

In-camera Session

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Authority: Bylaw 12(6) and (7)

Background and definition:

The Board is responsible for governing, controlling and administering the affairs of the College in accordance with the *Health Professions Act*, the Dietitians Regulation and the College By-Laws.

An in-camera meeting can be understood to mean an "in private" session. It involves a confidential meeting, or a portion of a meeting, taking place with only Board members present. Matters discussed at an in-camera board meeting are confidential.

As a matter of good governance, it is good practice for directors to regularly allocate time for an in-camera discussion towards the end of each board meeting. The session provides an opportunity to assess the agenda, meeting materials, time allocated to items and the Board's performance.

Policy:

1. Eligibility or Purpose

According to the CDBC Bylaws, the Board may conduct an in-camera meeting and exclude any person if one or more of the following matters will be discussed:

- financial, or
- personal, or
- matters of a nature that the interest of any person affected, or in the public's interest in avoiding public disclosure of those matters, outweigh the public interest in board meeting being open to the public;
- information concerning an individual's application for registration under section 20 of the Act, when the disclosure would be an unreasonable invasion of the applicant's personal privacy;
- information concerning a complaint against, or an inspection of, any individual under Part 3 of the Act, when the disclosure would be an unreasonable invasion of the individual's personal privacy;
- the disclosure of information which may prejudice the interests of any person involved in:
 - i. a proceeding under the Act, including a disciplinary proceeding under part 3 of the Act or a review under Part 4.2 of the Act; or
 - ii. any other criminal, civil or administrative proceeding;
- personnel matters;
- the contents of examinations;
- communications with the office of the ombudsperson;

- instructions given to or opinions received from legal counsel under section 28, or any other matter that is subject to solicitor-client privilege;
- information that the college would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of the Freedom of Information and Protection of Privacy Act; or
- information that the college is otherwise required by law to keep confidential.

In-camera sessions are not designed as a forum to raise personal agendas or special interests, nor to alter a decision that has been presented by management and approved.

The Registrar and the staff should only be excluded for personnel matters (human resource issue, registrar performance appraisal) and for Board self-appraisal.

2. Record keeping

If the Board conducts an in-camera session, the reasons for doing so must be noted in the minutes of the meeting. The minutes must reflect:

- The start and the adjournment time of the meeting;
- All those in attendance (if different from the rest of the meeting);
- All resolutions.

Besides the motion, no further information is required to be recorded unless stated otherwise by the Board. For example, supporting documents or meeting notes may be kept for the performance appraisal and salary review of the Registrar.

These documents are not for public record and should to be for specific use in the future. Depending on the nature of the document, the Registrar or Chair will keep the document, according to the policy on record retention and confidentiality.

3. Meeting

The Chair leads the in-camera session. Care must be exercised by the chair to ensure that in camera sessions remain focused on the appropriate items and do not digress into areas that should be discussed in the presence of staff. The board chair must exercise authority as chair to determine the appropriateness and relevance of the issues raised in camera, and provide opportunities for the board to contribute meaningfully to the discussion.

Following each board meeting, the chair and/or the vice-chair will meet with the Registrar to de-brief in matters raised during in camera session(s) and will ensure comments made are not attributed to particular board members.