

	TOWNSHIP OF SOUTH STORMONT
	Title: Confidential Information and Intellectual Property
	Policy Category: Human Resources – Conduct
	Effective Date: April 13, 2022

Policy Statement

The Township of South Stormont (“**the Township**”) recognizes that by virtue of their employment, employees will have access to Confidential Information, and may develop or contribute to Intellectual Property related to Township business. Confidential Information shall not be shared except in accordance with this policy. The Township retains ownership rights to all forms of Intellectual Property created by employees while under our employ regardless of the time, intent or location of its creation.

Purpose

The purpose of this policy is to maintain public and employee confidence in the integrity of Township information practices and to ensure employees are aware of their obligations with respect to Confidential Information and Intellectual Property.

Scope

This policy applies to all Township of South Stormont employees (including but not limited to full-time, part-time, students, volunteers, interns).

Objectives

- To ensure all employees understand their responsibility to protect Confidential Information.
- To ensure employees are aware of the Township’s intellectual property rights with respect to intellectual property created by workers while under the employ of the Township.

Definitions

Confidential Information means all confidential and proprietary information of the Township including documents, records, contracts, agreements, instruments, reports, studies, plans, presentations, research, budgets, estimates, financial statements, data and information relating to the management of the Township, including information comprising or relating to:

- Project management
- Technical management
- Product/service development
- Pricing methods
- Quality management methods
- Investment plans
- Operation rules
- Commercial networks
- Human resource planning
- Township data dictionaries
- Township financial information, status and statements
- Object code and source code to Township software
- Any information, or documentation labelled "Confidential" by the Township, or listed as such by separate memorandum, or e-mail that informs of confidential status
- Any information pertaining to residents
- Information licensed by the organization to customers under a confidentiality restriction
- Notes taken that pertain directly and/or indirectly to the Township
- Customer information
- Emails, letters, and any other forms of transmission that pertain to the Township, regardless of media
- Emails, letters, and any other forms of transmission that are created and/or conducted using Township resources
- Usernames and passwords for Township owned and operated property, or for employee-owned devices that contain business information.

Confidential Information does not include information that can be demonstrated to be generally publicly known or in the Employee's possession through no breach of confidentiality by any person.

Intellectual Property means any work products that:

- result or derive from a Township employee's employment or from the Employee's knowledge or use of Confidential Information;
- are conceived or made by a Township employee (individually or in collaboration with others) in connection with the employee's employment by the Township;
- result from or derive from the use or application of the resources of the Township; or
- relate to the operations of the Township.

Policy

Confidentiality

1. Township employees shall not disclose to anyone outside the employ of the Township, either during their employment or any time thereafter, any Confidential Information except for the normal exchange of information with external parties in the course of exercising the employee's duties and responsibilities with the Employer or as required by law. In the event that an employee is unsure as to whether or not certain information should be released, the employee will check with the CAO prior to the release of such information to any third party.
2. All employees are required to handle any and all Confidential Information with utmost protection and confidentiality. This includes ensuring that Confidential Information is securely stored and only accessible to those individuals who are authorized to have access.
3. Confidential Information shall not be used for any purpose other than its reasonable use in the normal performance of employment duties for the Township.
4. All Township business is intended to be performed using Township-owned and operated property, including computers, telephones, letterhead, note-books, etc. All information, including Confidential Information contained in, created or transmitted by Township owned and operated property is the property of the Township.
5. Employees that are neither official spokespersons nor permanently and/or temporary designated spokespersons cannot, under any circumstances (including on a "no-names" or "off the record" basis), respond to inquiries from the public or the media unless specifically asked to do so by an official spokesperson. All inquiries from the media and the public are to be referred to the CAO.

Intellectual Property

1. All Intellectual Property is the Township's exclusive property, and the Township shall have the sole discretion to deal with them.
2. Employees cannot reproduce or publish any Intellectual Property, unless it is necessary to do so as part of their regular Township employment duties.

3. All Employees irrevocably transfer, grant, convey, assign and relinquish, and agree to transfer, grant, convey, assign and relinquish, to the Township (for no additional consideration), all right title and interest the Employee may have in Intellectual Property.
4. Employees must sign all assignments and documents requested by the Township intended to confirm Township ownership of Intellectual Property.
5. Employees must permit the Township to obtain and retain patents, copyrights, trademarks and other indications of ownership without any further claim towards the Intellectual Property.

Monitoring and Compliance

All parties are required to comply with the procedures outlined in this policy. In cases of policy violation, the Township may investigate and determine appropriate corrective action. Employees who fail to comply with this policy will be subject to discipline, up to and including termination, as well as possible legal action.

Authority and Related Policies

Code of Conduct and Conflict of Interest

Contact

For more information on this policy, contact: Chief Administrative Officer