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THE CITY OF HAWK COVE CONFIDENTIALITY POLICY

This policy includes definitions of what is considered unacceptable, and the consequences of any breaches thereof.

As a Council member you are considered a public servant. You commit an offense if, with intent to obtain a benefit or harm another, you misapply anything of value belonging to the government that has come into your custody or possession by virtue of your public office (Tex. Penal Code § 39.02(a)(2)). Simply stated, this means that you are to use government property for governmental purposes, not for personal or private purposes.

As a Council member you may have access to information that has not been made public. Texas law restricts your use of such information in the following ways:

1. You may not use the information to acquire or help another person to acquire a pecuniary interest in any property, transaction, or enterprise affected by the information (Tex. Penal Code § 39.06(a)(1)).
2. You may not speculate or aid another to speculate on the basis of the information.
3. You may not disclose or use the information with the intent to obtain a benefit or to harm another. (Tex. Penal Code Chapter 39, 39.06(a)(2), 39.06(b)).

Council members of The City of Hawk Cove are bound by ethical and legal codes to protect the confidentiality and privacy of our city's business and to protect and maintain the confidentiality of all City information and records learned about the public or staff members, their family members and their acquaintances in the course of providing City services. Confidential communications include conversations, reports, forms, correspondence, and digital- or computer-generated communications with, about or involving in any way any member of the City, the City's government or its contractors and agents or involving any form, kind or nature of any City business.

Access to documentation shall be limited to an "as needed/need to know" basis.

The City and its Council members and employees have an ethical and a legal obligation to respect privacy, and to protect and maintain the confidentiality of all information that we obtain. Residents' records are legally protected confidential records and must be treated as such. This means that citizens' records maintained by The City of Hawk Cove must be protected at all times except when being reviewed or updated.

City business records should always be maintained in the City's offices only. It is unethical to discuss City business with family or friends, unless you are ordered to do so by a court or otherwise required to by law. If someone insists on obtaining information and the City has not authorized it, immediately notify the City Administrator.