
IN CAMERA POLICY

AUTHORITY

A Policy of YouX (historically the Adelaide University Union) enacted Pursuant to Clause 21 of the AUU Constitution

POLICY

1. Objectives

- 1.1 To ensure that the Board operates in a transparent and accountable way to its members and to students.
- 1.2 To ensure the privacy and security of genuinely confidential material.

2. Definitions

- 2.1 The definitions in Clause 3 of the AUU Constitution apply to this policy unless specified otherwise below.
- 2.2 “Confidential” means a type of agenda item classification, determined by the President, in accordance with this Policy and the Standing Orders of Board, to be sensitive in nature.
- 2.3. “Confidential associated papers” means any documents other than agendas or minutes that form part of Board papers for an In Camera meeting.
- 2.4 “Ex Camera meeting” means a meeting of the Board, or a part of a meeting of the Board, that does not take place during a confidential session of the Board.
- 2.5 “Ex Camera minutes” means minutes taken during an Ex Camera meeting, inclusive of the agenda of that meeting.
- 2.6 “In Camera meeting” means a meeting of the Board, or a part of a meeting of the Board, that takes place during a confidential session of the Board without visitors present.
- 2.7 “In Camera minutes” means minutes taken during an In Camera meeting, inclusive of the agenda of that meeting.
- 2.8 “Notionally confidential material” means any material that substantially pertains to:
 - 2.8.1 the relationship between the University and YouX, including its financial, reputational, and legal relationship;
 - 2.8.2 the conduct, policies, salaries, benefits, employment, redeployment, or the termination of employment, of YouX Board Directors or YouX staff;
 - 2.8.3 any industrial matter concerning YouX;
 - 2.8.4 past, ongoing, or imminent legal action, or on any matter in which YouX has sought legal advice;
 - 2.8.5 the finances of YouX or its subsidiaries, except where this information has already been disclosed by YouX; or
 - 2.8.6 In Camera minutes.

3. Interpretation

Interpretation of this Policy is within the jurisdiction of the President, pursuant to the authority of Board.

4. Application of this Policy

- 4.1. For the avoidance of doubt, in case of an inconsistency between any provision contained in this Policy and any other Policy, the former will prevail to the extent of the inconsistency.
- 4.2 No clause in this Policy shall interfere with the existing power of the Board or the Executive to disclose or reclassify In Camera minutes or Confidential associated papers at their discretion.

5. Classification Guidelines

- 5.1 Notwithstanding clause 5.4, when classifying items for meetings of the Board, the President shall have regard to:
 - 5.1.1 Whether the item contains notionally confidential material;
 - 5.1.2 Whether the disclosure, or lack of disclosure, of information regarding the item could reasonably cause actual legal or financial harm to YouX; and
 - 5.1.3 Whether the disclosure of information regarding the item, despite the presence of notionally confidential material or any risk to YouX, would be in the public interest.
- 5.2 Unless the President is satisfied that classification of an item as confidential is necessary, the President should seek to avoid classifying items as confidential.
- 5.3 If any Director requests it, the President must provide a written justification to the Director, within a reasonable time after receiving the request, as to why they have classified an item as confidential.
- 5.4 The President shall not classify any item pertaining to the creation, amendment or repeal of any Schedule, Rule or Policy as confidential unless an absolute three-quarter majority of all voting members of the Executive has expressly resolved to permit such a classification.
- 5.5 Unless an absolute three-quarter majority of all voting members of the Executive, or a resolution of the Board carried by simple majority resolves to debate or substantially discuss the creation of a Schedule, Rule or Policy during an In Camera meeting, no such debate or substantive discussion regarding a Schedule, Rule or Policy may occur during an In Camera meeting.

6. Declassification of information

- 6.1 Subject to this clause, the headings or names of all agenda items that are classified as confidential, and the text of all resolutions of the Board that are carried during an In Camera meeting, shall be inserted into the Ex Camera minutes of that same meeting.
- 6.2 Clause 6.1 shall not apply to resolutions or agenda item headings concerning:
 - 6.2.1 past, ongoing, or imminent legal action;
 - 6.2.2 the conduct, policies, salaries, benefits, employment, redeployment, or the termination of employment, of YouX Board Directors and staff;
 - 6.2.3 any item required to be kept confidential under the law; or
 - 6.2.4 any item that an absolute three-quarter majority of all voting members of the Executive has expressly deemed to be confidential.
- 6.3 Clause 6.1 shall not compel the inclusion of any of the following into the Ex Camera minutes:
 - 6.3.1 The names of Directors that moved, seconded, supported, abstained, opposed, or declared a conflict of interest regarding, the resolution;
 - 6.3.2 Any discussion on the topic, whether general or attributable to someone at the meeting;
 - 6.3.3 Any confidential associated papers provided in relation to that item.
- 6.4 Any resolution approving the creation, amendment or repeal of any Schedule, Rule or Policy must be noted in its entirety and no clause in this Policy may be deemed to prevent the full disclosure of the text of the carried Schedule, Rule or Policy in the Ex Camera minutes.

Version Control Table

Version	Author	Date	Changes
V1.0	YouX President	25/08/2023	Enacted