

# **CURVE LAKE FIRST NATION**

## **IN-CAMERA SESSION**

**POLICY 01.007**

### *Policies and Procedures*

*Policy Framework and Support Procedures to guide and properly manage Curve Lake First Nation In-Camera Sessions.*

*Approved by Council on August 28 2017.*

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## INTRODUCTION

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### Principle:

Transparency is the principle by which Chief & Council govern. However, certain circumstances require that some meetings will need to be conducted *In-Camera*.

### Application:

This policy applies to Chief & Council and Committees.

### Exclusions:

### Responsibilities:

**Council** is responsible to ensure that Policy is in place to ensure transparent and effective governance.

**Administration** is responsible to ensure that the Policies and Procedures of the Curve Lake First Nation are followed and to identify areas of policy concern.

**Human Resources** is responsible to ensure employment practices and procedures conform to legislation and the approved Curve Lake First Nation Policies.

**Employees** are responsible to meet the requirements of this policy and their job description, and carry out the functions in a professional manner

### Review:

This policy will be reviewed every three years and may be amended from time to time.

### Dates:

This policy was created on May 11, 2017.

It was implemented on August 28 2017.

## DEFINITIONS

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### IN THIS POLICY,

- a. **"In-Camera"** means a private session of Chief & Council or a Committee.
- b. **"Meetings"** means any meeting of Chief & Council and Committees.
- c. **"Open Meeting"** means a meeting that members of Curve Lake First Nation are entitled to attend.

# CHAPTER 1 – RULES AND REGULATIONS

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## MEETINGS PRESUMED OPEN

1. Except as provided in this section, all meetings shall be open to members of Curve Lake First Nation.

## EXCEPTIONS

2. A meeting or part of a meeting may be closed to the public for an in-camera session if the subject matter being considered is:
  - (1) The security of the property of CLFN;
  - (2) Personal matters about an identifiable individual, including a CLFN employee, committee member or any other;
  - (3) A proposed or pending acquisition or disposition of land by CLFN;
  - (4) Employee negotiations;
  - (5) Litigation or potential litigation, including matters before administrative tribunals;
  - (6) Advice that is subject to solicitor-client privilege;
  - (7) Land claims and treaty claims;
  - (8) Commercially sensitive business matters, including matters subject to confidentiality agreements and non-disclosure agreements with third parties;
  - (9) Is held for the purposes of educating or training the members;
    - (a) If a meeting is held under s.2 (8) then no member may discuss or otherwise deal with any matter that materially advances the business or decision-making Chief & Council or a committee.
  - (10) A matter in respect of which Chief & Council have the authority to have a closed session under another policy or By-Law.

# CHAPTER 2 – PROCEDURES

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## OCCURRENCE OF IN-CAMERA SESSION

3. In-camera sessions occur when the guidelines of this policy are met.
4. Time shall be allotted at the end of each regular council meeting for closed sessions and at other such times as declared by the Chief, or Chair, of such meeting.
5. It is discouraged to have in-camera sessions without prior warning.

## DETERMINING IF IN-CAMERA SESSION

6. Prior to a meeting, the Chair shall meet with management, the appropriate staff resource, or legal counsel, to discuss the agenda;
  - (1) They shall determine if any items on the agenda fall under the enumerated categories in S.2 (1)-(9).
  - (2) If items require an in-camera session, they shall be grouped together for discussion at the end of the agenda unless otherwise determined by the Chair.
7. At the beginning of Council or Committee, the Chair shall ask for comments on the agenda;

- (1) Attendees at the meeting shall then state if they believe an agenda item should be discussed in-camera.

### **MOTION**

8. Before a meeting or a portion of a meeting is to go in-camera, Chief & Council or Committee shall pass a motion which includes the information in S.18 (2).
9. Unless a member votes against an in-camera session motion, they will be presumed to have voted for it.

### **IN-CAMERA BUSINESS**

10. No business shall be discussed at an in-camera session that is not approved in the motion.

### **ATTENDANCE AT IN-CAMERA**

11. Only members of Chief & Council are entitled to attend in-camera sessions of Chief & Council.
12. Only members of a committee are entitled to attend in-camera sessions of that committee.
13. At the discretion of Chief & Council, the General Manager may be present for in-camera sessions of Chief & Council;
  - (1) While at the discretion of Chief & Council, the General Manager should normally be included at in-camera sessions.
14. At the discretion of Chief & Council for Chief & Council sessions, or a committee for that committee's sessions, any person they invite may be present for in-camera sessions;
  - (1) Including but not limited to;
    - (a) Executive Assistant;
    - (b) Other staff;
    - (c) Legal counsel;
    - (d) Advisors;
    - (e) Consultants.

### **RESPONSIBILITY FOR COMPLIANCE**

15. It is the responsibility of the Chief or the Chair of a Committee to ensure this policy is complied with.

## **CHAPTER 3 – CONFIDENTIALITY**

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### **Confidentiality**

16. All in-camera sessions are subject to strict confidentiality;
  - (1) Confidentiality applies to, but is not limited to:
    - (a) Minutes;
    - (b) Records;
    - (c) Proceedings of in-camera sessions.

### **RETURN MATERIAL**

17. Chief & Council, or committee, will return in-camera session material to the person delegated by the Chair;

- (1) For Chief & Council meetings this will frequently be the Executive Assistant;
- (2) For committee meetings this will frequently be the person taking minutes.

## **CHAPTER 4 – RECORDS**

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### **REQUIREMENTS OF MINUTES**

**18.** The requirements for minutes of an in-camera session are:

- (1) The place, date, and start time of the meeting;
- (2) The motion used to begin an in-camera session;
  - (a) First and seconder of the motions names;
  - (b) The reasons the matter requires a closed meeting under S.2;
  - (c) Members voting for;
  - (d) Members voting against;
- (3) The persons present;
- (4) Who served as chair and secretary;
- (5) The text of all resolutions;
- (6) Any formal objections of Chief & Council or Committee members;
- (7) The time of adjournment.

### **MINUTES RECORDER**

**19.** At in-camera sessions of Chief & Council the Executive Assistant shall record the minutes unless indicated otherwise by Chief & Council.

**20.** At in-camera sessions of Committees the Chair shall record the minutes.

### **ALTERATION OF MINUTES**

**21.** Minutes shall only be altered for accuracy;

**22.** If minutes are altered the first and seconder of the motion shall be recorded.

### **IN-CAMERA MINUTES STORAGE**

**23.** In-camera minutes will be stored separately and securely from regular meetings minutes.

### **ACCESS TO RECORDS**

**24.** Only the enumerated groups shall have access to in-camera minutes of Chief & Council meetings;

- (1) Chief & Council;
- (2) Executive Assistant if delegated by Chief & Council;
- (3) Persons delegated specific matters by Chief & Council;

**25.** Only the enumerated groups shall have access to in-camera minutes of the relevant Committee meetings;

- (1) Committee members;
- (2) Chief & Council;
- (3) Staff resource if delegated by the committee;
- (4) Persons delegated specific matters by committee;

# CHAPTER 5 – OTHER POLICIES

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## **SUPERSEDE**

**26.** This policy supersedes any other policy's rules on in-camera sessions.

## **PREVIOUS POLICY**

**27.** All previous in-camera/closed session policies are hereby repealed.



## **APPENDIX A**



**\*\*\*INSERT TITLE HERE\*\*\***

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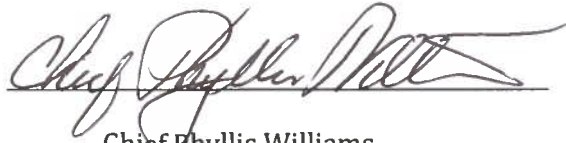
**APPENDIX B**  
**\*\*\*INSERT TITLE HERE\*\*\***

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# POLICY APPROVAL

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This Policy was passed during a duly convened meeting of the Curve Lake First Nation Council held on August 28<sup>th</sup> 2017.




Chief Phyllis Williams




Councillor Laurie Hockaday



Councillor Gary Williams




Councillor Tiffany Taylor



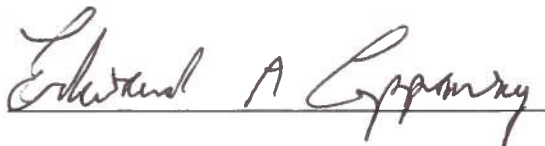
Councillor Shane Taylor




Councillor Arnold Taylor



Councillor Deborah Jacobs



Councillor Ted Coppaway



Councillor Lorenzo Whetung

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