
CONFIDENTIALITY POLICY

1. INTRODUCTION

The College is committed to the highest level of integrity and respect and requires Members and Staff to keep confidential information confidential. This Policy sets out the requirements relating to confidentiality which must be observed by Directors, Members and Staff who hold official positions or perform official functions for the College.

Staff Members, Members and Stakeholders will, always, maintain the confidentiality of all Confidential Information obtained in the course of any College activities and not disclose such information to any person otherwise than in the proper performance of their duties and responsibilities and as permitted or required by law.

2. DEFINITIONS

In this Policy Confidential information includes:

- personal information and health information (as defined in the College's Privacy Policy)
- financial, business or operational information about College programs (including training and research programs and training posts)
- minutes of, and other information about, the deliberations of the Board and Committees of the College
- any information that is designated as confidential
- any other information which, from its nature or the way it was obtained, would reasonably appear to be confidential

'Director' means a member of the Board of the College

'Member' means a person whose name is entered in the Register as a Member of the College

'Staff' includes employees and contractors of the College

3. SCOPE

This Policy applies to all Directors, Members and Staff performing functions for the College or acting on behalf of the College in an official role.

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4. CONFIDENTIALITY

4.1 Information may be confidential whether or not it is marked "confidential" or "commercial in confidence" or otherwise identified as being confidential. A person to whom this Policy applies must take reasonable steps to protect the confidentiality of information obtained in the course of performing their functions. A person to whom this Policy applies must not disclose such confidential information unless:

- the disclosure is necessary for the proper performance of those functions;
- or the disclosure is required or authorised by law or by a court or tribunal.

4.2 All Staff Members, Members and Stakeholders are expected to be aware of, understand and comply with this Confidential Information Policy and the Privacy Policy.

4.3 All Staff Members, Members and Stakeholders will hold all Confidential Information in trust and confidence and will only use, store or disclose Confidential Information as may be necessary in the performance of their duties for the College, and for no other purpose, except as otherwise required or permitted by law or contract.

4.4 All Staff Members, Members and Stakeholders are expected to:

- use Confidential Information solely for the purpose for which it is disclosed and not for any other purpose without the prior written consent of the Disclosing Party.
- take appropriate measures to safeguard Confidential Information against theft, loss or negligent disclosure to others.
- use their reasonable endeavours to prevent the use or disclosure of Confidential Information by third parties.
- not discuss Confidential Information within the hearing of other persons who do not.
- have permission from the Disclosing Party to receive the information.

4.5 Care should be taken to prevent unauthorised persons from obtaining access to the College's business premises. When outside persons are necessarily admitted to the premises, then care and attention should be taken to ensure that the person does not see or have access to any Confidential Information.

4.6 Staff Members, Members and Stakeholders will not use Confidential Information for personal benefit or profit.

5.0 DISCLOSURE

Staff Members, Members and Stakeholders must not use, disclose or copy any Confidential Information, unless:

- it is necessary in order to achieve the agreed purpose for which the Confidential Information was disclosed; or
- is for a proper purpose of the College and in accordance with College policies and processes; or
- disclosure is required or permitted by law or contract; or
- prior consent for the disclosure has been obtained from the College; or
- the Confidential Information is already known to the entity to which it is disclosed; or
- personal safety is in question; or Confidential Information Policy (in which case it is no longer Confidential Information)

6.0 BREACHES OF CONFIDENTIALITY REQUIREMENTS

If a person to whom this Policy applies becomes aware that confidential information has been disclosed contrary to this Policy, the person must report the disclosure to the College Secretariat, which shall take such steps as it reasonably can to contain and minimise any adverse impacts of the disclosure.

- against a Member in accordance with RACMA's Constitution; or
- against a member of Staff in accordance with the terms of their employment or engagement

The College take all reasonable steps, at its own expense, required to prevent or stop the suspected or actual breach.

- 6.1** A breach of this Confidential Information Policy may cause harm to the College and an appropriate remedy may be sought. Breaches of this Policy by a Staff Member will be considered a serious breach of a Staff Member's terms and conditions of employment and may result in disciplinary action, including dismissal of employment.

7.0 IMPLEMENTATION

The College will ensure Staff Members, Members and Stakeholders are aware of this Policy. Staff Members, Members and Stakeholders who wish to clarify any aspect of this Policy may do so by contacting the Policy Officer (as referenced in the Privacy Policy)

8.0 RELATED DOCUMENTS

RACMA Officers Code of Conduct

RACMA Privacy of Information Policy

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