

[X First Nation] Information Sharing Policy

Whereas significant portions of data collected to assist treaty negotiations will be culturally or spiritually sensitive.

Whereas the [X First Nation] wishes to ensure that the confidence of the Elders and other First Nations community members participating in any study, project or the gathering of other sensitive information is maintained, and the values of the community are respected.

Whereas the [X First Nation] has a mandate to participate in the Treaty process with Canada and British Columbia consequently the [X First Nation] must be cautious regarding the disclosure of information they may require or formulate.

Whereas the [X First Nation] recognizes that the information sharing amongst itself and its member First Nations is important in order for it to be an informed advocate for the communities. Therefore, the relationship of sharing between these parties should be fostered and safeguarded.

Definition

Sensitive Information: genealogy, Indian names, sacred sites, interviews, videos and pictures are considered sensitive information.

Information Sharing Principles

- The purpose of this policy is to facilitate the exchange of information amongst the [X First Nation] and the [X First Nation] Communities, those being _____ in a manner that is responsible and appropriate for continuing and facilitating the ability of the [X First Nation] to participate in their negotiation.
- The purpose of this Policy is to establish rules to govern the collection, use and disclosure of information in a manner that recognizes the rights of privacy of individuals with respect to their information and the need of the organizations to collect, use or disclose information.
- This policy seeks to address the needs of the First Nation members and Individual members' needs for information and encourage the reciprocal sharing of information with the [X First Nation].

Access

- In order to protect and conserve the [X First Nation] negotiating position the [X First Nation] reserves the right to withhold information.
- Information, which has been assembled for negotiations with the Canada and British Columbia, which is stored in the [X First Nation] office may be accessed for treaty related work, band related work and in special circumstances individual [X First Nation] community member projects.
- Information may be copied for internal use.

Application Process

- All requests for information must be in writing.
- Applicants must:
 - provide the reasons why they require the information,
 - identify who will see the information, and
 - state how the information will be used.
- The party making the request will cover the cost of duplicating materials.
- All requests for treaty related position papers must be made directly to the Chief Negotiator.
- Information requested for band business must have prior authorization either from the respective Chief or a Council member.
- User will cover damage to any of the material in the collection.
- The [X First Nation] does not guarantee time frames for the disclosure of the information. However, they agree to endeavor to provide the information in a timely fashion.

General Statements

- Information generated by the [X First Nation] becomes the property of the [X First Nation].
- The [X First Nation] is not responsible for the accuracy of any of the information.
- Duplication of shared information is prohibited without prior approval.
- The [X First Nation] must authorize secondary use of the material.
- Misrepresentation of information provided in the information request will restrict future access.
- Violation of this policy will restrict future access.
- The [X First Nation] takes no responsibility for information used outside of treaty related work.
- The [X First Nation] is not responsible for legal actions taken based on information shared from their collection.
- All agreements in place between parties, which have shared information with the [X First Nation] for access to materials, will be respected.

Information Disclosure

- Information requested for private use must have prior approval.

- No copies of community member interviews will be furnished to the public, all requests of this nature must be made directly to the person interviewed if possible, the next of kin or the respective band in which the person interviewed has membership.
- Copyrighted materials cannot be duplicated.
- Sensitive information is restricted and cannot be released without prior approval.
- [X First Nation] staff will protect the confidentiality of professionally acquired information.
- Information cannot be used for commercial use without prior authorization.

Appeal Process

- Persons may appeal any decisions of the research officer by drafting a letter to the [X First Nation] stating the reasons.
- The [X First Nation] Chief Negotiator along with each community Chief will have the final say in the sharing of any information in the [X First Nation] collection.
 - Where potential conflict arises in sharing information the [X First Nation] Chief Negotiator will have the final say.