

EKSC 'In-Camera' Policy



PURPOSE & INTENT

1. There are times when discussions within Edmonton Keyano Swim Club's (EKSC) Board meetings must be kept confidential. Such discussions are considered to be "*in camera*" meetings.
2. '*In camera*' meetings have a legitimate purpose but their use should be limited.
3. '*In camera*' meetings or discussions, restrict the normal information reported to the Membership, and therefore, their use should be limited to those occasions when they are absolutely necessary.
4. This policy document is intended to provide some control and rigour around the use of '*in camera*' meetings or discussions within EKSC. It will also be referred to in the event of any question or complaint by a Member, or group of Members with regards to this issue.

SCOPE

5. This document will cover all '*in camera*' meetings and/or discussions held within, or on behalf of, EKSC.

DEFINITIONS

6. The following additional capitalized terms have these meanings in this Policy:
 - a. "*Board*" – is the board of directors of EKSC.
 - b. "*Bylaws*" – are the bylaws of EKSC, as amended or replaced from time to time.
 - c. "*Members*" – in the context of this Policy, this will include all athletes, staff, parents, associated members, officials and coaches participating on behalf of and as part of EKSC.
 - d. "*President*" – is the president of EKSC appointed in accordance with the provisions of the Bylaws.

POLICY

FACTORS SUPPORTING '*IN CAMERA*' MEETINGS

7. '*In camera*' meetings should be considered where the following subject matter is to be discussed (the following list is not intended to be an exhaustive list, and other factors may be considered):
 - a. personnel matters about any identifiable individual, including employees, Directors, participants, or Members of EKSC;
 - b. commercially sensitive business matters, including matters subject to confidentiality agreements with third parties;
 - c. litigation or potential litigation; or,
 - d. the receiving of advice that is subject to privilege, including communications necessary for that purpose.

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'IN CAMERA' MEETINGS

8. *'In camera'* meetings should be a standing agenda item on each Board of Directors' meeting.
9. Requests for *'in camera'* meetings or discussions should be made to the EKSC President at least 3 days prior to the Board Meeting such that the agenda may be circulated to all attendees in advance.
10. At the Board Meeting and prior to commencing, attendees should be asked by the President or Chair of the meeting if there are any matters requiring *'in camera'*. If so, and subject to the requirements for holding the discussion *'in camera'* being met, the agenda will be amended to reflect this and approved by all attending.

RECORDING OF *IN CAMERA* MEETINGS

11. Decisions made in an *'in camera'* meeting (including any *'in camera'* discussion within a broader meeting) and, when appropriate, the factors considered in determining to hold a discussion *'in camera'*, should be recorded in separate Minutes. The Secretary should be part of the *'in camera'* meeting to keep the Minutes unless the circumstances require that he or she also be absent. In his or her absence, the Chair is responsible for ensuring that an appropriate record of the discussion is kept.
12. Minutes of an *'in camera'* meeting should be distributed to those who participated in the meeting and after their approval, should be kept confidential and separately along with any materials considered as part of the *'in camera'* meeting.
13. An electronic copy of the record should be kept on the 'Board of Directors' shared drive within google suites, and in the folder, 'Board Meetings' and then the sub-folder entitled, 'In Camera Meetings - Confidential'. All documents should be password protected will retain their confidential status.

ACCESS TO '*IN CAMERA*' RECORDS

14. Any access to *'in camera'* Minutes is limited to the participants of the *'in camera'* meeting, all of whom must adhere to the confidentiality requirements.
15. Any requests for access to *'in camera'* Minutes by any other individual or group, should be directed to the EKSC President. All requests should be submitted in writing to the President, with an explanation as to why the *'in camera'* minutes are required.
16. Requests to access 'In Camera' records could include, but are not limited to, any of the following:
 - a. an issue or decision related to an individual or Group, has arisen where any previous material discussions need to be taken into account;
 - b. litigation, potential litigation, or a legal issue has arisen which requires all previous discussions and decisions related to that subject matter to be reviewed;

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- c. personnel matters about any identifiable individual, including employees, Directors, participants, or Members of EKSC;
 - d. commercially sensitive business matters, including matters subject to confidentiality agreements with third parties.
17. The President will consult with the Chair of the meeting within which the '*in camera*' discussion occurred (if other than the President), or the Chair of the '*in camera*' portion of the meeting. Prior to granting access to '*in camera*' Minutes, it is important that the context and background of the original '*in camera*' meeting or discussion is understood along with the record of the meeting itself. The President or the Chair of the '*in camera*' meeting, should then direct the full board to review the request and the decision taken be recorded.
18. Should the request be refused, an explanation should be provided to the individual or Group, who made the request.
19. Should the request be approved, all records of '*in camera*' meetings or discussion must remain confidential with whomever has been granted approval for their release. The password protecting access to the document will also be provided and must be kept confidential and not disclosed to any other parties.