



C: HUMAN RESOURCES: HR POLICIES	
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<i>Contact Person/Department</i> Executive Director	<i>Identification</i> C1 - 3103

3103 – Privacy Policy

REFERENCE: HIGH FIVE Policies # 1.4.3; # 2.2.4 & # 2.2.5
PIPEDA

POLICY

The Club/Foundation is committed to protecting the privacy of the personal information of its program and services participants and their families, volunteers, donors, employees, tenants and other stakeholders. This policy has been developed to comply with Canada’s Personal Information Protection and Electronic Documents Act ([PIPEDA](#)). The Club/Foundation values the trust of those we deal with, and of the public, and recognizes that maintaining this trust requires that we be transparent and accountable in how we treat the information that is shared with us.

CONSENT

During the course of our various projects and activities, the Club/Foundation occasionally gathers and uses personal information. The Club/Foundation will not use personal information for any other purpose other than for the purpose it was obtained without the individual’s consent. Anyone from whom we collect such information should expect that it will be carefully protected. The Club/Foundation will keep personal information only as long as necessary to satisfy the purposes. Consent may be obtained in writing, by person, electronically, by phone, by fax, or by email. For an individual who is a minor, seriously ill or mentally incapacitated consent may be obtained from a legal guardian, or person having power of attorney. The Club /Foundation privacy practices are designed to achieve this. The Club/Foundation will destroy, retire or render anonymous information that is no longer required for an identified purpose or a legal requirement. Regular reviews will be conducted to determine whether information is still required. Neither the Club nor the Foundation share or disclose any information to third parties. Individuals will have an opt-out option for newsletters and solicitation mailings. A waiver is kept on each Club/Foundation program participant to ensure that written consent from the parent/legal guardian/caregiver is obtained to support service delivery.

Defining Personal Information

Personal information is any information which alone or in combination with other information can be used to distinguish, identify or contact a specific individual. This information can include an individual's opinions or beliefs, as well as facts about, or related to, the individual. Examples of personal information include SIN #, age, marital status, and language, date of birth, parent/guardian name and contact information, emergency contact name and contact information, health information, developmental status, records of program participation,

immunization records, incident reports, email address and criminal reference checks. Exceptions: business contact information and certain publicly available information, such as names, addresses and telephone numbers as published in telephone directories, are not considered personal information.

Where an individual uses his or her home contact information as business contact information, the Club/Foundation considers that the contact information provided is business contact information, and is not therefore subject to protection as personal information.

PROCEDURE

The Club/Foundation limits the amount and type of personal information it collects. The Club/Foundation collects personal information only for the following purposes:

- to establish and maintain responsible relations with individuals and provide them with ongoing service;
- assessment, planning and implementing developmental goals;
- to define the individual's needs;
- to meet our legal and regulatory requirements;
- for purposes of management and human resources;
- to manage the property and facility;
- for all other purposes necessary to provide a safe, efficient and healthy environment for all involved in the organization.

The Club/Foundation may collect personal information without the individual's consent only if:

- It is clearly in the individual's interest and consent is not available in a timely manner.
- Knowledge and consent would compromise the availability or accuracy of the information and collection is required to investigate a breach of an agreement or contravention of a federal or provincial law.
- The personal information is publicly available.
- There are reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial or foreign law and the information is used for an investigation.
- It is for an emergency that threatens an individual's life, health or security.

The Club/Foundation may use personal information without the individual's consent only:

- If it is publicly available;
- If the use is clearly in the individual's interest and consent is not available in a timely manner;
- If knowledge and consent would compromise the availability or accuracy of the information and collection was required to investigate a breach of an agreement or contravention of a federal or provincial law.

The Club/Foundation may disclose personal information without the individual's knowledge or consent only:

- To a lawyer representing the Club/Foundation.
- To collect a debt the individual owes to the Club/Foundation.

- To comply with a subpoena, warrant or an order made by a court or other body with appropriate jurisdiction.
- A law enforcement agency in the process of a civil or criminal investigation.
- A government agency or department that has requested the information, identified its lawful authority and indicates that disclosure is for the purpose of enforcing, carrying out an investigation, or gathering intelligence relating to any federal, provincial or foreign law; or suspects that the information relates to national security or the conduct of international affairs; or is for the purpose of administering any federal or provincial law.
- If made by an investigative body for the purpose related to the investigation of a breach of an agreement or a contravention of a federal or provincial law.
- Is an emergency threatening an individual's life, health or security? (The Club/Foundation will inform the individual of the disclosure.)
- For statistical, scholarly study or research. (The Club/Foundation must notify the Privacy Commissioner before disclosing the information.)
- To an archival institution.
- 20 years after the individual's death or 100 years after the record was created.
- If it is publicly available.
- If required by law.

Accuracy: Personal information that is collected by the Club/Foundation will be kept as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used. Personal information will be updated only when necessary to fulfill the specific purposes.

Safeguards: Program participant information can be completed online through the [Club Active Net data-base](#) system or on the Club/Foundation participant information form. Information can be updated at any time throughout the year when necessary changes to the participant's information are needed. The Club/Foundation will protect all personal information against unauthorized access, disclosure, copying, use or modification. Participant information is placed in the Active-Net database and hardcopies are stored in locked filing cabinets in the main office with reception. There will be organizational controls in place to protect personal information, and to confirm personal information is correct. All individuals participating in programs within the Club/Foundation shall become members of the Club/Foundation, not all members have memberships.

Privacy Practices

Personal information gathered by the Club/Foundation is kept in confidence. Employees are authorized to access personal information based only on their need to deal with the information for the reason(s) for which it was obtained. Safeguards are in place to ensure that the information is not disclosed or shared more widely than is necessary to achieve the purpose for which it was gathered. We also take measures to ensure the integrity of this information is maintained and to prevent its being lost or destroyed.

We collect, use and disclose personal information only for purposes that a reasonable person would consider appropriate in light of the circumstances. Information is not collected by misleading or deceptive means. If information is gathered from a third party that third party is documented with their authority to release it. If personal information is to be used for any purpose other than what is considered reasonable, the individuals will be contacted to obtain consent.

Consent Waivers

Individuals registering in the Club/Foundation programs are required to have the appropriate consent waiver(s) completed by a parent/guardian/caregiver until age 16. Youth 16 to 18 years of age may complete their own but employees will attempt to have the parent/legal guardian/caregiver register the individual whenever possible. If the Club/Foundation employees have interactions with a participant that they feel a parent/legal guardian/caregiver should be involved in/with they will ask the 16-18 year old participants permission to do so.

In the event that the Club/Foundation employees feel that there is an elevated risk to the participant or others from that participant, a call will be made to the parent/legal guardian/caregiver even if permission to do so has been denied by the participant. Overall safety of participants and employees is paramount. Incident Reports will be filed in all cases.

Photos are not permitted except in circumstance when written permission has been granted by parents/legal guardians in advance. Parent/legal guardian/caregiver signatures are required on the appropriate consent waiver or in writing.

Staff should not use their personal devices (phone, tablet, and camera) to take photos of participants unless authorized by a member of the management team.

At any time on reasonable notice and with the understanding of the implications of a withdrawal of consent, parents/legal guardians/caregivers can revoke consent. This must also be kept on file.

Website and Electronic Commerce

The Club/Foundation uses services requiring password protocols and encryption software to protect personal and other information we receive when a product or service is requested and/or paid for on-line. All such third party service providers must be in compliance with PIPEDA and have an established and published privacy policy available for all users. Safety is the overriding concern when making decisions about Website content.

Data Protection

Individuals users of the Club/Foundation website(s) shall have sole responsibility for the adequate protection (including protection against computer viruses) and backup of any data and/or equipment used in connection with the Club/Foundation websites and shall not make a claim against the Club/Foundation for lost data, re-run time, data corruption, communication interception, inaccurate output, work delays or lost profits resulting from any use of the websites.

Cookies and Web Analytics

A cookie is a harmless, small file of letters and numbers that is placed on your browser or the hard drive of your computer. The Club/Foundation site website(s) use cookies to make your experience safer and better, to gain a greater understanding of user preferences and their interaction with our websites, and to generally improve the services and features.

The Club/Foundation uses web analytics services including Google Analytics to help analyse the use of our websites. These tools use cookies to collect and generate information about your visits to our sites (including your IP address) that is transmitted to their servers in an anonymous form for processing. We study patterns of our websites activity so we can improve the experience of visitors to our sites. The use of these tools does not allow us or our analytics service providers to identify individuals.

You can opt-out of using cookies by setting your browser to notify you when a cookie is sent and block cookies if desired. Please consult your browser's Help Menu for instructions. Visiting our website with cookies disabled might impact some of the features of your browsing experience.

Google Translate Disclaimer

Google Translate is provided as a courtesy to visitors to our websites. The Club/Foundation assumes no responsibility for the accuracy, reliability or timeliness of the translation facilitated with this tool.

Video Surveillance Systems

The Club/Foundation uses video surveillance to monitor the Club/Foundation owned property, to assist the Club/Foundation administrators in detecting and deterring unacceptable behaviour or activities and to provide a historical record to assist in investigations. Security cameras shall be used to enhance the safety of all, to protect the Club/Foundation property against theft or vandalism and to assist in the identification of intruders and of persons endangering the health, well-being or safety of everyone. Recorded images shall only be consulted following an incident or complaint, and review of images shall only be for the purpose of assisting law enforcement officials identify and prosecute people responsible for criminal acts. Content shall not be shared with media, general public or non-designated members of the Club/Foundation. If information is released to the police a Release of Video Surveillance Images Form and an Incident Report Form are to be completed.

Openness

Please submit all requests for personal information and/or complaints in writing and signed to our Privacy Officer (address below). Please allow 30 days for your request. This time frame may be extended if

- Responding to the request within the original 30 days would unreasonably interfere with activities of the Club/Foundation.
- Additional time is necessary to conduct consultations.
- Additional time is necessary to convert personal information to an alternate format.

The Club/Foundation will inform the individual if additional time is required. There will be a minimal or no cost for requests for personal information. If a minimal cost does apply the individual will be notified before processing their request. If access is refused, the individual submitting the request will be informed in writing, outlining the reasons and any recourse available.

The Club/Foundation **must** refuse an individual access to information if

- It would reveal personal information about another individual unless there is consent or a life-threatening situation.
- The Club has disclosed information to a government institution for law enforcement or national security reasons. In this case, upon request, the government institution may instruct The Club/Foundation to refuse access and not to reveal that the information has been released. The Club/Foundation must refuse the request and notify the Privacy Commissioner. The Club/Foundation cannot inform the individual of the disclosure to the government institution, or that the institution was notified of the request, or that the Privacy Commissioner was notified of the refusal.

The Club/Foundation **may** refuse any individual access to information if:

- The information falls under solicitor-client privilege.
- The information is confidential commercial information (if this information can be removed, the Club/Foundation will release the remaining information.)
- Disclosure could harm an individual's life or security (if this information can be removed, the Club Foundation will release the remaining information.)
- It was collected without the individual's knowledge or consent to ensure its availability and accuracy, and the collection was required to investigate a breach of an agreement or contravention of a federal or provincial law in this case the Privacy Commissioner must be notified.
- It was generated in the course of a formal dispute resolution process.

Updating of Privacy Policy

The Club/Foundation regularly reviews its privacy practices for its various activities.

Contact Information

Individuals may request access to their information by contacting the Privacy Officer in writing. Any question, concerns or complaints on the treatment of personal information should be sent to the Club/Foundation Privacy Officer – the Club/Foundations Executive Director 107 Lindsay St S Lindsay ON K9V 2M5. Any information that is inaccurate will be corrected and/or amended if it is found to be deficient. Further information on privacy and your rights in regard to your personal information may be found on the website of the [Privacy Commissioner of Canada](#)