

SOUTH CALGARY WADO KAI KARATE CLUB

PRIVACY POLICY

General

1. **Purpose** – The Organization must comply with the requirements of the provincial Personal Information Protection Act (“PIPA”) and (when Personal Information crosses provincial borders) the federal *Personal Information Protection and Electronics Documents Act* (“PIPEDA”) in matters involving the collection, use and disclosure of personal information during any commercial activity related to the Organization. This policy is based on the standards required by PIPEDA and the Organization’s interpretation of these responsibilities.
2. **Definitions** – The following terms have these meanings in this Policy:
 - a) **Acts** – *Personal Information Protection Act* (“PIPA”) and the *Personal Information Protection and Electronics Documents Act* (“PIPEDA”)
 - b) **Commercial Activity** – Any particular transaction, act or conduct that is of a commercial character.
 - c) **IP Address** – A numerical label that is assigned to electronic devices participating in a computer network that uses internet protocol for communication between devices.
 - d) **Organization** – South Calgary Wado Kai Karate Club.
 - e) **Personal Information** – any information about an individual that relates to the person’s personal characteristics including, but not limited to: gender identity, age, income, home address or phone number, ethnic background, family status, health history, and health conditions
 - f) **Representatives** – Members, directors, officers, committee members, employees, coaches, officials, referees, managers, trainers, volunteers, administrators, contractors and participants in the Organization’s events and activities

Application of this Policy

3. **Application** – This Policy applies to Representatives in connection with personal information that is collected, used, or disclosed during any commercial activity related to the Organization.
4. **Ruling on Policy** – Except as provided in the Acts, the Board of Directors of the Organization will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

Obligations

5. **Statutory Obligations** – The Organization is governed by Acts in matters involving the collection, use and disclosure of personal information.
6. **Additional Obligations** – In addition to fulfilling all requirements of the Acts, the Organization and its Representatives will also fulfill the additional requirements of this Policy. Representatives of the Organization will not:
 - a) Disclose personal information to a third party during any business or transaction unless such business, transaction or other interest is properly consented to in accordance with this Policy;
 - b) Knowingly place themselves in a position where they are under obligation to any organization to disclose personal information;
 - c) In the performance of their official duties, disclose personal information to family members, friends or colleagues, or to organizations in which their family members, friends or colleagues have an interest;
 - d) Derive personal benefit from personal information that they have acquired during the course of fulfilling their duties with the Organization; or
 - e) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, the disclosure of Personal Information.

Accountability

7. **Privacy Officer** – The Privacy Officer is responsible for the implementation of this policy and monitoring information collection and data security and for ensuring that all staff receives appropriate training on privacy issues and their

responsibilities. The Privacy Officer also handles personal information access requests and complaints. The Privacy Officer may be contacted at the following address:

[Heather Fidyk]

Tel: (403-519-5774)

Email: senseiheather@calgarywadokai.com

8. Duties – The Privacy Officer will:

- a) Implement procedures to protect personal information;
- b) Establish procedures to receive and respond to complaints and inquiries;
- c) Record all persons having access to personal information;
- d) Ensure any third-party providers abide by this Policy; and
- e) Train and communicate to staff information about the Organization's privacy policies and practices.

9. Employees – The Organization shall be responsible to ensure that the employees, contractors, agents, or otherwise of the Organization are compliant with the Acts and this Policy.

Identifying Purposes

10. Purpose – Personal information may be collected from Representatives and prospective Representatives for Commercial Activity that includes, but is not limited to, the following:

General:

- a) Managing and developing the Organization's business and operations, including personnel and employment matters;
- b) Meeting legal and regulatory requirements;
- c) Travel arrangement and administration;
- d) Implementation of the Organization's screening program;
- e) Medical emergency, emergency contacts or reports relating to medical or emergency issues;
- f) Determination of membership demographics and programming needs;
- g) Managing insurance claims and insurance investigations;
- h) Video recording and photography for promotional use, marketing and advertising by the Organization;
- i) Payroll, honorariums, company insurance and health plans

Communications:

- j) Sending communications in the form of e-news or a newsletter with content related to the Organization's programs, events, fundraising, activities, discipline, appeals, and other pertinent information;
- k) Publishing articles, media relations and postings on the Organization's website, displays or posters;
- l) Award nominations, biographies, and media relations;
- m) Discipline results and long-term suspension list;
- n) Checking residency status;
- o) Posting images, likenesses or other identifiable attributes to promote the Organization;

Registration, Database Entry and Monitoring:

- p) Registration of programs, events and activities;
- q) Database entry at the Coaching Association of Canada and to determine level of coaching certification, coaching qualifications and coach selection;
- r) Database entry to determine level of officiating certification and qualifications;
- s) Determination of eligibility, age group and appropriate level of play/competition;
- t) Selection;
- u) Athlete registration, outfitting uniforms, and various components of athlete and team selection;

- v) Technical monitoring, officials training, educational purposes, sport promotion, and media publications;
- w) Implementation of anti-doping policies and drug testing;
- x) Technical monitoring, coach/club review, officials training, educational purposes, media publications, and sport promotion;

Sales, Promotions and Merchandising:

- y) Purchasing equipment, coaching manuals, resources and other products;
- z) Promotion and sale of merchandise;

Cross Borders

- aa) Notification about the potential cross-border transfer of personal information. Identify the countries where the information may be processed;
- bb) Ensure that the foreign service providers maintain equivalent privacy protection standards

11. Purposes not Identified – The Organization shall seek consent from individuals when personal information is used for Commercial Activity not identified above. This consent will be documented as to when and how it was received.

Consent

12. Consent – The Organization shall obtain consent by lawful means (**Appendix A – Consent**) from individuals at the time of collection and prior to the use or disclosure of this information. The Organization may collect personal information without consent where reasonable to do so and where permitted by law.
13. Implied Consent – By providing personal information to the Organization, individuals are consenting to the use of the information for the purposes identified in this policy.
14. Withdrawal – An individual may declare to the Privacy Officer in writing to withdraw consent to the collection, use or disclosure of personal information at any time, subject to legal or contractual restrictions. The Organization will inform the individual of the implications of such withdrawal.
15. Legal Guardians – Consent shall not be obtained from individuals who are minors, seriously ill, or mentally incapacitated and therefore shall be obtained from a parent, legal guardian or person having power of attorney of such an individual.
16. Exceptions for Collection – The Organization is not required to obtain consent for the collection of personal information if:
- a) It is clearly in the individual's interests and consent is not available in a timely way;
 - b) 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/territorial law;
 - c) The information is for journalistic, artistic, or literary purposes; or
 - d) The information is publicly available as specified in the Acts.
17. Exceptions for Use – The Organization may use personal information without the individual's knowledge or consent only:
- a) If the Organization has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial/territorial, or foreign law and the information is used for that investigation;
 - b) For an emergency that threatens an individual's life, health, or security;
 - c) For statistical or scholarly study or research;
 - d) Aggregate information for statistical or scholarly study or research is subject to the following conditions:
 - 1. The research cannot be reasonably accomplished without the information
 - 2. The information is used in a manner that does not identify individuals

- 3. The research serves a public benefit
- 4. Reasonable steps are taken to protect the privacy of the individuals
- e) If it is publicly available as specified in the Acts;
- f) If the use is clearly in the individual's interest and consent is not available in a timely way; or
- g) 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 territorial law.

18. Exceptions for Disclosure – The Organization may disclose personal information without the individual's knowledge or consent only:

- a) To a lawyer representing the Organization;
- b) To collect a debt the individual owes to the Organization;
- c) To comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;
- d) To a government institution that has requested the information, identified its lawful authority, and indicated that disclosure is for the purpose of enforcing, carrying out an investigation, or gathering intelligence relating to any federal, territorial, or foreign law; or that suspects that the information relates to national security or the conduct of international affairs; or is for the purpose of administering any federal or territorial law;
- e) To an investigative body named in the Acts or government institution on the Organization's initiative when the Organization believes the information concerns a breach of an agreement, or a contravention of a federal, provincial/territorial, or foreign law, or suspects the information relates to national security or the conduct of international affairs;
- f) To an investigative body for the purposes related to the investigation of a breach of an agreement or a contravention of a federal or territorial law;
- g) In an emergency threatening an individual's life, health, or security (the Organization must inform the individual of the disclosure);
- h) For statistical, scholarly study or research;
- i) To an archival institution;
- j) 20 years after the individual's death or 100 years after the record was created;
- k) If it is publicly available as specified in the regulations; or
- l) If otherwise required by law.

Limiting Collection, Use, Disclosure and Retention

19. Limiting Collection, Use and Disclosure – The Organization shall not collect, use, or disclose personal information indiscriminately. Information collected will be for the purposes specified in this Policy, except with the consent of the individual or as required by law.

20. Retention Periods – Personal information shall be retained as long as reasonably necessary to enable participation in the Organization, to maintain accurate historical records and or as may be required by law.

21. Destruction of Information – Documents shall be destroyed by way of shredding and electronic files will be deleted in their entirety.

Safeguards

22. Safeguards – Personal information shall be protected by security safeguards appropriate to the sensitivity of the information against loss or theft, unauthorized access, disclosure, copying, use or modification.

Breaches

23. Breaches – The Organization is required to report breaches of its security safeguards and any unauthorized disclosure of, or access to, personal information to the Office of the Privacy Commissioner if the breach, disclosure, or access may pose a “real risk of significant harm” to an individual. A “real risk of significant harm” is defined as: *“Bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property”.*

24. Reporting – The Organization will report the breach or unauthorized access or disclosure to the Office of the Privacy Commissioner in the form and format specified by the Office of the Privacy Commissioner or will be subject to financial penalties.
25. Records and Notification – In addition to reporting the breach or unauthorized access or disclosure, the Organization will keep records of the breach and inform affected individuals.

Individual Access

26. Access – Upon written request, and with assistance from the Organization, an individual may be informed of the existence, use and disclosure of his or her personal information and shall be given access to that information. Further, an individual is entitled to be informed of the source of the personal information along with an account of third parties to whom the information has been disclosed.
27. Response – Requested information shall be disclosed to the individual within 30 days of receipt of the written request at no cost to the individual, or at nominal costs relating to photocopying expenses, unless there are reasonable grounds to extend the time limit.
28. Denial – An individual may be denied access to his or her personal information if the information:
- a) Is prohibitively costly to provide;
 - b) Contains references to other individuals;
 - c) Cannot be disclosed for legal, security, or commercial proprietary purposes; or
 - d) Is subject to solicitor-client privilege or litigation privilege.
29. Reasons – Upon refusal, the Organization shall inform the individual the reasons for the refusal and the associated provisions of the Acts.
30. Identity – Sufficient information shall be required to confirm an individual's identity prior to providing that individual an account of the existence, use, and disclosure of personal information.

Challenging Compliance

31. Challenges – An individual shall be able to challenge compliance with this Policy and the Acts to the designated individual accountable for compliance.
32. Procedures – Upon receipt of a complaint the Organization shall:
- a) Record the date the complaint is received;
 - b) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
 - c) Acknowledge receipt of the complaint by way of telephone conversation and clarify the nature of the complaint within three (3) days of receipt of the complaint;
 - d) Appoint an investigator using the Organization's personnel or an independent investigator, who shall have the skills necessary to conduct a fair and impartial investigation and shall have unfettered access to all relevant file and personnel, within ten (10) days of receipt of the complaint;
 - e) Upon completion of the investigation and within twenty-five (25) days of receipt of the complaint, the investigator will submit a written report to the Organization; and
 - f) Notify the complainant to the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures within thirty (30) days of receipt of the complaint.
33. Whistleblowing – The Organization shall not dismiss, suspend, demote, discipline, harass or otherwise disadvantage any director, officer, employee, trainer, contractor, and other decision-maker within the Organization or deny that person a benefit because the individual, acting in good faith and on the basis of reasonable belief:

- a) Disclosed to the commissioner that the Organization has contravened or is about to contravene the Acts;
- b) Has done or stated an intention of doing anything that is required to be done in order to avoid having any person contravene the Acts; or
- c) Has refused to do or stated an intention of refusing to do anything that is in contravention of the Acts.

IP Address

34. IP Address – The Organization does not collect, use, or disclose IP Addresses.

Applicable Law

35. Applicable Law – The Organization website is created and controlled by the Organization in Alberta. As such, the laws of Alberta shall govern these disclaimers, terms, and conditions.

Appendix A – Consent Clause

The Organization will include the following paragraph (or a variation) whenever Personal Information is being collected:

1. I authorize the Organization to collect and use personal information about me for the purposes described in the *Privacy Policy*.
2. In addition to the purposes described in the *Privacy Policy*, I authorize the Organization to:
 - a) Distribute my information to South Calgary Wado Kai Karate Club
 - b) Photograph and/or record my image and/or voice on still or motion picture film and/or audio tape, and to use this material to promote the sport through the media of newsletters, websites, television, film, radio, print, social media, and/or display form. I understand that I waive any claim to remuneration for use of audio/visual materials used for these purposes
3. I understand that I may withdraw such consent at any time by contacting the Organization's Privacy Officer. The Privacy Officer will advise the implications of such withdrawal.