

## 1. **Effective Date**

The Métis Nation of Ontario (the “**MNO**”) Policy #2026-002: Confidentiality Policy (the “**Policy**”) was adopted by the Provisional Council of the Métis Nation of Ontario (“**PCMNO**”) on February 17, 2026 and is effective immediately. This Policy replaces all previous policies on confidentiality.

## 2. **Purpose**

The purpose of this Policy is to ensure that the MNO can continue to provide transparent and accountable good governance by requiring that MNO Officials and MNO Employees perform their duties and exercise their powers in a manner that safeguards the Confidential Information of the MNO.

This Policy sets out specific duties and responsibilities of MNO Officials and MNO Employees that aim to prevent breaches and unauthorized disclosure of Confidential Information that could negatively affect the MNO, MNO Officials, MNO Employees, and MNO citizens. This Policy also outlines what to do when an MNO Official or MNO Employee may become aware of a breach or unauthorized disclosure of Confidential Information, so that the MNO can take steps to avoid or minimize any negative consequences (to the greatest extent possible).

## 3. **Application**

The Policy applies to all current and former MNO Officials and MNO Employees.

## 4. **Definitions**

“**Confidential Information**” means all internal, sensitive, and confidential information in the possession of the MNO including, but not limited to, all personal information (e.g., citizen data, employee data, etc.), legal advice or opinions, financial or business information, etc. that is non-public, whether in written, electronic, or oral form, whether it is marked as confidential or not, and includes information disclosed to or gained by an individual through any means of communication or observation by virtue of their role as an MNO Employee or MNO Official.

“**MNO Employee**” means an employee of the MNO.

“**MNO Official**” means elected or appointed members (both volunteer and salaried), councilors, directors or trustees of any MNO institution, including the PCMNO; or, directors or officers of any MNO Economic Development Structure as defined in the *MNO Prosperity and Self Sufficiency Law*.

## 5. **Background, Context, and Need for this Policy**

The MNO was established as a unique, province-wide Métis government for its citizens and the communities comprised of those citizens based on the inherent right to self-determination and self-government held by all Indigenous peoples. As set out in the *MNO Statement of Prime Purpose*, the MNO is mandated to advance the following goals and objectives (among others):

- “to research, publish and promote the genealogical documentation of the Métis, and to establish and maintain a registry of the Métis Citizens in Ontario”
- “to promote and foster community development”
- “to ensure that Métis can exercise their Aboriginal and Treaty rights and freedoms and in so doing, act in a spirit of cooperation with other Aboriginal and non-Aboriginal people” and
- “to establish effective means of communication.”

The above mandate requires the MNO to, at times, collect and safeguard Confidential Information received from MNO citizens, other governments, or groups, including information that may may related to ongoing Métis rights negotiations, citizen data, or other sensitive personal or financial matters. At the same time, the MNO is committed to transparent, accountable, and effective communication with MNO citizens, Métis communities, and the other Indigenous and non-Indigenous governments the MNO engages with.

As the MNO continues on its self-government journey, there is a need to put in place clear, transparent, and prudent policies for MNO Officials and MNO Employees as it pertains to ensuring that the Confidential Information received or held by the MNO remains confidential, while balancing these confidentiality requirements with the goals of being as transparent as possible with MNO citizens about the MNOs internal government functions and decision-making.

This Policy aims to ensure that the MNO can continue to be transparent, maintain the trust and confidence of MNO citizens, while still ensuring that Confidential Information is protected from inadvertent or unauthorized disclosure.

## **6. Responsibilities of MNO Officials and MNO Employees**

### ***a) Confidentiality***

The MNO is committed to maintaining the confidentiality, integrity, and need-to-know access of Confidential Information collected or held by the MNO.

MNO Officials and MNO Employees all bear the responsibility of protecting the Confidential Information that they have access to by virtue of their role within the MNO. An breach or unauthorized disclosure of Confidential Information could significantly impair the MNO’s relationship with MNO citizens as well as the MNO’s government-to-government relations and negotiations with Canada or Ontario, or work with other Indigenous governments.

All MNO Officials and MNO Employees, while serving in an official position or at any time after ceasing to serve in that position, have a positive and pro-active duty to respect and preserve the Confidential Information provided to or made available to them in the course of their duties as an MNO Official or MNO Employees.

### ***b) Protocols for Maintaining Confidential Information***

For greater certainty, MNO Officials and Employees must always:

- Maintain the confidentiality of MNO internal deliberations in which Confidential information is discussed (e.g., not discussing or disclosing information shared in in-camera meetings, private discussions, legal counsel briefings, etc.);

- Not discuss or disclose any information related to MNO internal deliberations outside of those meetings, including with other MNO Officials or MNO Employees, unless on a need-to-know basis and after having obtained the required approvals (e.g., from Directors in the case of MNO Employees or PCMNO in the case of MNO Officials);
- Maintain the confidentiality of all documents and information provided to the MNO, whether written or oral, including but not limited to personal or financial information provided to the MNO by MNO citizens or other individuals or groups (e.g., citizen data or personal information received when applying for programs or services, financial information of the MNO or MNO institutions, etc.);
- Store and maintain Confidential Information in a safe and secure location, with access only permitted to approved personnel (e.g., do not leave printed copies of Confidential Information on desks or meetings rooms, use password protected internal document repositories, etc.);
- Only access Confidential Information and materials necessary for and related to the duties and responsibilities of MNO Officials and MNO Employees (e.g., not accessing other data that is not relevant to your role or duties);
- Retain, dispose of, or return any documents and records that contain Confidential Information in a manner which protects the confidentiality of the information (e.g., shredding documents that contain confidential information and not leaving them in an open garbage or recycling container, etc.);
- Declare any potential or actual breaches or disclosure of Confidential Information to the MNO Director, or in the case of MNO Officials to the MNO Chief Executive Officer, at the earliest opportunity (see section on Reporting and Resolution below); and
- Not share Confidential Information, including images, screenshots, summaries of in-camera discussions or other matters on social media (including following the MNO Social Media Policy).

***c) Process for Seeking Approval to Share Confidential Information***

Prior to sharing any information that could be considered Confidential Information, all MNO Officials and MNO Employees must obtain approval from the MNO that the information can be released and, if it contains Confidential Information, what may need to be done to protect the Confidential Information.

Specifically:

- i. MNO Employees must seek the approval of their relevant MNO Director and C-Suite; MNO Officials must seek the approval of PCMNO.
- ii. MNO Directors, C-Suite, and PCMNO will consult with MNO legal counsel regarding whether there is Confidential Information in the proposed document, communication, or other information contemplated for disclosure and what the appropriate steps may be to protect the MNO's interests (e.g., not sharing the Confidential Information, redacting or removing portions that have Confidential Information, entering into an agreement with the other party regarding the protection of the Confidential Information, etc.).
- iii. The relevant MNO Director, C-Suite, or PCMNO representative will communicate the outcome of the discussions, including whether the MNO approves of sharing the information and if so, on what terms.

MNO Officials and MNO Employees should not share any information that could be considered Confidential Information until the above approval has been obtained. If in doubt about whether a document, communication, or other information includes Confidential Information, the best practice is for MNO Officials and MNO Employees to err on the side of caution and ask for approval prior to disclosing it.

## **7. Reporting and Resolution**

As outlined above, all MNO Officials and MNO Employees have a pro-active duty and responsibility to ensure that Confidential Information they may have access to by virtue of their role as an MNO Official or Employee remains confidential. Where an MNO Official or MNO Employee believes that they may have inadvertently disclosed Confidential Information of the MNO, or believes that another MNO Official or Employee may have, it is important that this be reported to the MNO as soon as possible.

Quick reporting of any potential or suspected unauthorized disclosure of Confidential Information will help the MNO to investigate and, where needed, take any corrective action to try and ensure that the confidentiality of the information is maintained.

Reports about alleged breaches or unauthorized disclosure of Confidential Information under this Policy should be made to the Office of Ethics and Integrity, which is responsible for investigating potential breaches of Confidential Information.<sup>1</sup> The Office will review the report to determine if it falls within the scope of the Policy. If the Office determines that the matter falls within the scope of the Policy, they will initiate an investigation.

The Office may also initiate an investigation on their own initiative if they reasonably believe a breach or unauthorized disclosure of Confidential Information under this Policy has occurred.

Where an investigation determines that a breach of this Policy did occur and/or Confidential Information was disclosed by an MNO Official or MNO Employee without the necessary authorization or approval, the following actions may be taken by the MNO:

- Verbal or written warning to the MNO Official or MNO Employee;
- Require that the MNO Official or MNO Employee undertake mandatory training on confidentiality and steps to preserve Confidential Information;
- The MNO Official or MNO Employee may be placed on a temporary suspension (with or without-pay);
- Where an MNO Official has been found to have breached this Policy, the MNO Executive Committee may also choose from a range of corrective actions, ranging from removing the individual to ordering they make restitution and/or pay a fine to the MNO.

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<sup>1</sup> Prior to the Office of Ethics and Integrity being established by the MNO, potential breaches or unauthorized disclosure of Confidential Information will be reported to the MNO Chief Executive Officer for investigation. All references in this Policy to the Office of Ethics and Integrity will be read as referring to the MNO Chief Executive Officer prior to the office of Ethics and Integrity being established. For greater certainty, the MNO Chief Executive Officer may be assisted by other MNO staff, consultants, and legal counsel in the investigation or for other supports in implementing this Policy.

- For serious breaches, such as where the breach was deliberate, reoccurring, or resulted in significant harm to the MNO or MNO citizens, the individual may be requested to resign or be terminated from their position.

The above list is non-exhaustive and additional steps may be taken, depending on what is required in the circumstances in order to address the breach and try and ensure that similar breaches of this Policy or unauthorized disclosure of Confidential Information do not occur in the future.<sup>2</sup>

## **8. Authority for the Policy**

PCMNO is the democratically-elected and province-wide governing body of the MNO. The MNO Bylaws authorize the PCMNO with the authority to manage “the property and business of the MNO” and to “exercise all such other powers and do all such other acts and things as the MNO is, by its charter or otherwise by law, authorized to exercise and do.”<sup>3</sup> This includes adopting this Policy regarding Confidential Information and the good governance of the MNO.

## **9. Interpretation**

The terms of this Policy shall be given such fair, large, and liberal construction and interpretation as best ensures the attainment of its Purpose. Nothing in this Policy shall be interpreted in a way that would result in a conflict with the MNO Bylaws.

## **10. Adoption, Implementation, and Review**

This Policy was adopted by resolution of the PCMNO on February 17, 2026, based on the MNO’s inherent right of self-government as well as the authorities set out in the MNO Bylaws.

The MNO administration may review this Policy periodically, for the purposes of ensuring that it is best able to meet the needs of the MNO and advance its Purpose. For greater certainty, this Policy will be reviewed at such time as the MNO concludes a Constitution or Métis Government Law dealing with Confidential Information.

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<sup>2</sup> In determining the appropriate action to take in response to a breach of this Policy, the MNO will consider the provisions in the MNO Bylaws as well as its employment related obligations.

<sup>3</sup> *MNO Secretariat Bylaws, 2023, Article 14 and Article 33.*