

# PRIVACY POLICY

## General

1. Background – Privacy of personal information is governed by the federal *Personal Information Protection and Electronics Documents Act* ("PIPEDA"). This policy describes the way that the SAHL collects, uses, safeguards, discloses and disposes of personal information, and states SAHL's commitment to collecting, using and disclosing personal information responsibly. This policy is based on the standards required by PIPEDA and the SAHL's interpretation of these responsibilities.
2. Purpose – The purpose of this policy is to govern the collection, use and disclosure of personal information in the course of commercial activities in a manner that recognizes the right to privacy of individuals with respect to their personal information and the need of the SAHL to collect, use or disclose personal information.
3. Definitions – The following terms have these meanings in this Policy:
  - a) "*Act*" – *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) "*Personal Information*" – any information about an individual that relates to the person's personal characteristics including, but not limited to: gender, age, income, home address or phone number, ethnic background, family status, health history, and health conditions
  - e) "*Representatives*" – Members, registrants, directors, officers, committee members, employees, coaches, officials, referees, managers, trainers, volunteers, administrators, contractors and participants in SAHL's events and activities
  - f) "*SAHL*" – Stouffville Amateur Hockey League

## Application of this Policy

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

## Obligations

6. Statutory Obligations – The SAHL is governed by the *Act* in matters involving the collection, use and disclosure of personal information.
7. Additional Obligations – In addition to fulfilling all requirements of the *Act*, the SAHL and its Representatives will also fulfill the additional requirements of this Policy. Representatives of the SAHL 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 SAHL; 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**

8. 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:

**Mike MacMillan – mikemacmillan22@gmail.com**

9. 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 SAHL's privacy policies and practices.
10. Employees – The SAHL shall be responsible to ensure that the employees, contractors, agents, or otherwise of SAHL are compliant with the *Act* and this Policy.

## **Identifying Purposes**

11. Purpose – Personal information may be collected from Representatives and prospective Representatives for purposes that include, but are not limited to, the following:

### *Communications*

- a) Receiving communications from the SAHL in regards to E-news, newsletters, programs, competitions, training, discipline, appeals, events, activities and other pertinent information.
- b) Published articles, media relations and postings on the SAHL website, displays or posters. In some cases, videos from an event will be available for purchase.
- c) Award nominations, biographies, published articles and media relations.
- d) Communication within and between committees, volunteers and board members.
- e) Discipline results and long-term suspension list.
- f) Communications with applicable municipalities who wish to check residency status of individuals.

### *Registration, Database Entry and Monitoring*

- g) Registration and communication of programs, events and activities.
- h) Determination of eligibility, age group and appropriate level of play/competition.
- i) Player Registration, outfitting uniforms, and various components of athlete and team selection.
- j) Technical monitoring, officials training, educational purposes, sport promotion, media publications.

### *Sales, Promotions and Merchandising*

- k) Purchasing equipment, coaching manuals, resources and other products.
- l) Promotion and sale of merchandise.

### *General*

- m) Travel arrangement and administration.
- n) Implementation of SAHL screening program.
- o) Medical emergency, emergency contacts or reports relating to medical or emergency issues.
- p) Vaccination status
- q) Determination of membership demographics and program wants and needs.
- r) Managing insurance claims and insurance investigations.

- s) Video recording and photography for personal use, and not commercial gain, by spectators, parents and friends.
  - t) Video recording and photography for promotional use, marketing and advertising by SAHL.
  - u) Payroll, honorariums, organization insurance and health plans.
12. Purposes not Identified – The SAHL shall seek consent from individuals when personal information is used for Commercial Activity not previously identified. This consent will be documented as to when and how it was received.

### **Consent**

13. Consent – The SAHL shall obtain consent by lawful means from individuals at the time of collection and prior to the use or disclosure of this information. The SAHL may collect personal information without consent where reasonable to do so and where permitted by law.
14. Implied Consent – By providing personal information to the SAHL, individuals are consenting to the use of the information for the purposes identified in this policy.
15. 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 SAHL will inform the individual of the implications of such withdrawal.
16. 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.
17. Exceptions for Collection – The SAHL 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 Act.
18. Exceptions for Use – The SAHL may use personal information without the individual's knowledge or consent only:
- a) If the SAHL 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) If it is publicly available as specified in the Act;
  - e) If the use is clearly in the individual's interest and consent is not available in a timely way; or
  - f) 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.
19. Exceptions for Disclosure – The SAHL may disclose personal information without the individual's knowledge or consent only:
- a) To a lawyer representing the SAHL;

- b) To collect a debt the individual owes to the SAHL;
- 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, provincial 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 provincial law;
- e) To an investigative body named in the Act or government institution on SAHL's initiative when SAHL believes the information concerns a breach of an agreement, or a contravention of a federal, provincial, 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 provincial law;
- g) In an emergency threatening an individual's life, health, or security (SAHL 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**

20. Limiting Collection, Use and Disclosure – The SAHL 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.
21. Retention Periods – Personal information shall be retained as long as reasonably necessary to enable participation in the SAHL, to maintain accurate historical records and or as may be required by law.
22. Destruction of Information – Documents shall be destroyed by way of shredding and electronic files will be deleted in their entirety.

#### **Safeguards**

23. 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**

24. Breaches – The SAHL 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”*.
25. Reporting – The SAHL 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.

26. Records and Notification – In addition to reporting the breach or unauthorized access or disclosure, SAHL will keep records of the breach and inform affected individuals.

### **Individual Access**

27. Access – Upon written request, and with assistance from SAHL, 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.

28. 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.

29. 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.

30. Reasons – Upon refusal, the SAHL shall inform the individual the reasons for the refusal and the associated provisions of the *Act*.

31. 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**

32. Challenges – An individual shall be able to challenge compliance with this Policy and the *Act* to the designated individual accountable for compliance.

33. Procedures – Upon receipt of a complaint the SAHL 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 SAHL'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 SAHL; 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.

34. Whistleblowing – The SAHL shall not dismiss, suspend, demote, discipline, harass or otherwise disadvantage any director, officer, employee, trainer, contractor, and other decision-maker within the SAHL 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 SAHL has contravened or is about to contravene the *Act*;
- 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 *Act*; or
- c) Has refused to do or stated an intention of refusing to do anything that is in contravention of the *Act*.

**IP Address**

35. IP Address – The SAHL does not collect, use or disclose personal information such as an IP Addresses.