

## Release of Confidential Information Policy

### Policy - CP030

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#### 1. The purpose of this policy is

To provide guidelines on the appropriate timeframe for the release of matters discussed by Council or its Special Committees in confidential sessions.

#### 2. Policy Statement

Mildura Rural City Council operates in an environment of public accountability and scrutiny. Council seeks to comprehensively inform the public of issues under consideration by it and the nature of decisions made by Council and its Special Committees.

In order to contribute to the environment of open decision-making, the Council ensures that the number of matters considered by it or its committees in confidential session is kept to a minimum. It is necessary to balance the need for Council and its Special Committees to consider certain matters in closed session against the fundamental principle of open decision making.

Pursuant to Section 89 of the *Local Government Act 1989* Council or a Special Committee can resolve that the meeting be closed to members of the public if the meeting discusses any of the follows:

- (a) personnel matters
- (b) the personal hardship of any resident or ratepayer
- (c) industrial matters
- (d) contractual matters
- (e) proposed development
- (f) legal advice
- (g) matters affecting the security of Council property
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person
- (i) a resolution to close the meeting to members of the public.

If Council or a Special Committee resolve to close a meeting to members of the public the reason will be recorded in the minutes of the meeting, as required under section 89(3).

#### 3. Principles

1. Where Council or its Special Committees consider a matter in confidential session it will, where possible, limit the period of confidentiality by incorporating either:

- a sunset provision after which the information will no longer be confidential; or
  - where it is not possible to stipulate a date after which the information is no longer confidential, specify a particular event the occurrence of which removes the confidentiality restrictions.
2. Council will establish a Confidential Reports Register detailing the following information in respect to each Confidential Report considered by Council or its Special Committees.
- Council Meeting Date
  - Title of the report
  - Record Number
  - Nominated Disclosure Date
  - Date released to the public.

The Register will be updated within two weeks of each Council Meeting.

3. A review group comprising of the Mayor, Deputy Mayor, Chief Executive Officer and General Manager Corporate Services will periodically review the Confidential Reports Register.

The review group will review the confidential reports that have not been made publicly available and to determine whether the information contained in the reports, that have been confidential for at least twelve months, should be released.

#### **4. Who is responsible for implementing this policy?**

General Manager Corporate.

#### **5. Definitions**

Special Committee      A committee established under Section 86 of the *Local Government Act 1989*.

Confidential Council      The part of a Council or Committee meeting which is closed to the public under Section 89 of the *Local Government Act 1989*.

#### **6. Legislation and other references**

##### **6.1 Legislation**

*Local Government Act 1989*

##### **6.2 Documents**

Nil

### 6.3 Risk Assessment Reference

Risk Category	✓	Risk Category	✓
Asset Management Committees		Financial Sustainability	
Compliance – Legal & Regulatory	✓	Human Resource Management	
Contract Management		Leadership & Organisational Culture	✓
Contract Tendering & Procurement		Occupational Health & Safety	
Corporate Governance	✓	Organisational Risk Management	
Environmental Sustainability		Project Management	
		Public Image and Reputation	✓