

## Town Of Hurt Virginia

### Policy # 2020 - 01 – 001 - Information Security & Dissemination Policy

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**POLICY STATEMENT:** This Policy applies to all Town of Hurt departments, employees, volunteers, service providers, vendors, contractors, and commercial entities that have access to , use of, develop, implement, administer, or use Town of Hurt, Virginia communications systems, data and information.

**Legal Requirements for Records and Information:** The Town of Hurt ,Virginia and its departments, employees, volunteers are bound by the provisions of the Virginia Freedom of Information Act, the Virginia Public Record Act and the Personal Information Privacy Act – all employees are required to be familiar with the provisions of these laws as it applies to their job function.

**Guidance: § 2.2-3701. Definitions.**

Per the Code of Virginia, as used in this chapter, unless the context requires a different meaning:

"Closed meeting" means a meeting from which the public is excluded.

"Electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

"Emergency" means an unforeseen circumstance rendering the notice required by this chapter impossible or impracticable and which circumstance requires immediate action.

"Information" as used in the exclusions established by §§ [2.2-3705.1](#) through [2.2-3705.7](#), means the content within a public record that references a specifically identified subject matter, and shall not be interpreted to require the production of information that is not embodied in a public record.

"Meeting" or "meetings" means the meetings including work sessions, when sitting physically, or through electronic communication means pursuant to § [2.2-3708.2](#), as a body or entity, or as an informal assemblage of (i) as many as three members or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body. Neither the gathering of employees of a public body nor the gathering or attendance of two or more members of a public body (a) at any place or function where no part of the purpose of such gathering or attendance is the discussion or transaction of any public business, and such gathering or attendance was not called or prearranged with any purpose of discussing or transacting any business of the public body, or (b) at a public forum, candidate appearance, or debate, the purpose of which is to inform the electorate and not to transact public business or to hold discussions relating to the transaction of public business, even though the performance of the members individually or collectively in the conduct of public business may be a topic of discussion

or debate at such public meeting, shall be deemed a "meeting" subject to the provisions of this chapter.

"Open meeting" or "public meeting" means a meeting at which the public may be present.

"Public body" means any legislative body, authority, board, bureau, commission, district or agency of the Commonwealth or of any political subdivision of the Commonwealth, including cities, towns and counties, municipal councils, governing bodies of counties, school boards and planning commissions; governing boards of public institutions of higher education; and other organizations, corporations or agencies in the Commonwealth supported wholly or principally by public funds. It shall include (i) the Virginia Birth-Related Neurological Injury Compensation Program and its board of directors established pursuant to Chapter 50 (§ [38.2-5000](#) et seq.) of Title 38.2 and (ii) any committee, subcommittee, or other entity however designated, of the public body created to perform delegated functions of the public body or to advise the public body. It shall not exclude any such committee, subcommittee or entity because it has private sector or citizen members. Corporations organized by the Virginia Retirement System are "public bodies" for purposes of this chapter.

For the purposes of the provisions of this chapter applicable to access to public records, constitutional officers and private police departments as defined in § [9.1-101](#) shall be considered public bodies and, except as otherwise expressly provided by law, shall have the same obligations to disclose public records as other custodians of public records.

"Public records" means all writings and recordings that consist of letters, words or numbers, or their equivalent, set down by handwriting, typewriting, printing, photostating, photography, magnetic impulse, optical or magneto-optical form, mechanical or electronic recording or other form of data compilation, however stored, and regardless of physical form or characteristics, prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business.

"Regional public body" means a unit of government organized as provided by law within defined boundaries, as determined by the General Assembly, which unit includes two or more localities.

"Scholastic records" means those records containing information directly related to a student or an applicant for admission and maintained by a public body that is an educational agency or institution or by a person acting for such agency or institution.

"Trade secret" means the same as that term is defined in the Uniform Trade Secrets Act (§ [59.1-336](#) et seq.).

**INFORMATION OWNERSHIP:** Any information, data, or any other content that is in or transmitted through the Town of Hurt, Virginia platforms, communications systems and infrastructure including through Town external sources such as the Internet, Town Social Media venues, subscription and 'Cloud' services are the property of the Town of Hurt, Virginia. Therefore, users should not expect that personal information conducted

through the Town of Hurt, Virginia is private other than data explicitly covered by confidentiality and privacy laws.

**CONFIDENTIALITY NOTICE:** Town of Hurt, Virginia data deemed sensitive, confidential and/or covered by Federal or state privacy laws or statutes may not be published on personal Social Media venues or personal storage media or such as provisioned through personal wireless accounts unless permission is specifically granted. Individuals may not utilize access from the Town of Hurt, Virginia IT environment/devices to conduct any illegal or offensive acts to any personal venues, such as Social Media. This policy supersedes any previous policies that may be in conflict, and acts a minimum standard for Town of Hurt, Virginia department specific policies.

**PRIVACY NOTICE:** All information in the records system of the Town of Hurt is considered to be confidential unless specifically determined to be public under the definitions of the Code of Virginia. All activity to or from the Town of Hurt, Virginia's IT environments and on Town of Hurt, Virginia computer resources is subject to monitoring by authorized staff or designees to ensure system integrity and compliance with information security policy, related standards and governing statutes. The Information Security Officer also may disable use privileges and systems found introducing unacceptable risk and the related exposures to the Town of Hurt, Virginia. Disciplinary matters resulting from violation of information security policies are coordinated with Town Council and the Mayor. Due to the seriousness of harm to the Town of Hurt, Virginia's assets, integrity of its operations and information, and cost of damage caused by IT security breaches, misuse and intentional violation of the information security policy and controls will not be tolerated, and may be subject to applicable disciplinary measures and, or further subject to criminal prosecution or civil adjudication.

**RESPONSIBILITY:** The responsibility for implementation of the information security policy compliance resides with all employees and other users and at all levels of the Town of Hurt, Virginia. Town employees in ALL positions shall sign the Town of Hurt, Virginia Information Security Confidentiality Policy in order to protect the confidential information of the Town, its citizens and businesses and other entities who may have sensitive information in our systems. Contractors and consultants and/or their firms shall sign a similar agreement.

**Legal and Regulatory Requirements:** Town of Hurt, Virginia information systems transmit, receive, process, and store information that shall be protected according to federal, state, and local laws and regulations. The development of an overarching security policy for Town of Hurt, Virginia, and the development of specific policy for Town of Hurt, Virginia agencies shall take into consideration those laws and regulatory issues applicable to the operating environments. T

own of Hurt, Virginia Information Security Policy: Departments that process information governed by the Payment Card Industry Data Security Standard (PCIDSS) shall implement security standards to minimize risk of the unauthorized exposure of

cardholder information and credit card fraud. Town of Hurt, Virginia departments that process, receive, maintain, or transmit electronic protected health information shall ensure the information is protected against reasonably anticipated threats, hazards, and impermissible uses and/or disclosures by implementing the Health Insurance Portability and Accountability Act (HIPAA) Security Rule standards for information systems. Departments shall implement measures to protect any Personally Identifiable Information (PII) processed, transmitted, received, and stored on Town of Hurt, Virginia information systems. The overall privacy of information are concerns both for individuals whose personal information is at stake and for departments that may be liable or have their reputations damaged should PII be inappropriately accessed, used, or disclosed. Additional laws and regulation which also govern the development of Town of Hurt, Virginia Information Technology Security Policy shall include the US Privacy Act, the Computer Fraud and Abuse Act, the Virginia Computer Crimes Act, the Virginia Freedom of Information Act, the Virginia Government Data Collection and Dissemination Practices Act, and Virginia Security Breach Notification requirements. The Office of the Town of Hurt, Virginia Attorney shall make the determination of the application of Law and legal interpretation of issues as required in assisting the Mayor or Council in carrying out the duties and compliance responsibilities of this Policy. The Mayor shall monitor and investigate matters involving HIPAA and PCI as well as other information privacy matters.

**Information Classification:** Town of Hurt, Virginia department leadership and data owners shall be responsible for determining data classification levels for information processed on Town of Hurt, Virginia information systems based upon legal and regulatory requirements. Compliance with federal, state, and local laws dictate the managerial, operational, and technical controls to be implemented as part of this security policy. Assigned classification levels to Town of Hurt, Virginia information shall guide the development of applicable security policy, controls, and standards to ensure the confidentiality, integrity, and availability of the information. Town of Hurt, Virginia Information shall be separated into the four pre-defined classes of Confidential, Sensitive, Internal Use, and Public Use in order to categorize data and convey the required safeguards for information.

**Confidential :** This classification applies to the most sensitive business information that is intended strictly for use within the organization. Confidential information is exempt from disclosure under the provisions of the Virginia Freedom of Information Act and other applicable federal and state laws and regulations. The unauthorized disclosure of Confidential information can substantially harm the interests of Town of Hurt, Virginia Government or cause severe financial, legal, or regulatory damage to Town of Hurt, Virginia Government, its customers, vendors, or employees. Compromise of confidential information could also prejudice the maintenance of law and order, impede the effective conduct of government, or violate the privacy of its citizens. For example, Town of Hurt, Virginia critical infrastructure information, emergency response plans or weaknesses, information on Town of Hurt, Town of Hurt, Virginia security weaknesses, passwords, or Private Health Information protected by HIPAA are considered Confidential.

Special Note: The following information provides guidance on the confidentiality of documents/information that are confidential and not subject to release to the public under the Freedom of Information Act.

**Additional Information: Records Exemptions of General Applicability**

(Updated to reflect amendments effective July 1, 2017)

**§ 2.2-3705.1 (1): Personnel.** Provides an exemption for:

Personnel information concerning identifiable individuals, except that access shall not be denied to the person who is the subject thereof. Any person who is the subject of such information and who is 18 years of age or older may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, such information shall be disclosed. Nothing in this subdivision shall be construed to authorize the withholding of any resumes or applications submitted by persons who are appointed by the Governor pursuant to § [2.2-106](#) or [2.2-107](#).

No provision of this chapter or any provision of Chapter 38 (§ [2.2-3800](#) et seq.) shall be construed as denying public access to (i) contracts between a public body and its officers or employees, other than contracts settling public employee employment disputes held confidential as personnel records under § [2.2-3705.1](#); (ii) records of the name, position, job classification, official salary, or rate of pay of, and records of the allowances or reimbursements for expenses paid to, any officer, official, or employee of a public body; or (iii) the compensation or benefits paid by any corporation organized by the Virginia Retirement System or its officers or employees. The provisions of this subdivision, however, shall not require public access to records of the official salaries or rates of pay of public employees whose annual rate of pay is \$10,000 or less.

**§ 2.2-3705.1 (2): Attorney-client privilege.** Provides an exemption for:

Written advice of legal counsel to state, regional or local public bodies or the officers or employees of such public bodies, and any other information protected by the attorney-client privilege.

**§ 2.2-3705.1 (3): Attorney work product.** Provides an exemption for:

Legal memoranda and other work product compiled specifically for use in litigation or for use in an active administrative investigation concerning a matter that is properly the subject of a closed meeting under § [2.2-3711](#).

**§ 2.2-3705.1 (4): Tests and examinations.** Provides an exemption for:

Any test or examination used, administered or prepared by any public body for purposes of evaluation of (i) any student or any student's performance, (ii) any employee or employment seeker's qualifications or aptitude for employment, retention, or promotion, or (iii) qualifications for any license or certificate issued by a public body.

As used in this subdivision, "test or examination" shall include (a) any scoring key for any such test or examination and (b) any other document that would jeopardize the security of the test or examination. Nothing contained in this subdivision shall prohibit the release of test scores or results as provided by law, or limit access to individual records as provided by law. However, the subject of such employment tests shall be entitled to review and inspect all records relative to his performance on such employment tests.

When, in the reasonable opinion of such public body, any such test or examination no longer has any potential for future use, and the security of future tests or examinations will not be jeopardized, the test or

examination shall be made available to the public. However, minimum competency tests administered to public school children shall be made available to the public contemporaneously with statewide release of the scores of those taking such tests, but in no event shall such tests be made available to the public later than six months after the administration of such tests.

**§ 2.2-3705.1 (5): Closed meetings.** Provides an exemption for:

Records recorded in or compiled exclusively for use in closed meetings lawfully held pursuant to § [2.2-3711](#). However, no record that is otherwise open to inspection under this chapter shall be deemed exempt by virtue of the fact that it has been reviewed or discussed in a closed meeting.

**§ 2.2-3705.1 (6): Vendor proprietary information.** Provides an exemption for:

Vendor proprietary information software that may be in the public records of a public body. For the purpose of this subdivision, "vendor proprietary information software" means computer programs acquired from a vendor for purposes of processing data for agencies or political subdivisions of the Commonwealth.

**§ 2.2-3705.1 (7): Computer software.** Provides an exemption for:

Computer software developed by or for a state agency, state-supported institution of higher education or political subdivision of the Commonwealth.

**§ 2.2-3705.1 (8): Cost estimates of real property.** Provides an exemption for:

Appraisals and cost estimates of real property subject to a proposed purchase, sale or lease, prior to the completion of such purchase, sale or lease.

**§ 2.2-3705.1 (10): Certain personal information.** Provides an exemption for:

Personal contact information furnished to a public body for the purpose of receiving electronic mail from the public body, provided that the electronic mail recipient has requested that the public body not disclose such information. However, access shall not be denied to the person who is the subject of the record. As used in this subdivision, "personal contact information" means the information provided to the public body for the purpose of receiving electronic mail from the public body and includes home or business (i) address, (ii) email address, or (iii) telephone number or comparable number assigned to any other electronic communication device.

**§ 2.2-3705.1 (12): Contracts.** Provides an exemption for:

Information relating to the negotiation and award of a specific contract where competition or bargaining is involved and where the release of such information would adversely affect the bargaining position or negotiating strategy of the public body. Such information shall not be withheld after the public body has made a decision to award or not to award the contract. In the case of procurement transactions conducted pursuant to the Virginia Public Procurement Act (§ [2.2-4300](#) et seq.), the provisions of this subdivision shall not apply, and any release of information relating to such transactions shall be governed by the Virginia Public Procurement Act.

**§ 2.2-3705.1 (13): Account Numbers.** Provides an exemption for:

Account numbers or routing information for any credit card, debit card, or other account with a financial institution of any person or public body. However, access shall not be denied to the person who is the subject of the information. For the purposes of this subdivision, "financial institution" means any

organization authorized to do business under state or federal laws relating to financial institutions, including, without limitation, banks and trust companies, savings banks, savings and loan companies or associations, and credit unions.

**§ 2.2-3705.2 (2): Security Systems.** Provides an exemption for:

Documentation or other information that describes the design, function, operation or access control features of any security system, whether manual or automated, which is used to control access to or use of any automated data processing or telecommunications system.

**§ 2.2-3705.2 (14): Public safety; critical infrastructure, surveillance, etc.** Provides an exemption for:

Information contained in (i) engineering, architectural, or construction drawings; (ii) operational, procedural, tactical planning, or training manuals; (iii) staff meeting minutes; or (iv) other records that reveal any of the following, the disclosure of which would jeopardize the safety or security of any person; governmental facility, building, or structure or persons using such facility, building, or structure; or public or private commercial office, multifamily residential, or retail building or its occupants:

a. Critical infrastructure information or the location or operation of security equipment and systems of any public building, structure, or information storage facility, including ventilation systems, fire protection equipment, mandatory building emergency equipment or systems, elevators, electrical systems, telecommunications equipment and systems, or utility equipment and systems;

b. Vulnerability assessments, information not lawfully available to the public regarding specific cybersecurity threats or vulnerabilities, or security plans and measures of an entity, facility, building structure, information technology system, or software program;

c. Surveillance techniques, personnel deployments, alarm or security systems or technologies, or operational or transportation plans or protocols; or

d. Interconnectivity, network monitoring, network operation centers, master sites, or systems related to the Statewide Agencies Radio System (STARS) or any other similar local or regional public safety communications system.

The same categories of records of any person or entity submitted to a public body for the purpose of antiterrorism response planning or cybersecurity planning or protection may be withheld from disclosure if such person or entity in writing (a) invokes the protections of this subdivision, (b) identifies with specificity the records or portions thereof for which protection is sought, and (c) states with reasonable particularity why the protection of such records from public disclosure is necessary to meet the objective of antiterrorism, cybersecurity planning or protection, or critical infrastructure information security and resilience. Such statement shall be a public record and shall be disclosed upon request.

Any public body receiving a request for records excluded under clauses (a) and (b) of this subdivision 14 shall notify the Secretary of Public Safety and Homeland Security or his designee of such request and the response made by the public body in accordance with § 2.2-3704.

Nothing in this subdivision 14 shall prevent the disclosure of records relating to (1) the structural or environmental soundness of any such facility, building, or structure or (2) an inquiry into the performance of such facility, building, or structure after it has been subjected to fire, explosion, natural disaster, or other catastrophic event.

As used in this subdivision, "critical infrastructure information" means the same as that term is defined in 6 U.S.C. § 131.

**§ 2.2-3705.4 (1): Scholastic Records.** Provides an exemption for:

Scholastic records containing information concerning identifiable individuals, except that such access shall not be denied to the person who is the subject thereof, or the parent or legal guardian of the student. However, no student shall have access to (i) financial records of a parent or guardian or (ii) records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto, that are in the sole possession of the maker thereof and that are not accessible or revealed to any other person except a substitute.

The parent or legal guardian of a student may prohibit, by written request, the release of any individual information regarding that student until the student reaches the age of 18 years. For scholastic records of students under the age of 18 years, the right of access may be asserted only by his legal guardian or parent, including a noncustodial parent, unless such parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For scholastic records of students who are emancipated or attending a public institution of higher education in the Commonwealth, the right of access may be asserted by the student.

Any person who is the subject of any scholastic record and who is 18 years of age or older may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, such records shall be disclosed.

**§ 2.2-3705.5 (1): Health.** Provides an exemption for:

Health records, except that such records may be personally reviewed by the individual who is the subject of such records, as provided in subsection F of § [32.1-127.1:03](#).

Where the person who is the subject of health records is confined in a state or local correctional facility, the administrator or chief medical officer of such facility may assert such confined person's right of access to the health records if the administrator or chief medical officer has reasonable cause to believe that such confined person has an infectious disease or other medical condition from which other persons so confined need to be protected. Health records shall only be reviewed and shall not be copied by such administrator or chief medical officer. The information in the health records of a person so confined shall continue to be confidential and shall not be disclosed by the administrator or chief medical officer of the facility to any person except the subject or except as provided by law.

Where the person who is the subject of health records is under the age of 18, his right of access may be asserted only by his guardian or his parent, including a noncustodial parent, unless such parent's parental rights have been terminated, a court of competent jurisdiction has restricted or denied such access, or a parent has been denied access to the health record in accordance with § [20-124.6](#). In instances where the person who is the subject thereof is an emancipated minor, a student in a public institution of higher education, or is a minor who has consented to his own treatment as authorized by § [16.1-338](#) or [54.1-2969](#), the right of access may be asserted by the subject person.

For the purposes of this chapter, statistical summaries of incidents and statistical data concerning abuse of individuals receiving services compiled by the Commissioner of Behavioral Health and Developmental Services shall be disclosed. No such summaries or data shall include any information that identifies specific individuals receiving services.

**§ 2.2-3705.6 (3): Economic development and retention.** Provides an exemption for:

Proprietary information, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade, and tourism development or retention; and memoranda, working papers, or other information related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where disclosure of such information would adversely affect the financial interest of the public body.



**§ 2.2-3705.6 (10): Prequalification to bid.** Provides an exemption for:

Confidential information designated as provided in subsection F of § [2.2-4342](#) as trade secrets or proprietary information by any person in connection with a procurement transaction or by any person who has submitted to a public body an application for prequalification to bid on public construction projects in accordance with subsection B of § [2.2-4317](#).

Additional Information that the Town considers to be confidential is listed below.

- a) All proprietary, technical, contractual and commercial information of any kind including but not limited to business plans, records, manuals, contracts, sales, policies and procedures submitted as part of an economic development proposal;
- b) Contract and Marketing information, pricing, customer/resident lists, trade secrets, employee/council member information submitted as part of an economic development proposal;
- c) Product information, processes, procedures, technology, code/formulas, computer software and data and discoveries submitted as part of an economic development proposal;
- d) Information disclosed to a Town Employee/Council Member by a third party under conditions of confidentiality AND meets the standards for exclusion under FOIA, is part of a personnel matter, submitted in confidence as part of an economic development proposal; part of a criminal investigation; submitted as part of a “whistle blower” complaint, involves medical records, or otherwise in violation of the privacy provisions of Federal and state law.

Exclusions:- For the purpose of this Agreement there shall be no restrictive covenant on:

- f) Information disclosed to the Employee/Council Member by a third party who has the legal right to do so and with no restriction on disclosure;
- g) Information which is public knowledge or becomes public knowledge in due course without infringing the provisions of this Agreement.

**Sensitive:** This classification applies to information that requires special precautions in assuring the integrity of the information through protection from unauthorized modification or deletion. Sensitive Information requires a higher than normal assurance of accuracy and completeness and needs to be protected because of public interest. Compromise of Sensitive information would likely damage the interests of Town of Hurt, Virginia Government or endanger the safety of its citizens. For example, Sensitive information might include information concerning Town of Hurt, Virginia economic interests or project details.

**Internal Use:** This classification applies to information that is intended only for use within the organization. External access to this data should be prevented but compromises are not critical. Internal access is selective. Data integrity is important but not vital. Examples of Internal Use information may include employee training materials, contractor bid information (prior to contract being awarded), and internal policies, standards, or procedures.

**Public Use:** This classification applies to non-sensitive information. Public Use information does not require authentication, is available to the general public, and is intended for distribution outside the organization. Public Use information has been declared public knowledge by someone with the proper authorization and can disseminated without any possible damage to Town of Hurt, Virginia Government. Unauthorized disclosure is still against policy; however, it is not expected to seriously or adversely impact the organization, employees, or customers. Examples of Public Use information may include marketing brochures, advertisements, job announcements, and press releases that are available in the public domain.

**Privacy:** Town of Hurt, Virginia Government information systems users shall maintain no expectation of privacy while using Town of Hurt, Virginia information systems. Town of Hurt, Virginia authorized personnel may monitor information systems, network infrastructure, and network traffic as deemed necessary to protect Town of Hurt, Virginia information and systems. Electronic records are official records of the Town of Hurt, Virginia Government and may be subject to release under the Virginia Freedom of Information Act and the Virginia Government Data Collection and Dissemination Practices Act ("Privacy Act"). Town of Hurt, Virginia Government shall reserve the right to audit networks, systems, and content to ensure compliance with this policy and conduct incident response. Town of Hurt, Virginia Government further reserves the right to perform forensic analysis of data and systems for authorized investigations into policy violations. Electronic files created, transmitted, received, and stored on Town of Hurt, Virginia information systems may be accessed by authorized employees at any time based on a "need to know" or "need to access" without the consent of the information systems user. Town of Hurt, Virginia information systems shall display a warning banner which identifies the system as a Town of Hurt, Virginia resource, indicates that system access is limited to authorized individuals, informs users that system and user activities are subject to monitoring, and that system or user access indicates an acknowledgment of these provisions.

**Conduct and Acceptable Use:** Town of Hurt, Virginia Government personnel regulations require that employees abide by applicable laws, regulations, and standards of conduct when using Town of Hurt, Virginia information systems. Intentional violations of this policy, regardless of the number of violations, may result in disciplinary action up to and including termination. Town of Hurt, Virginia Government maintains the right to seek legal action against anyone who misuses Town of Hurt, Virginia information systems in a manner that violates law and these policies. Acceptable Use of Town of Hurt, Virginia Information Systems is included in this Policy.

## 2. Duty of Confidentiality

The Employee/Council Member acknowledges that during the course of employment/office with the Town, the Employee/Council Member will become familiar with some or all of the Town's Confidential Information. The Employee/Council Member is bound as follows:

- a) During the term of employment/office, no employee/Council Member or volunteer may not disclose or make use of, directly or indirectly, any Confidential Information unless for a purpose within the scope of their employment with the Town or otherwise authorized to do so by the Town in writing.
- c) The Employee/Council Member undertakes to exercise reasonable security precautions to keep safe and prevent disclosure of Confidential Information to others, shall notify the Town immediately upon discovery of unauthorized use and shall notify the Town within 24 hours after learning that Confidential Information is known by anyone not authorized to do so.
- d) The Employee/Council Member agrees not to engage in any employment or activity which may cause or constitute a conflict of interest with that of the Town. All requests for supplemental employment must be approved by the Mayor or designee PRIOR to accepting said employment. Please see the Town Personnel policy on Secondary Employment
- e) The Employee/Council Member shall advise authorized recipients of Confidential Information of the full extent of the restrictions and duty of confidentiality.
- f) The Employee/Council Member acknowledges that breach of this Employee/Council Confidentiality Agreement could be harmful to the Town and other parties; violation of this policy could result in disciplinary action, up to and including termination of employment.
- g) NOTHING in this policy is intended to restrict the legal and proper release of information to the Public by authorized members of the Town Council or Town staff.

## 3. Return of Confidential Information

The Employee/Council agrees to deliver to the Town all material pertaining to Confidential Information and Town Property whenever required to do so or upon termination of his/her employment/office or appointment with the Town. The Town will not retain any copies, in whole or in part, thereof other than that require by law under the legal acts referenced above.

**By signing below the Employee/Elected or Appointed Official warrants that he/she FULLY UNDERSTANDS the terms and conditions in this policy and that he/she will not knowingly breach this policy. Furthermore, the supervisor of said**

**employee affected bathos policy will individually explain the terms and conditions of this policy and attest to the same by affixing their signatures to the attestation statement below:**

**Employee/Council Member:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Signed by Town Staff Member:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Supervisor Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Attestation: I, \_\_\_\_\_, supervisor of the Town Staff member listed above, did hereby explain the intent of this policy to employee \_\_\_\_\_ on this date: \_\_\_\_\_:**

**Signed:** \_\_\_\_\_ **Print Name:** \_\_\_\_\_

**END OF POLICY**