



CONFIDENTIALITY POLICY

Purpose

The purpose of this policy is to ensure and enable Australian Bowhunters Association's employees, managers, contractors, temporary employees, work experience personnel, volunteers and Executive Committee members to recognise what information is confidential, understand their obligations in relation to protection of confidentiality, understand the serious consequences of a failure to observe confidentiality obligations.

Australian Bowhunters Association deems confidential as valuable information which belongs to the employer, even if an individual has had a significant role in finding or creating the information. This may even be the case if the employee, manager, contractor, temporary employee, work experience person, volunteer or Executive Committee member has done so outside of normal business hours.

Scope

This policy applies to all Australian Bowhunters Association's employees, managers, contractors, temporary employees, work experience personnel, volunteers and Executive Committee members.

Definitions

For the purpose of this policy ***confidential information means:***

- 1) Information does not have to be specifically identified as "Confidential" before it is considered confidential. Confidential information includes any document marked "Confidential" or any information which an employee is told is "Confidential" or which an employee should reasonably expect to be regarded by the Association (Company) as "Confidential";
- 2) Any confidential information regardless of the form or media that it is held in. Confidential information can include information in written, pictorial, oral, hard copy, electronic, or any other form whatsoever.
- 3) Particular types of information which are sensitive for the Association, its related entities, or its members, customers and clients. Information may be sensitive for commercial reasons or for any reason relating to the operation of the business. Examples of these types of information include:
 - o business and operation plans, programs and strategies;
 - o research and development operations;
 - o intellectual property including inventions, copyrights, processes, ideas, developments, technology, programs, designs, specifications and formula, product development and relating information;
 - o current, proposed or future business methods and services;
 - o member, customer and client customer service usages and requirements, prospects and objectives;
 - o trading relationships with vendors;
 - o financial details, pricing structures, financial information, financial plans, financial data, financial condition and results of operations;
 - o distribution, sales, services, support and marketing practices, operations and plans;

- o details or records of member and customers and potential customers, customer lists, contact persons and customer telephone numbers and electronic contact details;
- o details of advice or information given to the Association's members, customers or clients;
- o details of employees, volunteers, managers and contractors, including conditions of employment and employee issues, complaints and grievances.

This abovementioned information is not intended to limit the kinds of information which are considered confidential information. If you are unsure about whether particular information is confidential, please seek clarification from your manager.

Intellectual Property includes but is not limited to inventions, copyrights, processes, ideas, developments, technology, programs, designs, specifications and formula, product development and relating information;

Employee Obligations

All individuals are under a legal duty to preserve the confidentiality of information which belongs to his or her employer.

These legal duties are contained in your contract of employment and are also imposed by the operation of the law.

Furthermore, confidential information belonging to the Association will generally be subject to protection as copyright material. Individuals may also be under obligations under the Corporations Act and privacy legislation not to disclose confidential information.

The key obligations of employees, managers, contractors, temporary employees, work experience personnel, volunteers and Executive Committee members are:

- Not, except when required in the proper performance of your duties, to disclose the Association's confidential information to any third party including any company or individual who is not an authorised individual to view the Confidential information;
- To only use and disclose the Association's confidential information so far as it is necessary for the proper performance of your duties;
- To do everything reasonable to ensure that the Association's confidential information is not disclosed in an unauthorised way to any third party;
- To avoid using the Association's confidential information in any way to obtain a personal benefit for you or any person who is not an employee or engaged by the Association, who is a family member or close friend or where a consider conflict of interest may be evident.
- To ensure that any confidential information which you deal with in your employment / engagement is kept securely at all times. Exercise care in emailing or electronically storing information;
- To avoid making unnecessary copies of information;
- When your employment /engagement ends, where requested return or destroy any copies, in whatever form, of any of the Association's related confidential information. This includes any paper or electronic copies and any notes made from confidential information

If you are unsure about how you should handle confidential information you must seek clarification from your manager / person of authority.

Disclosure of Confidential information

An employee's manager's, contractor's, temporary employee's, work experience person's, volunteer's and Executive Committee member's obligation to preserve the confidentiality of the information may cease to apply in certain circumstances, which are set out below. Information falling within one of these categories does not necessarily cease to be confidential

information, and individuals should always ensure that, where they are unsure, disclosure is authorised by their manager / person of authority:

- The information comes into the public domain other than by reason of unauthorised disclosure;
- The information was in the possession of the individual from a source other than the Association, its respective related corporations or any of the directors, shareholders, officers, employees or agents of the Association or its related corporations;
- After the individual receives the information, it becomes available in the public domain by reason of a media report (except where that availability is a consequence of a breach of an individual's obligations or those of a fellow employee, manager, contractor, temporary employee, work experience person, volunteer or Executive Committee member);
- The information is required to be disclosed by reason of any lawful requirements of any government, administrative body, authority or department;
- The information is required to be disclosed to any Court in the event of legal action;

Breaches of Confidentiality Obligations

The Association views a breach of confidentiality extremely seriously. Individuals who breach obligations of confidentiality seriously undermine the trust that the Association can have that individuals will perform their duties properly and in the Association's best interests.

In many cases a breach of confidentiality will constitute grounds for immediate termination of employment / engagement. At the Association's discretion other less serious disciplinary action may be taken.

It is also possible that the Association's interests may be so seriously damaged by the disclosure of confidential information that legal action against an employee, manager, contractor, temporary employee, work experience person, volunteer or Executive Committee member is justified. The remedies which the Association might be able to obtain from a Court in case of a breach of confidentiality include orders to pay monetary damages or injunctions, which are orders to prevent further disclosure of the information or to prevent an individual taking advantage of an unlawful disclosure.

Please note that confidentiality obligations continue post the period of employment / engagement with the Association. Employment confidentiality obligations are also outlined in the employee's employment contract.

Breaches of this policy will be dealt with in line with Australian Bowhunters Association Disciplinary and Performance Management Policy and Procedure.

Australian Bowhunters Association may amend and vary this policy from time to time.

Related Documents

Australian Bowhunters Association Disciplinary and Performance Management Policy and Procedures

Australian Bowhunters Association Code of Conduct

Australian Bowhunters Association Executive Committee Code of Conduct

Date Effective

March 2018

Next Review Date

March 2019 or in the event of Legislative change