



## **In-Camera Meeting Policy**

### **1. Purpose**

Six Nations Elected Council recognizes that an active and informed public is a fundamental element of good governance. In order to achieve this Six Nations Elected Council believes that the public must have clearly defined access to the decision making process.

### **2. Policy Statement**

Except where provided by this policy, all Council and Internal Council Committee meetings shall be open to the public.

### **3. Definitions**

3.1 The following terms shall for the purposes of this policy have the following respective meanings:

- (a) Council – means the elected Chief and Councillors
- (b) In-Camera Meetings – means the following meetings:
  - (i) Political Liaison;
  - (ii) In-Camera General Finance;
  - (iii) Lands and Resources;
  - (iv) Council Retreats; and
  - (v) Any portion of an Open meeting declared In-Camera under section 5.1.
- (c) Internal Council Committees – means the following committees:
  - (i) Finance and Audit;
  - (ii) Safety and Security;
  - (iii) Community Development;
  - (iv) Building and Infrastructure;
  - (v) Social Services;
  - (vi) Community Focus; and
  - (vii) Health
- (d) Open Meetings – means the following meetings:
  - (i) General Council;
  - (ii) General Finance;
  - (iii) Special Council;
  - (iv) Internal Council Committees; and
  - (v) Ad-Hoc Committees of Council
- (e) Six Nations Elected Council – means the entire Six Nations Elected Council organization including Council and the Administration
- (f) Workshops – means any training or professional development that is provided to Council

#### **4. In-Camera Meetings**

- 4.1 In-Camera Meetings shall be closed to the public.
- 4.2 The discussions of In-Camera Meetings are confidential.
- 4.3 No one, including Council members or administrative staff, may discuss or reveal the content of an In-Camera meeting unless specifically directed by a resolution.
- 4.4 Council, or the Committee, shall determine which staff members or members of the public, if any, are permitted to attend a specific In-Camera Meeting. If a voting member of the meeting disagrees with the Chairperson's decision, they may make a motion to overturn the decision. The result of the vote will be final.
- 4.5 The following confidential issues may be addressed at an In-Camera meeting:
  - (a) personal matters, where it is reasonable to assume that an individual or individuals may be identified, including but not limited to Six Nations Elected Council employees;
  - (b) a potential or imminent purchase or sale of any goods or services where the public release of the information could negatively affect Council's interest in the transaction;
  - (c) any matters related to the security of the Six Nations Territory, the people of Six Nations, or Six Nations Elected Council;
  - (d) personnel relations, staffing issues, or employee negotiations;
  - (e) intergovernmental relations, including lobbying and negotiation strategies;
  - (f) litigation or potential litigation;
  - (g) any advice or communications that are subject to solicitor-client privilege; or
  - (h) any issue covered by another policy, by-law, or applicable legislation that requires Council to meet privately.
- 4.6 Any issue not covered by section 4.5 must be discussed at an Open Meeting.

#### **5. Meetings**

- 5.1 By resolution, Council, or an Internal Council Committee, may declare a portion of an Open Meeting to be In-Camera in order to address any issue under section 4.5.
- 5.2 By resolution, Council, or an Internal Council Committee, shall declare a portion of an In-Camera Meeting to be open in order to address any issue not covered by section 4.5.

#### **6. Resolutions**

- 6.1 Before any In-Camera Meeting may be adjourned, or returned to an Open Meeting, a resolution must be passed stating what, if any, of the resolutions passed shall be made available to the public.
- 6.2 Two sets of minutes shall be prepared for all In-Camera Meetings.
  - (a) One set of minutes shall be prepared in the usual manner and shall be treated as confidential.
  - (b) The second set of minutes shall be publicly available and shall not contain any of the In-Camera discussion. The minutes shall only contain the following resolutions:

- (i) The Resolutions made available to the public under section 6.1 shall be reported in the actual form of the resolution. (e.g. that the contract with Jane Doe be approved); and
- (ii) Resolutions not made available to the public under section 6.1 shall only reference the agenda number of the In-Camera Resolution (e.g. that item 2 of the In-Camera agenda of May 4, 2010 be approved.)

## **7. Administration**

- 7.1 The secretary for the In-Camera Meeting shall ensure that the final item on the agenda addresses the requirements of section 6.1.
- 7.2 The Senior Administrative Officer shall ensure that:
  - (a) staff direct reports and briefing notes to appropriate meetings;
  - (b) there are procedures in place to ensure all issues that should be considered at an In-Camera meeting are placed on an appropriate agenda and are clearly identified as such by being printed on a distinct colour of paper;
  - (c) there is a separate In-Camera Agenda and Briefing Notes and that both shall be distributed and gathered at each In-Camera Meeting;
  - (d) there are procedures in place to ensure that all copies of the Agenda and Briefing Notes are stored in a secure manner before and after the In-Camera meeting; and
  - (e) any copies of the Agenda and Briefing Notes not required for record keeping and the preparation of minutes are destroyed.
- 7.3 The Senior Administrative Officer shall ensure that In-Camera issues are directed to In-Camera agendas except in emergency situations. General Council should only deal with In-Camera issues that cannot wait until In-Camera General Finance or Political Liaison. For greater clarity missed deadlines shall not be considered an emergency situation.
- 7.4 The Senior Administrative Officer has the authority to approve any administrative procedures he/she believes are necessary to ensure that this policy is adhered to.

## **8. Records**

- 8.1 A record of all proceedings, including all decisions and resolutions, made at an In-Camera meeting must be taken and maintained in a confidential manner.

## **9. Workshops**

- 9.1 All Workshops are closed to the public.
- 9.2 Records are not required for Workshops.
- 9.3 If at a Workshop a meeting is convened all of the provisions of this policy apply.

## **10. Authorization**

- 10.1 This policy was approved by Six Nations Elected Council at the General Council meeting held on August 3, 2010 by SNCR No. GC#682-08/03/2010 to be effective on October 1, 2010.
- 10.2 Amendments to this policy must be approved by a Council Resolution.
- 10.3 This policy repeals and replaces any previous policies and resolutions on In-Camera Council and Committee meetings.