Confidential Information and Business Policy

MC14-CP

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1. Purpose

The purpose of this policy is to ensure proper treatment and review of confidential information after consideration of confidential business at a council meeting.

2. Scope

This policy applies to information that was considered during or resulted from confidential business at a council meeting, including (but not limited to) the agenda, business papers, resolutions and minutes.

3. Objectives

In order to promote transparency and public confidence this policy is a clear statement that Council will cease the application of confidentiality to information when it is no longer necessary or appropriate.

4. Statement

4.1 Matters to remain confidential indefinitely

Any information that falls under the prescribed categories in regulation 51 of the *Local Government (General) Regulations 2021* must remain confidential until the reason for confidentiality no longer applies.

Confidential information is to be considered separately for the purposes of assessing whether or not the information is to remain confidential (for example, immediately releasing a resolution that is no longer confidential with related business papers remaining confidential for a specified period of time).

4.2 Consideration of confidential business

After the conclusion of the consideration of an item of confidential business, Council will decide whether confidential information is:
(a)   the type of confidential information that should no longer be confidential after a specified period of time; or
(b)   the type of confidential information that should be subject to periodic review to determine if it should no longer be confidential; or
(c)   the type of confidential information that should never become public or would remain confidential for a maximum period allowed under the Information Act 2002 (i.e. 30 years).

If Council resolves a specified period of time for the information to remain confidential (a), that information is to be publicly released after the expiry of that period of time (see clause 4.4).

If Council resolves that confidential information should be subject to periodic review to determine if it should no longer be confidential (b), that information will be added to the confidentiality review list (see clause 4.3).

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If Council resolves that confidential information should never become public (c), that information will be added to the confidentiality review list with periodic reviews to be conducted every 10 years.

4.3 Confidentiality review list

Council will maintain a list of confidential information to record the release or review date for any matters that are considered to no longer be confidential after a specified period or are to remain confidential for review at a subsequent date.

4.4 Public release of information

When information is no longer confidential, a notation will be put in the relevant document that the information is no longer confidential, on what date that decision was made, and where information about the matter that is no longer confidential can be accessed.

5 Policy Details

Replaces Policy	Not Applicable
Responsible Directorate/Department	Corporate Services – Governance and Compliance
Approval Date	24 February 2023
Minutes Reference and Resolution number	OCM Item # 15.4 – Resolution No OCM2023-016
Review Cycle	24 February 2027 – Review every four (4) years or after changes to relevant legislation.

6 Legislation and References

Related Legislation	*Local Government (General) Regulations 2021* – reg53
Related Policies	MC02-CP Meetings Policy
Related Procedures	MC02-P1 Council Meetings Procedure
Associated Documents	

7 Version control

Version No.	Approval Date	Policy No.	Minutes reference and Resolution number
1	24 February 2023	MC14-CP	OCM Item # 15.4 – OCM2023-016