



Confidentiality Policy

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Introduction

Confidentiality is the preservation of privileged information. AHANA Board members, Committee members, volunteers, AHANA members, staff and contractors come into possession of confidential information in the course of their roles with AHANA.

The ability to share information confidentially, without risk of it being inappropriately used, handled or disclosed, is essential for best practice management and protection of AHANA. It encourages open and frank discussion at meetings, helps facilitate the development of vision and the implementation of an effective strategy to achieve that vision, and protects AHANA's interests.

The inappropriate use, handling or disclosure of confidential information may cause AHANA to breach its privacy or contractual obligations, or expose AHANA to reputational or financial risk.

Definitions

Confidential Information means information which is not in the public domain which comes into a Board or Committee member's possession in connection with their AHANA position and includes *personal information*.

Personal Information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether or not the information or opinion is: true; or recorded in a material form.

Responsible Parties means AHANA Board members, Committee members, volunteers, AHANA members, staff and contractors.

Purpose

The purpose of this Policy is to establish the AHANA requirements for handling Confidential Information.



Application

This Policy applies to all Responsible Parties. The obligation to maintain confidentiality continues to apply even after a person has ceased their association with AHANA.

Responsibilities

The policy is reviewed no less than every three years by the AHANA Board.

The Responsible Parties are required to:

- a) Comply with this Policy;
- b) Seek advice from the Board Chair or Company Secretary if they are concerned about its application; and
- c) Report any breaches of the Policy in accordance with Reporting Concerns about Potential Breaches section.

Responsible Parties are cautioned to demonstrate professionalism, good judgment, and care always in handling any information related to AHANA to avoid unauthorised or improper disclosures of confidential information.

In the case of AHANA office holders (e.g. Board or Committee members), complying with this policy will also support compliance with their obligations under the *Corporations Act 2001* (Cth).

Board and Committee members must keep confidential all information pertaining to matters dealt with by the Board and Committees. This includes meeting minutes, agendas, reports to/from the Board/Committee and associated documents, and information contained in those documents. This policy is not intended to prevent disclosure where disclosure is required by law.

Requests for Access to Confidential Information

The [AHANA Constitution](#) (Rule 28) outlines the provisions for the Inspection of Records. When access to information authorised (rule 28.2), the request is to be made by emailing admin@ahana.com.au.

Nothing in this policy is intended to prevent a Responsible Party from seeking confidential legal, accounting, financial or other expert advice from independent professionals to assist in carrying out their role.

Reporting Concerns about Potential Confidentiality Breaches

A person who becomes concerned, on reasonable grounds, that the Policy may have been breached by themselves or another Responsible Party must report this concern to the Board Chair in writing within 14 days of forming the concern, unless the concern relates to the conduct of the Chair, in which case the report should be made to the Company Secretary.

Any person may report a concern that a **Responsible Party** may have breached this Code by emailing admin@ahana.com.au.

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Investigation of Potential Breaches and Consequences of Breach

Complaints about potential breaches of the Policy will be handled in accordance with the concepts of natural justice and procedural fairness.

Each report of a potential breach will be recorded in a Board Briefing Paper and the Board will, by decision of simple majority, determine to investigate the matter using one or more of the following methods:

- a) An investigation by an independent third party; and/or
- b) The individual to appear before the Board or make a written submission.

Upon completion of the investigation the Board will consider the evidence and/or findings received and:

- a) decide whether the concern has been upheld and a breach has been established; and, if so;
- b) on the disciplinary action appropriate.

Should the outcome of the investigation be that the Policy has been breached, the Board may decide to:

- a) Require the individual to complete further training, development or mentorship;
- b) Censure the individual by way of reprimand;
- c) Remove the individual from one or more AHANA positions held by them:
 - i. Board Director, subject to Rule 16.5 of the [AHANA Constitution](#);
 - ii. Committee member, using the process required by the Terms of Reference of the relevant committee or as otherwise deemed appropriate by the Board;
 - iii. Volunteer, using the process required by the Terms of Reference of the relevant committee or as otherwise deemed appropriate by the Board; and
 - iv. AHANA member, subject to Rule 13.4 of the [AHANA Constitution](#)

Version History

Version #	Date Approved	Description of Changes
1	14/05/2024	First document
1.1	13/02/2025	Minor update – amended typographical errors from “Responsibly” to “Responsible” and updated document owner to AHANA Board

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