



## Branch Executive Confidentiality

### Australian Education Union ACT Branch Policy

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|---------------|------------|-------------|------------|
| Policy Number | POL062     | Version     | 2.0        |
| Last Reviewed | 21/02/2018 | Next Review | 21/02/2020 |

#### INTRODUCTION

The Union is committed to openness, transparency, and accountability. This policy reflects the intention to release all information held as far as this is consistent with the protection of individual privacy, the effective management of the organisation, rules and relevant legislation.

#### PURPOSE

This policy is intended to regulate the release or retention of Branch Executive information and material by Branch Executive members.

#### POLICY

Branch Executive members shall be authorised to release to any person, any information or material that has not been identified by the Branch Executive as confidential. Branch Executive members must not release to any person, any information or material that has been ruled by the Branch Executive as confidential. Where confidential documents are tabled during a meeting of Branch Executive for meeting use only they are to be returned to the Branch Secretary prior to leaving the meeting. All members of Branch Executive shall be required to sign a Confidentiality Agreement upon their election to the Branch Executive.

#### RESPONSIBILITIES

It is the responsibility of the Branch Secretary to ensure that Branch Executive members are aware of this policy.

It is the responsibility of the Branch President to ensure that Branch Executive information and material is appropriately classified and to communicate the classification to the Branch Executive.

It is the responsibility of the Business Manager to ensure that all members of Branch Executive sign a Confidentiality Agreement upon election to Branch Executive prior to receiving any confidential material.

#### PROCEDURES

These procedures must be read so as to comply with the authority of Branch Council under the Federal ACT Branch Rules *Rule 31(A) - Powers and Duties of Branch Executive, Branch Secretary, Branch President and Branch Vice Presidents* to:

- Impose directions upon Branch Executive.
- Amend or reverse a decision of Branch Executive.
- Receive the minutes of Branch Executive, including all decisions.

The Branch Executive shall decide whether any of its documents (including those of any sub-committees) not otherwise required by legislation, regulation or its rules to be made public shall be identified as confidential. Where no express decision has been recorded, the assumption shall be that the material is not confidential.



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Where release of any material would involve the unreasonable release of personal information regarding any person, the Branch Executive may:

1. Declare that material to be confidential.
2. Remove identifying information from the material before release.

For those matters that the Branch Executive elects not to make public, members shall respect the confidentiality of materials and of any deliberations relating to the matter.

In particular, Branch Executive members shall not:

- Disclose to any member of the Union and/or member of the public any confidential information acquired by virtue of their position as a Branch Executive member.
- Use any confidential information acquired by virtue of their position on the Branch Executive for their personal benefit or for the benefit of any other person.
- Disclose to any member of the Union and/or member of the public any confidential information related to the interests of individuals, groups or organisations acquired by virtue of their position on the Branch Executive.
- Permit any unauthorised person to inspect or have access to any confidential documents or other information.
- Make statements to the media in the name of the Union except as specified in policy.

The obligation to protect confidential matters from disclosure continues even after the individual is no longer serving on the Branch Executive.

The Branch Executive shall decide whether any observers shall be permitted to attend any or all of its meetings. Where appropriate, observers may be admitted subject to their undertaking to maintain confidentiality.

Where appropriate, information identifying individuals may be removed by the Branch Secretary from material before its consideration by the Branch Executive, or be removed from material before it is released.

If a Branch Executive member is reported to have breached this policy and/or the Confidentiality Agreement, the Branch President shall investigate and put the findings in writing to the Branch Executive to consider. The Branch Executive Member will be provided with the opportunity to put their case to the meeting in writing. Branch Executive will review the information provided and determine if the Branch Executive Member is in breach of the confidentiality policy. If the Branch Executive determines that the policy and/or the Confidentiality Agreement has been breached, the Branch Executive Member will be charged with gross neglect of duty under ACT Federal Branch Rule *Rule 14 - Dismissal From Office* and the Branch President shall be responsible for initiating action in accordance with the rules.



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If a member found to be guilty of gross neglect of duty chooses to resign from the Branch Executive no further action will be taken.

A person whose membership of Branch Executive has been terminated as a result of implementing the procedures under ACT Federal Branch Rule *Rule 14 - Dismissal From Office* shall retain the right to stand again for the Branch Executive at the next election.

#### RESOURCES

Operational activities related to this policy are to be delivered within budgeted office resources.