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REPORT TO GOVERNANCE AND FIRST NATIONS RELATIONS COMMITTEE MEETING OF WEDNESDAY, APRIL 1, 2026

SUBJECT **Non-Disclosure/Confidentiality Agreement for CRD Committees & Commissions Policy**

ISSUE SUMMARY

Updates have been made to the CRD *Non-Disclosure/Confidentiality Agreement for CRD Committees & Commissions Policy* (BRD12) to clarify management procedures, refine definitions, and include gender-inclusive language.

BACKGROUND

The *Non-Disclosure/Confidentiality Agreement for CRD Committees & Commissions Policy* is due for review and update prior to the next general local election and appointment of new committee and commission members.

The policy applies to non-elected officials appointed to CRD committees and commissions, who may receive confidential information in the course of carrying out their duties. Appended to the policy is a form to be signed by committee and commission appointees that includes a commitment not to disclose closed meeting information while that information remains confidential.

This policy amendment aims to improve the Legislative Services Division's ability to administer non-disclosure/confidentiality agreements to CRD committee and commission appointees, enforce agreement requirements, and maintain agreement records. The proposed changes include a revised policy purpose statement, updates to defined terms, and more detailed procedures based on current practices. Finally, the revised policy integrates gender-inclusive language throughout the policy and agreement template.

ALTERNATIVES

Alternative 1

The Governance and First Nations Relations Committee recommends to the Capital Regional District Board:

That the amended *Non-Disclosure/Confidentiality Agreement for CRD Committees & Commissions Policy* (BRD12), attached as Appendix A, be approved.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Confidentiality requirements for elected officials are outlined in Section 117 of the *Community Charter*. These requirements apply to regional districts via section 205 of the *Local Government Act*. The intent of the policy is to address the gap for non-elected officials who are not subject to the legislated requirements but may still need to receive confidential information. The policy and

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signed statement are designed to ensure the commitment of appointees to safeguard confidential information and provide some assurance to CRD that appointees have been made aware of the confidentiality requirements. Note that not all committees or commissions hold closed meetings, but for those that do, appointees will be required to have signed the agreement prior to receiving any confidential information.

In terms of enforcement, where an appointee is not willing to sign the Non-Disclosure/Confidentiality Agreement, the policy stipulates that they will not be permitted to receive any confidential information or participate in closed meetings. If participation in closed meetings is essential to the work of the committee or commission, the Board may choose to revoke the appointment of that appointee, however whether that is necessary for any particular appointee would need to be considered on a case-by-case basis.

Service Delivery Implications

The revised policy will enhance staff's ability to administer non-disclosure/confidentiality agreements to CRD Committee and Commission members, enforce agreement requirements, and maintain agreement records.

Equity, Diversity and Inclusion

This policy amendment focuses on including gender-inclusive language, per CRD's commitment to fostering and promoting an inclusive and equitable work environment. Priorities identified in the People, Safety & Culture (PS&C) Strategic Plan (2024-2027) include reviewing internal policies and practices with lens that prioritize Equity, Diversity, Inclusion, and Accessibility.

CONCLUSION

Updating the CRD's *Non-Disclosure/Confidentiality Agreement for CRD Committees & Commissions Policy* (BRD12) will strengthen current practices by improving the administration, enforcement, and record-keeping of CRD's confidential or sensitive information. The revised policy will establish clearer expectations, more consistent compliance, and a more robust framework for protecting sensitive information.

RECOMMENDATION

The Governance and First Nations Relations Committee recommends to the Capital Regional District Board:

That the amended *Non-Disclosure/Confidentiality Agreement for CRD Committees & Commissions Policy* (BRD12), attached as Appendix A, be approved.

Submitted by:	Marlene Lagoa, MPA, Senior Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., Corporate Officer & General Manager, Corporate Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

- Appendix A: Non-Disclosure/Confidentiality Agreement for CRD Committees & Commissions Policy (BRD12)
- Appendix B: Non-Disclosure/Confidentiality Agreement for CRD Committees & Commissions Policy (BRD12) – Redlined Version