

POLICY NO LG15 INTELLECTUAL PROPERTY CONFIDENTIALITY POLICY

DEPARTMENT: Human Resources

RESPONSIBLE OFFICER: Manager Human Resources

LINK TO STRATEGIC PLAN:

Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

STATUTORY AUTHORITY: N/A

OBJECTIVE:

To ensure the preservation of

- Confidential business information.
- Business information.
- Trade secrets.

in the custody or possession of Break O'Day Council.

POLICY INFORMATION:

Adopted 19 March 2012 – Minute No 03/12.15.4.069
Amended 19 May 2014 - Minute No. 05/14.15.5.146
Amended 18 February 2019 – Minute No 02/19.16.2.37

POLICY

1. INTRODUCTION

In times where ideas, concepts and suggestions can be transformed into major campaigns and income streams, we encourage employee input and suggestions. At the same time, the preservation of confidential business information and trade secrets is vital to protect the interests and growth of the Break O'Day Council and municipality.

2. INTELLECTUAL PROPERTY CONFIDENTIALITY EXPECTATIONS

During employment or thereafter, an employee will not, without Break O'Day Council's prior authorisation, divulge to any person, business or corporation any information concerning the affairs of the Break O'Day Council, which may reduce the position, standing or business operations of the Break O'Day Council. Employees will not make use of such information for their own benefit or the benefit of others.

It is a condition of employment that information concerning the Break O'Day Council is kept confidential by employees both during and after their employment with the Council. This condition does not apply to information which is in the public domain unless the information is in the public domain as a result of a breach of any obligation of confidence to the Break O'Day Council where the employee was directly or indirectly involved.

Such confidential information includes, but is not limited to the following:

- Computer processes and data.
- Computer programs and codes.
- Member/client lists and preferences.
- Financial information of the Break O'Day Council and/or members/clients.

- Marketing strategies and data.
- New product research and research and development strategies.
- Manuals, policies and procedures.
- Technological data and processes.
- Business partnerships - potential or actual

All employees may be required to sign a confidentiality covenant as a condition of employment. Even where this statement is not specifically and separately prepared and signed, the condition remains enforceable for all staff members. It also forms part of their conditions of employment and the business ethics of the Break O'Day Council.

3. PENALTIES

Employees who disclose trade secrets or confidential business information will be subject to disciplinary action, up to and including termination of employment. In addition, where any 'reasonable doubt' exists, contacts with the police and other relevant organisations may be made to lodge claims for damages incurred, even if the employee does not actually benefit from the disclosed information.

4. MONITORING AND REVIEW

This Policy will be reviewed every three (3) years in line with the Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.