

## 1. INTRODUCTION

All employees of the Legatus Group ('LG') have a legal requirement and an obligation to abide by this Confidentiality Policy.

Except as required by law, employees must not disclose, or allow to be disclosed, in any form or by any means, any confidential information of which the employee becomes aware during the course of their employment or through the performance of their duties.

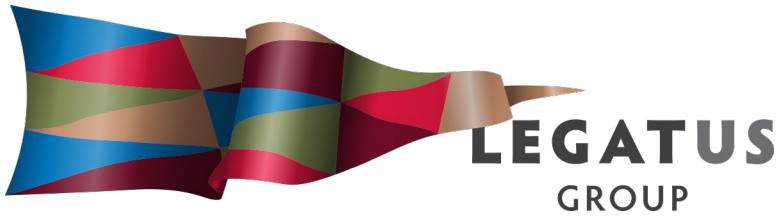
## 2. DEFINITIONS

For the purpose of this Confidentiality Policy, confidential information is defined as any confidential or proprietary information provided by LG (in any form) to an employee in connection with their employment, including:

- the names, details and any information relating to the business affairs of the clients, customers, potential customers, suppliers or members of LG;
- matters of a technical nature, trade secrets, technical data, marketing procedures and information, pricing and or discount structures, accounting programs and procedures, financial information, strategic and business plans and like information relating to the business of LG;
- other information which LG informs the employee is confidential or which, if disclosed, the employee knows, or ought reasonably to know, would be detrimental to LG;
- all other information which is imparted to the employee in circumstances which the employee knows, or ought reasonably to know, that the information is confidential to LG or any persons with whom LG is concerned;
- but excludes any information that is public knowledge or is in the public domain.

## 3. POLICY DETAILS

The employee:



- may use confidential information solely for the purposes of performing their duties as an employee of LG and must not use confidential information for their own personal financial or other gain;
- must not communicate (or permit anyone else to communicate) any confidential information, except with the prior written authority of LG;
- may only disclose confidential information to persons who are aware that the confidential information must be kept confidential and who have a need to know (but only to the extent that each person has a need to know).

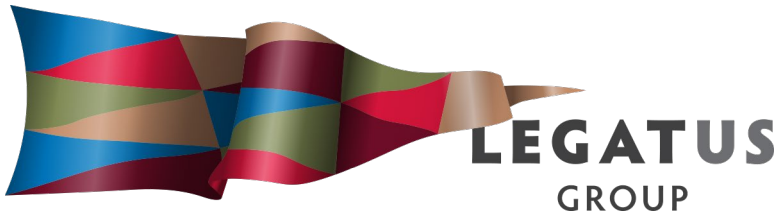
The employee's obligation of maintaining confidentiality does not extend to confidential information that the law requires to be disclosed.

Employees must store all confidential information in a secure manner, including that:

- if it is in a material form, it must be kept in a locked, secure area;
- if it is in electronic form, it must be kept in encrypted files accessible only by password, except when being used for the purposes of their employment.

At the end of an employee's employment, the employee must return to LG;

- all confidential information in material or electronic form;
- those parts of all notes and other records based on or incorporating confidential information;
- all copies of confidential information and notes and other records based on or incorporating confidential information;
- all property belonging to or leased by LG, including that which may include confidential information, including, but not limited to, books, documents, records, electronic storage media, discs, access cards, computer hardware, credit cards and computer login codes, in the employee's possession or control.



In addition to the above requirements, the employee must also delete all those documents and records held electronically in any medium at any place that are in the employee's control.

The employee's legal requirement and obligation of confidentiality continues until after the end of the employee's employment in respect of all confidential information, other than information forming part of the employee's stock of general skill and knowledge.

Any employee found to be in breach of this confidentiality requirement and obligation whilst employed by LG will be disciplined, and in serious breaches of this Confidentiality Policy, their employment contract will be terminated.

Any former employee found to be in breach of this confidentiality requirement and obligation may be subject to legal action being taken against them, dependent upon the circumstances of the breach.

This Confidentiality Policy operates in conjunction with the letter of appointment and or contract of employment for every employee employed by LG.

A copy of this Confidentiality Policy is available to every employee via the intranet and it must be signed by a prospective employee prior to the commencement of employment.

Signature: 

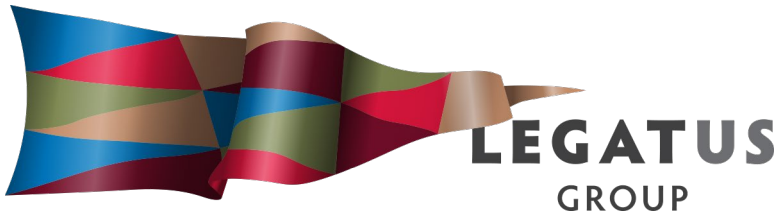
Date: 12 June 2020

*Chief Executive Officer*

If a conflict exists with any law in Australia, then the provisions of the law in Australia will prevail to the extent of the conflict.

#### **4. LEGISLATION and OTHER DOCUMENTS**

Local Government Act 1999 (as amended)



State Records Act 1997 (as amended)

## 5. AVAILABILITY & GRIEVANCES

This policy is available for inspection at the Legatus Group office at 318 Main North Road, Clare during ordinary business hours.

It is also available for inspection, download or printing, free of charge, from the Legatus Group's website at [www.legatusgroup.sa.gov.au](http://www.legatusgroup.sa.gov.au)

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer, Legatus Group, PO Box 419, Clare, SA 5453.

## 6. REVIEW

This Legatus Group Policy shall be reviewed by the Legatus Group within (4) years of the issued date.

| Date        | Revision Number | Reason for Amendment |
|-------------|-----------------|----------------------|
| 5 June 2020 | I               | No amendment         |
|             |                 |                      |
|             |                 |                      |
|             |                 |                      |

