EM03: Confidential Information – Council Meetings

Type	Council Policy	**Version**	2
Approval Date	01st September 2026	**Resolution**	TBC
Review Date	In next term of Council	**Doc ID**	NA

Background

The Council is committed to ensuring that its decision making is open and transparent. This policy covers the conditions under which information considered at a council meeting is protected by confidential arrangements that protect the interests of either the Council or party involved, is managed and made public.

Legislative References

- The *Local Government Act* 2019 S293 Suppression of certain information
- Confidential information at meetings - Section 51 General Regulations

Scope

This policy applies to members of the public, all Council members and members of Council committees and staff.

Policy

The Belyuen Community Government Council is committed to ensuring that all decisions are open and transparent. The Council is also committed to ensuring confidential information is treated appropriately. Information relating to council decision making (i.e., the matters discussed at a council or committee meeting) will be made available to the public unless it is confidential.

Requests to keep information confidential

Under Section 293 (2) of the *Local Government Act,* A person may, in writing, request the CEO to suppress any of the following from any publicly available material:

(a) the person's name;
(b) the person's address;
(c) the person's telephone number;
(d) the person's email address;
(e) any other personal details.

The request must be in writing and must be received by the CEO not less than two weeks prior to the scheduled date of the Council meeting in which the meeting will be discussed. The CEO will comply with

this request unless the CEO considers there is good reason for not doing so. The CEO will advise the applicant of the outcome of the request.

Information suppressed in accordance with a request under LGA S293 (2) will be held confidential until the record is transferred to the NT Archives under section 141 of the *Information Act* unless specified by the CEO at the time of approval of the request.

Confidential information at meetings

The CEO must suppress from publicly available material the information prescribed by section 293(1) of the *Local Government Act* and *General Regulations* section 49 if it contains:

a) information about the employment of a particular individual as a member of the staff or member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual;
b) information about the personal circumstances of a resident or ratepayer;
c) information that would, if publicly disclosed, be likely to:
   (i) cause commercial prejudice to, or confer an unfair commercial advantage on, any person; or
   (ii) prejudice the maintenance or administration of the law; or
   (iii) prejudice the security of the council, its members, or staff; or
   (iv) prejudice the interests of the council or some other person;
d) information subject to an obligation of confidentiality at law, or in equity;
e) information provided to the council on condition that it be kept confidential;
f) Information relating to a complaint about a contravention of the code of conduct.

DECISIONS RELATING TO CONFIDENTIAL INFORMATION MADE PUBLIC IMMEDIATELY

Decisions of the Council or Council Committee made during confidential sessions that do not contravene confidentiality clauses outlined in the regulations will be read at the meeting immediately following the reopening of the meeting and included in the Minutes of the meeting.

The papers associated with the confidential item (including the agenda item and attachments) will be subject to review under this policy.

CONFIDENTIAL INFORMATION KEPT CONFIDENTIAL

Information made confidential under the following provisions, will remain confidential:

- information about the employment of a particular individual as a member of the staff or member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual;
- information about the personal circumstances of a resident or ratepayer;
- information subject to an obligation of confidentiality at law, or in equity;
- legal advice, unless the council has taken advice as to the release of the advice;
- information provided to the council on condition that it be kept confidential.

CONFIDENTIAL INFORMATION MADE PUBLIC AFTER REVIEW

Information made confidential under the following provisions, will be made public after review:

- information that would, if publicly disclosed, be likely to:
  - cause commercial prejudice to, or confer an unfair commercial advantage on, any person; or

- prejudice the maintenance or administration of the law; or
- prejudice the security of the council, its members, or staff; or
- prejudice the interests of the council or some other person;

All matters falling into this category will be reviewed by Council at the second ordinary council meeting each year unless some other date has been set by the Council for a specific matter.

The council will resolve to make either make the agenda item public or extend the review period, as soon as practicable after the review period. The council will consider the reviewed agenda items from council meetings and meetings of council committees.

Agenda items made public after review will be transferred to the NT Archives in accordance with the *Information Act 2002*.

Registers

The CEO is to keep a register of all council minutes/decisions subject to review under this policy, including the review date.

Revision History

Policy Version	Approval Date	Resolution	Doc Ref
1	28/7/2020	8.3.7.20	NA
2	30/05/2023		