TAKEN ON 20 JANUARY 2025Deputy Leader Sciel Inclusion & with other collections orkingCabinet Member for Sciel Inclusion & NorkingRelevant Members, officers and StakeholdersReport and appendicesAll WardsNovember 2024To update on Housing Service delivery against the social housing regulations.Cabinet Member for HousingRelevant Members, officers and stakeholders.Report and appendicesAll Wards2024To update on Housing Service delivery against the social housing regulations.Cabinet Member for HousingRelevant Members, officers and stakeholders.Report and appendicesAll Wards2024To update on progress against the recommendations from the council the recommendation from the Council the recommendation from the Adult Social Care and HeatthCabinet Member for Adult Social Care and Stakeholders.Report and appendicesAll Wards2024To receive the report and note the recommendations from the Children's Commissioner's Takeover Challenge – Health and Weilbeing.Cabinet Member for Adult Social Care and Care and Meatholders.Report and appendices<

Directorate and contact for further information
Andrew Bramidge
Andrew.Bramidge@rotherham.gov.uk
lan Spicer

Tel: 01709 255992 ian.spicer@rotherham.gov.uk

Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk

Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk

Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

D	ecision title	Date added to the Forward	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in
		Plan						private

# CHILDREN AND YOUNG PEOPLE'S SERVICES

Special Education Needs and Disability (SEND) Sufficiency Update (Safety Valve)	December 2024	To provide the annual update on SEND sufficiency (Safety Valve).	Cabinet Member for Children and Young People	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
Special Educational Needs and Disabilities (SEND) Strategy & Alternative Provision (AP) Strategy	December 2024	To approve the Special Educational Needs and Disabilities (SEND) Strategy & Alternative Provision (AP) Strategy.	Cabinet Member for Children and Young People	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open

## FINANCE AND CUSTOMER SERVICES

Budget and Council Tax Report 2025-26	December 2024	<ul> <li>That Cabinet recommend to Council:</li> <li>To approve the Budget and Financial Strategy for 2025/26.</li> <li>To approve the updated Medium Term Financial Strategy (MTFS) to 2026/27.</li> <li>To approve the Reserves Strategy.</li> <li>To approve the proposed increase in Council Tax.</li> <li>To approve the Council's updated Capital Programme 2024/25 to 2026/27.</li> </ul>	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
December 2024/25 Financial Monitoring Report	December 2024	To note the current revenue and capital monitoring position and agree any required actions.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
Business Rates Discretionary Relief Renewals in 2025/26	December 2024	To consider the recommendation for the annual renewal applications for Business Rates Discretionary Relief.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open
Property Transactions	December 2024	To consider any recommendations for property transactions, including disposals, acquisitions, leases and licenses.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open

Directo	rate and	contact for
further	informat	ion

Nicola Curley

nicola.curley@rotherham.gov.uk

Nicola Curley

nicola.curley@rotherham.gov.uk

Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private
REGENERATION AND E	NVIRONMEN	іт					
Climate Emergency Annual Report	December 2024	Approve the Climate Change Action Plan noting the key achievements and opportunities summarised in this report.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant officers, Cabinet Member and relevant Ward Members.	Report and appendices	All Wards	Open
Highway Adoptions Procedure (Section 38 Highways Act 1980)	December 2024	To publish the procedure and guidance documents to assist developers wishing to enter the Section 38 process. Also to align fees and charges with our neighbouring local authorities.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant officers and Cabinet Member.	Report and appendices	All Wards	Open
Rotherham Employment and Skills Strategy	December 2024	To approve the Rotherham Employment and Skills Strategy.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Open
NON-KEY DECISIONS T	O BE TAKEN	ON 10 FEBRUARY 2025 OR LATE	ER				
ADULT CARE, HOUSING	G AND PUBLI	C HEALTH					
Housing Delivery Programme Report 2024-25 – Update	December 2024	To provide an update on the Housing Delivery Programme 2024/25 in accordance with the decision taken at July Cabinet.	Cabinet Member for Housing	Cabinet Member.	Report and appendices	All Wards	Part exemp Information relating to the financia or business affairs of ar particular person (including the authority holding that information
FINANCE AND CUSTOM	IER SERVICE	S					
New Application for Business Rates Relief	December 2024	To consider the recommendation for a new application for Business Rates discretionary relief.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open

n	Directorate and contact for further information
ı	
	Andrew Bramidge
	Andrew.Bramidge@rotherham.gov.uk
	Andrew Bramidge
	Andrew.Bramidge@rotherham.gov.uk
	Andrew Bramidge
	Andrew.Bramidge@rotherham.gov.uk
mpt on cial ess any r	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
g the	
hat on)	

Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

## LOCAL GOVERNMENT ACT 1972 SCHEDULE 12A ACCESS TO INFORMATION: EXEMPT INFORMATION PART 1 **DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND**

- 1. Information relating to any individual.
- 2. Information which is likely to reveal the identity of an individual.
- 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
- 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6. Information which reveals that the authority proposes
  - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - b. to make an order or direction under any enactment.
- 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

## PART 2 **QUALIFICATIONS: ENGLAND**

## Paragraphs 1-8 repealed.

- 9 Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- 10 Information which
  - a. falls within any of paragraphs 1 to 7 above; and
  - b. is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

## LOCAL GOVERNMENT ACT 1972 SECTION 100A(3) – DEFINITION OF CONFIDENTIAL INFORMATION

Confidential information means -

- a. information furnished to the council by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and
- b. information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court;

and, in either case, the reference to the obligation of confidence is to be construed accordingly.