



## WEST HAM UNITED FAN ADVISORY BOARD CONFIDENTIALITY AGREEMENT

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This policy sets out the terms of handling confidential information expected of the Club and Supporter Representatives of the West Ham United Fan Advisory Board.

Breach of this policy may incur disciplinary action up to and including removal from their position under the provisions detailed in the disciplinary process.


### INTRODUCTION

The general principle is that the West Ham United Fan Advisory Board will be able to raise, discuss, and ask questions about items relating to West Ham United under the FAB Terms of Reference and in accordance with the Premier League Fan Engagement Standard.

This document informs Club and Supporter Representatives regarding their responsibilities around confidentiality of information shared and the approach to discussions amongst themselves. Further, it commits those members to respect confidentiality by either its members or executive officers of the Club.

### CONFIDENTIAL INFORMATION

1. For the FAB to be effective, members must respect each other, their views, any collective decisions made and recognise items flagged as confidential.
2. Any member of the FAB or representative of the club can request that something be considered as confidential information provided that there is sufficient evidence and/or reason for the deemed confidentiality.
3. When confidential information is offered to the FAB and vice versa, the person requesting confidentiality must state the following:
  - a. The nature of the information to be kept confidential;
  - b. The reasons why it is to be treated as confidential information;
  - c. The length of time for which the information should be kept confidential, but provided this is a fair, proportionate and reasonable period.
4. For the purposes of clauses 2 and 3, the meaning of 'confidential information' is as follows:
  - a. Any information given to or received from West Ham United FC on terms which forbid its disclosure to third parties;
  - b. Any information given to or received from West Ham United FC which cannot be disclosed following an order of the court;
  - c. Any information given to or received from West Ham United FC which cannot be disclosed for reasons of contract;
  - d. Personal data relating to any individual or information likely to reveal the identity of an

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- individual within the meaning of the Data Protection Act 1998;
- e. Information relating to any consultations or negotiations whether contemplated or otherwise in connection with any labour relations matters arising between an employer and an employee as well as employers and employees;
  - f. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;
  - g. Information relating to any action take or to be taken in connection with the prevention, investigation or prosecution of crime.
5. If an item appears on the agenda of a meeting during which confidential information will be imparted, this will be brought to the attention of members prior to discussion of that item, wherever possible
  6. Should any FAB member publicly share information that is confidential, the FAB can decide to remove that person. In this event, the FAB could replace the person with an alternate Supporter Representative via the election process set out in the FAB Terms of Reference.
  7. For the avoidance of doubt, an FAB member will not be deemed to have shared confidential information in public if that person shares it with the executive board / committee / representative structure of the organisation they represent.

Agreed by the Co-Chairs of the West Ham United Fan Advisory Board:

## **CLUB REPRESENTATIVE**

Signed:

Date:

## **SUPPORTER REPRESENTATIVE**

Signed:

Date:

