

Document Information Disclosure Policy

Policy	CNL-DID: Document Information Disclosure Policy
Version	2.0
Date in force	November 2016
Reviewed	March 2018
Planned review	November 2020

1 Introduction

- 1.1 This policy sets out the Council's Document Information Disclosure process.
- 1.2 It is an InternetNZ Governance Policy, and applies to InternetNZ.
- 1.3 It explains how the Council will manage confidential information, and when and how that is then disclosed to the public.
- 1.4 The approach this DIDP takes is to default to openness and only to withhold information when there is a particularly significant reason to do so. In that event, any withholding will be time specified and reviewed to check whether it may now be released.
- 1.5 Nothing in this DIDP will require the Council to disclose information that is protected under the Privacy Act or that relates to personnel matters.
- 1.6 This policy will apply to documents that were submitted to Council on or after 1 July 2015.

2 Submitting Confidential papers to Council

- 2.1 InternetNZ staff or Subsidiaries may submit to the Council items that are clearly marked as Confidential, and specify the timeframe that that item must be withheld from the public.
- 2.2 This status is for matters that are truly confidential, for example:
 - 2.2.1 To protect the privacy of members (e.g. when lists of new members are approved) or other people
 - 2.2.2 To protect the organisation's ability to act (e.g. if legal advice or tactics/strategy were being discussed related to a dispute or campaign)
 - 2.2.3 To protect the organisation's reputation or ability to function (e.g. if a security flaw was discovered, or an employment dispute was being managed, or a newly-realised operational risk was being tackled)
 - 2.2.4 To protect the organisation's commercial interests (e.g. negotiation of a lease for premises or changes to commercial aspects of .nz or the customers of the registry)

- 2.2.5 As required for the proper administration of the .nz ccTLD (e.g. recommendations to change the wholesale fee for domain names are confidential until the decision is made).
- 2.3 An “item” for this policy is any sort of document presented to Council for its consideration or agreement – examples include a policy document, a report, draft correspondence, a review. Unless something is excluded (see section 5) it will be counted as an “item” covered by this Policy.
- 2.4 If no timeframe is specified, the default release will be two years later. Two years is the maximum time before review.
- 2.5 In doing so, the author of the item must justify why that item is Confidential and why the specified time period for that status is required.
- 2.6 The Chief Executive must approve any item being lodged as a Confidential item, and satisfy themselves that it meets the threshold and reasons for confidentiality set out in this policy before giving such approval.
- 2.7 Any Confidential items for the Council will be distributed to Council separately from the rest of the documentation for the Council Meeting, and will not be provided to the public in advance of that Council Meeting.
- 2.8 Councillors may challenge the justification for Confidential status of an item. They could make a decision to release such an item by resolution. In the event that such a resolution is passed and the paper is no longer Confidential, it will be released to the public alongside the Minutes from the Council Meeting.

3 Administration, review and disclosure

- 3.1 InternetNZ staff will keep a register of all Confidential items, the grounds on which they are Confidential, and their specified timeframe for being withheld.
- 3.2 At each Council meeting, staff will make a recommendation as to which pending items should be released, and which should continue to be withheld beyond the initial timeframe. Staff will develop the recommendation in consultation with the item’s author.
- 3.3 The only justification for continued Confidential status beyond the maximum / default two-year period would be that release would be seriously prejudicial to InternetNZ. An extension could only be authorised by Council resolution specifying what the item is and why release would be seriously prejudicial.
- 3.4 Items that are no longer Confidential will be published on a page on the InternetNZ website following the Council meeting, and indication will be made in the minutes of the meeting and in notice of the minutes that the material has been released.

4 Appeals

- 4.1 If anyone believes that a document should be disclosed because they do not agree it should have been confidential (i.e. that this policy has been mis-applied), or for any other reason, the Council will consider the request on a case-by-case basis.
- 4.2 In general, the Council will seek to interpret this policy with a bias towards being as “open as is possible”.

5 Excluded material

- 5.1 For clarity, the following information is not covered by this policy:
 - 5.1.1 The Council’s email lists
 - 5.1.2 Staff email
 - 5.1.3 Staff drafts of documents, where finals do get released or where the documents are never presented to Council