



**uniting  
church**  
in Australia,  
Synod of NSW & ACT

## **Synod Standing Committee Confidentiality Policy**

Title	Confidentiality Policy for SSC
Creation Date	August 2019
Version	1.0
Last Revised	
Approved by	Synod Standing Committee
Approval date	20 September 2019

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## 1. Purpose

To outline the confidentiality policy for meetings of the Synod Standing Committee ('Committee'). The Policy references The Uniting Church in Australia Synod of NSW and the ACT By-laws and Regulations for the Uniting Church in Australia

## 2. Policy Owner

The Policy Owner is the Synod Standing Committee.

## 3. Context

This policy provides guidance to Synod Standing Committee.

## 4. Synod Standing Committee Powers and Responsibilities

- 4.0 The powers and functions of the Committee must be exercised consistently with the governance documents of the Uniting Church in Australia, Synod NSW and ACT, including but not limited to, the Constitution of The Uniting Church in Australia, Regulations for the Uniting Church in Australia and The Uniting Church in Australia Synod of NSW and the ACT By-laws.
- 4.2 The Committee acts on behalf of the Synod whenever the Committee deems it appropriate so to do between meetings of the Synod in respect of all matters that are the responsibility of the Synod except when the Synod specifically reserves any matters for a meeting of Synod (By-law 2.3.9).
- 4.3 Without limiting the generality of the powers or responsibilities of the Committee under Regulation 3.7.4.1 and By-Law 2.3.9, the Committee subject to any determination of the Synod from time to time (By-law 2.3.10):
- a) make recommendations to Synod on policy matters in circumstances where Synod has reserved a policy matter for a meeting of Synod;
  - b) ensures that the policies and decisions of Synod are implemented and adhered to by Boards and other bodies responsible to the Synod;
  - c) acts as a forum in which members:
    - i. meet for corporate concern and encouragement;
    - ii. motivate and assist Presbyteries and Boards in their development of mission programmes; and
    - iii. evaluate the ongoing work of Ministry Areas and assess priorities in relation to resources, making recommendations to Synod accordingly;
  - d) through consultation and planning, facilitates the work of Presbyteries and Boards;
  - e) appoints such members of the working groups and other bodies as require appointment by Synod or the Committee;
  - f) receives reports from such working groups and other bodies as are required to report;
  - g) reports to Synod on the working groups and other bodies appointed, except for those that Synod may require reporting to itself directly;
  - h) reports to the next ordinary meeting of Synod on its own activities and decisions; and
  - i) deals with any other matters specifically referred to it by Synod.

## 5. Meetings, papers and minutes

- 5.0 The Committee will meet as often as they consider necessary to carry out their roles, duties and responsibilities.
- 5.1 Papers for Committee meetings should be circulated, if practicable, at least 5 days before the relevant meeting.

- 5.2 The minutes shall be kept in such a way as to reflect a reasonable level of detail in relation to the matters discussed but not a verbatim account of all discussions. The minutes should:
- a) reflect the agenda of the meeting;
  - b) capture the progress of matters since the previous meeting;
  - c) record the action the Committee took in relation to each agenda item, with brief details of any material considerations;
  - d) record the passing of any resolution;
  - e) except in rare cases, not record any expression of dissent by individual Committee members;
  - f) note papers and other materials presented to the Committee at its meeting; and
  - g) demonstrate where appropriate the Committee members satisfaction of their legal obligations (good faith, acting for a proper purpose, with care and diligence etc).

## **6. Confidentiality**

- 6.0 Subject to clause 5, all proceedings of the Committee including papers submitted and presentations made to the Committee must be kept confidential and not disclosed or released to any person other than Committee members except as required by law or as agreed by the Committee.

## **7. Closed sessions and Minutes Apart**

- 7.0 If the Committee receives any one of the following situations, discussions and decisions will be made in a Closed Session and recorded in Minutes Apart:
- a) A report of findings from any committee pursuant to which an inquiry was held in private or confidentially and no adverse finding arises;
  - b) Commercially sensitive information relevant to the church or details as to its investment strategy or property portfolios;
  - c) Information that is personal information as defined in the Privacy Act; and
  - d) Information for which there is no justifiable purpose for its dissemination and, if published and despite being true, could be argued to have been done so in order to damage the reputation of the individual concerned.
- 7.1 Minutes Apart are used to preserve privacy and confidentiality in respect of matters that would otherwise be compromised if reported/disclosed more broadly by:
- a) Breaching the Privacy Act 1981 (Cth) (Privacy Act),
  - b) Breaching Regulations about councils/committees handling Information, or
  - c) Undermining the Code of Ethics (Code) which states in clause 3.7(b) that information may be designated confidential due to its personal nature or potential for misuse or harm.
- 7.2 Minutes Apart and the information contained therein, including Committee decisions, shall remain confidential and only subject to access in limited circumstances under the Regulations, namely:
- a) any person who supplied personal information as regards to anything recorded in the minutes in a private or confidential inquiry may only be granted limited access to the personal information they supplied as it is recorded in the minutes and not to a full copy of the minutes unless they were directed at the time the personal information was supplied and before its supply that they would not have access to the minutes;
  - b) any secular authority who is legally entitled;
  - c) any other council or committee of the church entitled by virtue of the Regulations on the basis that they are bound to maintain the privacy or the confidentiality of the minutes and on the basis that objectively, the Committee believes that the privacy and confidentiality of the minutes will not be compromised;
  - d) any access requires the explicit agreement of the General Secretary;
  - e) the Committee can resolve, at the time of consideration of a matter in a Closed Session, to release information at a subsequent time.

## 8. Compliance

Compliance with this policy will be monitored, and repeated breaches may result in disciplinary action.

Non-compliant expenditure may result in the person responsible needing to reimburse the Synod.

## 9. Policy Review

The Synod Standing Committee is responsible for review of this policy. Amendments require the approval from the GNRC.

## 10. Policy History

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	SSC			New Policy