

In Camera Meetings and Minutes of In Camera Meetings

MARCH 18, 2014 BY Hilary Findlay / Associate Professor at Department of Sport Management - Brock University

There are times within meetings, particularly executive meetings, when discussions must be kept confidential. Such discussions are considered to be “in camera” meetings.

In camera meetings have a legitimate purpose but because they restrict the normal information reported to the membership of an organization, their use should be limited to those occasions when they are absolutely necessary.

A number of factors may support the use of an in camera meeting such as: personnel matters about any identifiable individual, including employees or members; commercially sensitive business that is subject to privilege, including communications necessary for that purpose (e.g., legal advice, or medical advice concerning a member or athlete).

Most often, minutes of in camera meetings are not kept but perhaps they should be. In particular, a record should be kept of any decisions made in camera. In camera decisions are equally important decisions of the organization as any others made by the organization and, arguably, sometime more important. This, however, means organizations need to consider how in camera minutes will be stored and who will have access to them. Organizations should have already considered, and indeed determined, how they store confidential information, including information concerning personnel matters, waivers, and police checks used for screening people, among other documents. Establishing secure sections of an organization’s computer system with limited access is not a complex task. Every organization should undertake creating such a secure system.

In camera minutes should be adopted by meeting participants just like any other meeting minutes would be. Once the main minutes of a past meeting have been adopted, the committee or group would then go in camera in order to adopt the in camera minutes and then move out of camera once this has been done. It may be a bit tedious but, not much!

Here is a Template

Here is a template for an [In Camera policy](#). You will need to adapt it to your particular circumstances. Particular attention should be paid to where and how such in camera minutes will be stored and who will have access (thus the need for the previously mentioned secure and limited access part of your computer system). You might also want to include a statement as to how long such records will be maintained before being destroyed. This would probably be the same amount of time regular minutes are kept (hopefully all organizations have a policy around maintenance of such records).

Who Has Access?

Another important aspect to consider is who should have access to such in camera minutes. This became quite a bone of contention within one of the organizations with which I am associated. Past executives had made many secretive decisions that had repercussions for the organization as time passed. The current executive wanted a broader group of people than just 2 or 3 executive members to have access to in camera minutes going forward. Ultimately, it was decided that all current members of an executive should have access to the in camera minutes. There are, of course, pros and cons to whatever access one determines is appropriate. For example, executive confidentiality is an important issue, particularly with regard to in camera matters. Members of an executive have to understand the importance of keeping executive matters confidential and an executive needs to be prepared to enforce confidentiality. Indeed, such confidentiality is a fundamental principle of good governance.

Concluding Comment

As much as executive confidentiality is a part of good governance, so too is transparency and accountability. Minutes should be kept of **all** decisions of an organization, including those made “in camera”. They may need to be kept confidential for very legitimate reasons, but they should not be ‘secret’. Consider adopting an *In Camera Policy* as part of your ‘good governance’. We are happy to help and advise.