

 FORT ST JAMES DISTRICT	POLICY / PROCEDURE		No.	4.2 A
	Personnel Confidentiality Policy 4.2		Effective Date	March 26, 2024
			Revision Letter	A
			Council Approval	2024-06-07

1. Purpose

- 1.1 District employees may receive or have access to confidential information in the course of carrying out their job duties for the District. The purpose of this Policy is to provide direction about the type of information that is considered confidential and to ensure that employees understand their obligations to maintain confidentiality over such information.

2. Scope

- 2.1 This policy applies to all staff, mayor, and council of the District of Fort St. James

3. Procedure

- 3.1 All employees are required to sign a confidentiality agreement as a condition of their employment with the District. The confidentiality agreement is contained at Schedule "A" to this Policy. The confidentiality obligation in this policy apply to employees during their employment and continue to apply after the employment relationship comes to an end.
- 3.2 Employees are required to maintain confidentiality over all information that is received and/or held in confidence by the District. Categories of information which must presumptively be treated as confidential and protected from disclosure by District employees include, but are not limited to, the following:
- 3.2.1 Information discussed at and/or actions arising out of in-camera meetings of council or council committees unless or until council or the committee discusses the information at a meeting that is open to the public or otherwise releases the information to the public;
 - 3.2.2 Matters which are the subject of litigation or potential litigation affecting the District;
 - 3.2.3 Information and records relating to the potential acquisition, disposition or expropriation of land and improvements while the District is still in preliminary discussions or negotiations;
 - 3.2.4 Personnel records of District employees, including attendance records, performance management records, discipline records, and job application

materials such as resumes and interview notes;

- 3.2.5 Names of persons making formal complaints to the District unless the complainant has consented to the disclosure of their identity in the prescribed manner set out in the *Freedom of Information and protection of privacy act*, RSBC 1996, c. 165 ("FOIPPA") or the disclosure is otherwise authorized or required by law;
 - 3.2.6 Tenders/quotations/proposals submitted in confidence to the District unless or until the District has awarded the contract or otherwise released the results of the request for tenders or proposals;
 - 3.2.7 Personal or financial information about District employees, businesses, or other third-parties, unless the disclosure is permitted by FOIPPA;
 - 3.2.8 Any information that Mayor and Council have deemed to be confidential even if they have not considered it at an in-camera meeting;
 - 3.2.9 Information in the District's custody or under its control that is subject to solicitor-client privilege; and
 - 3.2.10 Information required to be kept confidential pursuant to the *Community Charter*, *Local Government Act*, FOIPPA, or any other applicable enactment.
- 3.3 If an employee is in doubt as to whether certain information is confidential, the employee must consult with the District's Privacy Officer and shall not disclose the information unless the Privacy Officer confirms the disclosure is permitted.
 - 3.4 If an employee has any questions about this Policy or its application, the employee should direct them to the Privacy Officer or Corporate Officer.
 - 3.5 An employee's failure to comply with this Policy may result in disciplinary action, up to and including termination of employment.

4. Responsibilities

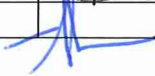
4.1. The chief administrative officer is responsible for:

- a. reviewing this policy annually, and ensuring
- b. approving administrative updates to the policy.

4.2. Council is responsible for approving this policy.

4.3. Department heads are responsible for administering this policy.

5. Document Approvals

Role	Position	Name of Approver	Approval Signature	Date Approved
Owner	Chief Administrative Officer	Rachelle Willick		
Reviewer	Corporate Officer	Alexander Bihori		Mar 28/24
Final Approver	Mayor and Council	Martin Elphee		Mar 27/24

6. Revision History

Effective Date	Rev Letter	Document Author	Description of Change
March 2024	A		Rewritten by legal as per current legislative requirements

Schedule "A"
CONFIDENTIALITY AGREEMENT

I, _____, confirm that I have read the Confidentiality Policy.

Print Name

By my signature below, I confirm my agreement to the following:

1. I agree to be bound by the terms of the Confidentiality Policy during my employment with the District of Fort St. James and agree that the confidentiality obligation continue to apply to me after my employment relationship with the District comes to an end.
2. I agree that I will not use any confidential information acquired in the course of my employment with the District, and which is not available to the general public, for my own personal benefit or gain.
3. I acknowledge and agree that compliance with the Confidentiality Policy is a term and condition of my employment and that a breach of the Policy may result in disciplinary action.

Dated this _____ day of _____, 20____

Signature