

**Title of Policy:** Privacy Policy to Protect Personal Information

**Date Approved:** April 2012

**Approved By:** Administration, Board

### **Background**

The federal Personal Information Protection and Electronic Documents Act (PIPEDA) became effective for charities on January 1, 2004. PIPEDA, by definition, covers personal information used for commercial purposes only. For more information, please see

[http://www.privcom.gc.ca/legislation/02\\_06\\_01\\_01\\_e.asp](http://www.privcom.gc.ca/legislation/02_06_01_01_e.asp)

### **Policy Summary**

1. Rockway has always treated all personal information as confidential. Personal information has never been sold to other companies. The following policy will confirm our existing practices.
2. For the purposes of this policy, personal information is defined as any information, whether commercial in nature or not.
3. Requests made under Section 9 (Individual Access) apply to commercial information only.

### **Table of Contents**

<b>1. Accountability .....</b>	<b>3</b>
<b>2. Identifying Purposes .....</b>	<b>3</b>
<b>3. Consent.....</b>	<b>4</b>
<b>4. Limiting Collection .....</b>	<b>4</b>
<b>5. Limiting Use, Disclosure, and Retention.....</b>	<b>4</b>
<b>6. Accuracy .....</b>	<b>4</b>
<b>7. Safeguards .....</b>	<b>4</b>
<b>8. Openness .....</b>	<b>5</b>
<b>9. Individual Access .....</b>	<b>5</b>
<b>10. Challenging Compliance .....</b>	<b>6</b>

## **PRIVACY POLICY DETAILS**

### **1. Accountability**

- a) Rockway's Business Manager is hereby appointed as the personal information compliance officer (the "Officer") for Rockway Mennonite Collegiate, operated by the Rockway Mennonite School Association Inc. (The "Organization").
- b) All persons, whether employees, volunteers, or board or committee members who collect, process, or use personal information shall be accountable for such information to the officer.
- c) This policy is available on the Rockway web site - <http://www.rockway.ca/privacy>.
- d) Any personal information transferred to a third party for processing (e.g. contract mailing companies) is subject to this policy. The Officer shall use contractual or other appropriate means to protect personal information at a level comparable to this policy while a third party is processing this information.
- e) Personal information to be collected, retained, or used by the Organization shall be done so only after the Officer gives written or verbal approval as appropriate. This information shall be secured according to the Officer's instructions.
- f) Any person who believes the organization uses personal information collected, retained, or used for purposes other than those that person explicitly approved may contact the Officer to register a complaint or to make any related inquiry.
- g) Upon receiving a complaint from any person regarding the collection, retention, or use of personal information, the Officer shall promptly investigate the complaint and notify the person who complained about his/her findings and corrective action taken, if any.
- h) Upon receiving the response from the Officer, the person who filed the complaint may, if he/she is not satisfied, appeal to the organization's Board of Directors to review and determine the disposition of the complaint at issue. Contact information is available at the Main Office.
- i) The determination of the Board of Directors shall be final and the Officer shall abide by and implement any of its recommendations.
- j) The Officer shall communicate and explain this policy and give training regarding it to all employees and volunteers who might be in a position to collect, retain, or use personal information.

### **2. Identifying Purposes**

- a) The Officer shall document the purpose for which personal information is collected to comply with the Openness (8) and Individual Access (9) principles outlined below.
- b) The Officer shall determine the information that will be needed to fulfill the purposes for which the information is to be collected to comply with the Limited Collection (4) principle below.
- c) The Officer shall ensure that the purpose is specified at or before the time of collecting the personal information from an individual.

- d) The Officer shall ensure that a person collecting personal information will be able to explain to the individual why this is being done.
- e) The Officer shall ensure that limited collection, limited use, disclosure, and retention principles are respected in identifying why personal information is to be collected.

### **3. Consent**

- a) The Officer shall ensure that the individual from whom personal information is collected consents to it being used and disclosed.
- b) The Officer shall ensure that the individual can reasonably understand why and how the information will be used when the consent is given.
- c) The Officer shall ensure that express consent is obtained wherever possible and appropriate. In rare circumstances where, in the Officer's opinion, having regard to the information's sensitivity and the policy's purpose and intent, implied consent might be acceptable.
- d) The Officer shall ensure that the express consent obtained from an individual is clear and in an
- e) The Officer shall ensure that the individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. The individual shall promptly be informed of the withdrawal's implications.

### **4. Limiting Collection**

- a) The Officer shall ensure that personal information will not be collected indiscriminately. Both the amount and type of information collected shall be limited to that which is necessary to fulfil the purposes identified. He/she shall specify the type of information to be collected, according to the Openness (8) principle.
- b) The Officer shall ensure that information is collected only by fair and lawful means without misleading or deceiving individuals as to the reason.

### **5. Limiting Use, Disclosure, and Retention**

- a) The Officer shall ensure that personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law, and any use of personal information shall be properly documented.
- b) The Officer shall ensure that all personal information is destroyed, erased, or made anonymous as soon as the purpose for which it was collected is no longer relevant, or as permitted by law. There shall be an automatic review of the need to continue retaining personal information annually.

### **6. Accuracy**

- a) The Officer shall reasonably ensure that the personal information is accurate, complete, and up to date.
- b) The Officer shall ensure that the organization does not routinely update personal information, unless it is necessary to fulfil the purposes for which the information was collected.

## **7. Safeguards**

- a) The Officer shall ensure that the organization has security safeguards to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. He/she shall do this regardless of the format in which the organization holds the information.
- b) The Officer shall ensure that the protection methods include;
  - physical measures, for example, locked filing cabinets and restricted access to offices;
  - organizational measures, for example, limiting access on a "need-to-know" basis; and
  - technological measures, for example, the use of passwords and encryption.
- c) The Officer shall ensure that all employees and volunteers know the importance of keeping personal information confidential.
- d) The Officer shall ensure that care is taken when personal information is disposed of or destroyed to prevent unauthorized parties from gaining access to it;
  - Electronic storage media (e.g. disk drives) will be secure erased before disposal. If this is not possible, the drive will be physically destroyed;
  - Paper storage will be shredded before disposal.

## **8. Openness**

- a) The Officer shall ensure that the organization is open about its policies and practices regarding the management of personal information. The policies and information about the related practices shall be available without unreasonable effort in a form generally understandable.
- b) The Officer shall ensure that the information available shall include;
  - the name or title and address of the Officer who is accountable for the organization's policies and practices and to whom complaints or inquiries can be forwarded;
  - the means of gaining access to personal information held by the organization;
  - a description of the type of personal information held by the organization, including a general account of its use;
  - a copy of any brochures or other information that explain the organization's policies, standards, or codes; and
  - what personal information is made available to outside organizations (e.g., contract mailing companies).
- c) The Officer shall ensure the information that must be provided according to 8.b is available either in a brochure at the Collegiate or online.

## **9. Individual Access**

- a) Access to personal information under this section will be limited to information of a commercial nature.

- b) The Officer shall ensure that, upon request, the organization shall inform an individual whether the organization holds commercial personal information about him/her. If possible, the information's source shall also be given. The organization shall allow the individual access to this commercial information. The organization shall also account for the use that has been made or is being made of this commercial information and give an account as to the third parties to whom it has been disclosed.
- c) A person requesting his/her personal commercial information may be required by the Officer to give sufficient information to permit the organization to ensure the identity of the requestor. Personal information will only be released to the individual.
- d) The Officer shall ensure that the organization responds to an individual's request within a reasonable time and at no cost to the individual. The requested commercial information shall be made available in a generally understandable form.
- e) The Officer shall ensure that when an individual successfully demonstrates the inaccuracy or incompleteness of commercial personal information, the organization shall amend the information as required. Depending on the information challenged, amendment would involve the correction, deletion, or addition of information.
- f) The Officer shall ensure that when a challenge is not resolved to the individual's satisfaction, the organization shall record the unresolved challenge's substance.

**10. Challenging Compliance**

- a) The Officer is authorized to address a challenge concerning compliance with the above principles.
- b) The Officer shall develop procedures to receive and respond to complaints or inquiries about the policies and practices regarding the handling of personal information. The compliance procedures shall be easily accessible on the Rockway web site and simple to use.
- c) The Officer and other employees of the Organization shall inform individuals inquiring about lodging complaints that relevant complaint procedures exist.
- d) The Officer shall investigate all complaints. If a complaint is found to be justified, the Officer shall take appropriate measures, including, if necessary, amending the policies and practices.