



## G10 Privacy Policy

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Classification	Governance	
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Last Date Reviewed	March 26, 2018	
Date of Next Board Review	2021	
Responsible Committee	Policy Committee	

This Privacy Policy shall be posted on the Foundation's web site.

### Part 1: Introduction

#### **Our Commitment to Privacy**

The Sunshine Coast Community Foundation (the "Foundation") is committed to maintaining the security, confidentiality, and privacy of personal information. This Privacy Policy was developed to comply with the British Columbia *Personal Information Protection Act* (PIPA) and should always be read subject to the requirements of the current version of that Act.

The Foundation expects its employees and volunteers to respect the privacy of all individuals associated with the Foundation, including its donors, applicants for scholarships and other benefits, and other employees and volunteers.

### Part 2: General

#### **Scope of Policy**

This Policy addresses personal information about individuals. Personal information means information about an identifiable individual and includes an individual's name, home address, social insurance number, gender, family status, and the particulars of:

- any donation he or she has made,
- any scholarship or other application he or she has made, and
- his or her employment or volunteer assignments with the Foundation.

This Policy does not apply to the information collected, used, or disclosed with respect to organizations or corporate or commercial entities. It also does not impose any limits on the collection, use, or disclosure of the following information by the Foundation:

- business contact information;
- employee and volunteer work product information; and
- certain publicly available information.

The Foundation's Confidentiality Policy applies to potentially sensitive information which is not covered by this Policy.

### Part 3: Guidelines



## **Accountability**

The Foundation has designated the Chair of the Foundation's Board as the Privacy Officer who is responsible for the Foundation's compliance with this Policy. The Privacy Officer may be contacted as follows:

Address: P.O. Box 1343, Sechelt, BC V0N 3A0

Phone: 604 741-7360

E-mail: [sccfoundation@dccnet.com](mailto:sccfoundation@dccnet.com)

## **Consent**

The Foundation must obtain an individual's consent to collect, use or disclose personal information about that individual except where the Foundation is authorized or required by law to do so without consent.

The Foundation may collect, use, or disclose personal information without the individual's knowledge or consent where:

- the information is publicly available as defined by statute or regulation;
- the Foundation is obtaining legal advice;
- the Foundation reasonably expects that obtaining consent would compromise an investigation or proceeding;
- the use or disclosure of a scholarship applicant's information is for the purpose of determining suitability to receive the scholarship; or
- the collection, use, or disclosure of the personal information of an employee or volunteer is reasonable for the purposes of establishing, managing, or terminating an employment or volunteering relationship between the individual and the Foundation

Other exceptions may apply, as set out in PIPA.

Consent can be express, implied, or given through an authorized representative such as a lawyer, agent, or broker.

Consent may be implied where:

- At the time consent is given, the purpose for which the Foundation intends to collect, use or disclose the information would be considered obvious and the individual voluntarily provides the information for that purpose; or
- The Foundation provides the individual with notice that it intends to collect, use, or disclose the individual's information for a particular purpose and the individual, after a reasonable period of time, does not object, and the collection, use, or disclosure is reasonable, given the sensitivity of the information.

Where possible, consent should be provided in writing. However, consent may also be provided orally or electronically. In these cases, it should be recorded in writing.

## **Purpose of collecting, using and disclosing personal information from Donors**

The Foundation typically collects personal information from donors, including their names, contact information, the amount of their donations, and information which helps the



Foundation understand their reasons for making a donation and the identity or types of organizations or causes they wish their donation to support.

In most cases, the Foundation:

- must obtain consent from the donor to collect, use, or disclose the donor's personal information. Before consent can be obtained, the Foundation must specify the purposes for which the information is being collected, used or disclosed.
- cannot collect, use, or disclose personal information from donors for any purposes other than those specific purposes for which consent has been obtained from the donor.

If a representative of the Foundation intends to collect, use or disclose personal information for a purpose for which the Foundation has not obtained consent, then the representative should consult the Privacy Officer to determine whether the proposed collection, use or disclosure is authorized.

The Foundation ordinarily collects, uses, and discloses donors' personal information for the following reasons:

- processing donations and investing funds;
- managing or transferring assets or liabilities of the Foundation; and
- complying with legal and regulatory requirements, including reporting donations to CRA.

The above purposes are a necessary part of the Foundation's relationship with its donors. The Foundation cannot accept a donation if the donor objects to his or her personal information being collected, used and disclosed for these purposes.

The Foundation may also collect, use, and disclose donors' personal information for the following purposes:

- issuing a receipt to donors;
- contacting donors regarding future campaigns and special events;
- donor recognition, including posting donors' names and donor recognition category on the Foundation's website or in other publications;
- promoting the activities of the Foundation; and
- any other purpose for which the Foundation informs a donor it intends to use or disclose the donor's information.

A donor may withhold consent to the Foundation collecting, using, or disclosing the donor's personal information for these optional purposes.



### **Purposes of collecting, using, and disclosing Employees' and Volunteers' personal information**

The Foundation may collect, use, and disclose employees' and volunteers' personal information for any purpose that is reasonable for the purposes of establishing, managing, or terminating an employment relationship or volunteering relationship between the individual and the Foundation. The Foundation must give the employee or volunteer notice that it intends to collect, use, or disclose the individual's information, but need not obtain consent.

The Foundation's Privacy Notices for Employees and Volunteers lists examples of purposes that are reasonable for the purposes of establishing, managing, or terminating an employment relationship or volunteering relationship between the individual and the Foundation.

If the Foundation intends to collect, use, or disclose an employee's or volunteer's personal information for any purpose that might not be reasonable for the purposes of establishing, managing, or terminating an employment relationship or volunteering relationship between the individual and the Foundation, then the Foundation must disclose the purpose to the employee or volunteer and obtain consent.

If the Foundation receives a request for a reference about an employee or volunteer, the Foundation will only provide information regarding the individual's job title and dates of employment or volunteering.

### **Purpose of collecting, using, and disclosing personal information from Applicants for scholarships and other awards**

In this policy, "scholarship" includes bursaries and other forms of awards or honors to individuals.

The Foundation may collect, use, or disclose personal information without consent for the purposes of determining suitability to receive a scholarship. The Foundation must obtain consent from a scholarship applicant to collect, use, or disclose the scholarship's personal information for any other purposes (such as to advise a donor about the successful candidate for a scholarship). Before consent can be obtained, the Foundation must specify the purposes for which the information is being collected, used or disclosed.

The Foundation's Privacy Notice for Applicants for Scholarships and other Awards lists examples of purposes for which the Foundation collects personal information from scholarship applicants. If the Foundation intends to collect, use, or disclose a scholarship applicant's personal information for any other purpose, then it must disclose the purpose to the individual and obtain consent.

If a representative of the Foundation intends to collect, use, or disclose personal information from a scholarship applicant for a purpose (other than to assess the application) for which the Foundation has not obtained consent, then the representative should consult with the Privacy Officer to determine whether the proposed collection, use, or disclosure is authorized.

### **Withdrawal of Consent**

An individual who has given consent may withdraw it at any time, subject to legal and contractual restrictions, provided that the individual gives reasonable notice of the withdrawal of consent to the Foundation. On receipt of notice of withdrawal of consent the Foundation should inform the individual of the likely consequences of the withdrawal of consent, which may include the inability of the Foundation to provide certain services for which that information is necessary.

### **Privacy of Deceased Individuals**

The provisions of PIPA continue to apply where an individual is deceased (including where individuals have left bequests to the Foundation).

Where an individual is deceased, his or her personal representative may provide consent to collect, use, or disclose the deceased individual's personal information. In the absence of a personal representative, the "nearest relative" as defined in the Regulations to PIPA may provide consent.

### **Procedure for Notifying Donors of the Foundation's Privacy Policy and obtaining Consent to the Collection, Use, and Disclosure of Information**

Where the Foundation is aware that a prospective donor intends to make a donation for the first time, the Foundation will:

- provide the prospective donor with a copy of the Privacy Notice for Donors; and
- obtain instructions from the donor about the disclosure of personal information.

Where the Foundation receives an unsolicited donation or it is otherwise not feasible to follow the steps above in advance of receiving the donation, the Foundation should if possible provide the donor with a copy of Privacy Notice for Donors and advise the donor to instruct the Foundation in writing if the donor objects to his or her personal information being used for any of the optional purposes. This may be accomplished by providing the donor with notice that it intends to collect, use, or disclose the individual's information for a particular purpose and the individual, after a reasonable period of time, does not object, and the collection, use, or disclosure is reasonable, given the sensitivity of the information.

If the donor is deceased, the Foundation should deal with the donor's personal representative or, if there is no personal representative, the donor's "nearest relative" as defined in the legislation.

Where a donor has not provided instructions concerning the privacy of the donor's personal information, the Foundation should not use or disclose the donor's personal information, except to the extent described in this Policy or in the Privacy Notice to Donors.

Where a donor has instructed the Foundation not to use or disclose his or her personal information for a specific purpose or purposes, the Foundation will record this information in a register kept for this purpose.



When the Foundation intends to use or disclose personal information it has collected for a purpose that has not previously been identified to the donor, the Foundation shall advise the donor of the proposed new purpose and obtain the donor's consent for the use or disclosure, unless the use or disclosure is authorized or required by law. If this is not possible, the matter should be referred to the Privacy Officer to determine whether the use or disclosure is allowed.

**Procedure for notifying Employees and Volunteers of the Foundation's privacy policy and obtaining consent to the collection, use and disclosure of Information**

Prospective employees and volunteers should be provided with a copy of the Privacy Notice for Employees or the Privacy Notice for Volunteers prior to the commencement of their employment or volunteer work. If it is anticipated that personal information may be collected, used, or disclosed for purposes that are not enumerated in the Notice, then those purposes should be disclosed to the employee or volunteer and his or her consent sought to the collection, use, or disclosure.

**Procedure for notifying Scholarship Applicants of the Foundation's privacy policy and obtaining consent to the collection, use, and disclosure of Information**

The Privacy Notice for Scholarship Applicants should be included with or incorporated into the scholarship applications and/or posted on the website in such a way that its terms would be expected to come to the attention of scholarship applicants prior to the applicants providing personal information to the Foundation.

If it is anticipated that personal information may be collected, used, or disclosed for purposes which are not enumerated in that Notice, then those purposes should be disclosed to the Scholarship Applicant and consent sought to the collection, use, or disclosure. This should be recorded in writing and kept with the scholarship application.

**Obtaining consent from Others**

Where the Foundation collects personal information from individuals not otherwise covered by this Policy, it shall obtain consent to the collection, use, and disclosure of this information to the extent required by PIPA.

**Limits on Collection of Personal Information**

The Foundation will not collect information indiscriminately and will limit collection of information to that which is reasonable and necessary to provide services, and which is reasonable and necessary for the purposes consented to. The Foundation will also collect information as authorized or required by law.

**Limits for Using, Disclosing Personal Information**

The Foundation will not use or disclose personal information except for the purposes set out above or as authorized or required by law.

**The retention and destruction of personal information**

The Foundation will destroy, erase, or make anonymous documents or other records containing personal information as soon as it is reasonable to assume that the original



purpose is no longer being served by retention of the information and retention is no longer necessary for legal or business purposes. The Foundation must, however, retain personal information used to make a decision affecting an individual for at least one year after using it to make the decision.

The Foundation will take due care when destroying personal information to prevent unauthorized access to the information.

### **Safeguarding Personal Information**

The Foundation protects the personal information in its custody or control by making reasonable security arrangements to prevent unauthorized access, collection, use, disclosure, copying, modification, disposal, or similar risks.

The Foundation will take reasonable steps through contractual or other reasonable means to ensure that a comparable level of personal information protection is implemented by the suppliers and agents who assist in providing services. Some specific safeguards include:

- physical measures such as locked filing cabinets;
- organizational measures such as restricting employee and volunteer access to files and databases as appropriate;
- electronic measures such as passwords and firewalls; and
- investigative measures where the Foundation has reasonable grounds to believe that personal information is being inappropriately collected, used, or disclosed.

Note that confidentiality and security are not assured when information is transmitted through email or other wireless communication.

### **Accuracy**

The Foundation will make a reasonable effort to ensure that personal information collected, used, or disclosed is accurate and complete.

### **Providing access and an opportunity to Correct**

An individual has a right to access his or her personal information that is in the custody or control of the Foundation. Any requests for access should be made in writing to the Privacy Officer.

Upon written request and authentication of an individual's identity, the Foundation will provide the individual with the personal information relating to that individual under its control; information about how the individual's information is being used; and a description of the other individuals and organizations to whom that information has been disclosed. The Foundation may charge a reasonable fee for doing so.

The Foundation will make the requested information available within 30 days or provide written notice where additional time is required to fulfill the request.



In some situations, the Foundation may not be able to provide access to certain personal information (e.g., if disclosure would reveal personal information about another individual, the personal information is protected by solicitor/client privilege, the information was collected for the purposes of an investigation, or where disclosure of the information would reveal confidential commercial information that could harm the competitive position of the Foundation). The Foundation may also be prevented by law from providing access to certain personal information.

Where an access request is refused, the Privacy Officer shall notify the individual in writing. The notification letter shall include:

- the reasons for refusal,
- the provisions of the Act on which the refusal is based,
- contact information for the Privacy Officer, and
- the individual's right to seek a review under s. 47 of PIPA within 30 days of the decision.

The Privacy Officer shall notify the Board of any refusal to provide access.

The Foundation must retain personal information used to make a decision concerning access for at least one year after using it to make the decision.

### **Accuracy**

An individual may request in writing that the Foundation correct any inaccurate or incomplete information the Foundation has in its custody or control concerning the individual.

If an individual questions the accuracy or completeness of the personal information about that individual held by the Foundation, the Foundation shall make a reasonable effort to assist the individual and to respond to the his or her concern as accurately and completely as reasonably possible.

If an individual demonstrates the inaccuracy or incompleteness of personal information, the Foundation will amend the information as necessary. If appropriate the Foundation will send the amended information to third parties to whom the information has been disclosed.

When a challenge regarding the accuracy or completeness of personal information is not resolved to the satisfaction of the individual, the Foundation will annotate the personal information under its control with a note that the correction was requested but not made.

### **Complaints**

Any inquiries, complaints, or questions regarding this Policy should be directed in writing to the Foundation's Privacy Officer. The Foundation will provide information concerning its complaint procedure upon request.

An employee, Board member, or volunteer who receives a complaint shall notify the Board of any complaints relating to the Foundation's Privacy Policy or procedures. The Board will





determine the most appropriate procedure for investigating and responding to the complaint. The Foundation should respond to any complaint in writing within 30 days.

Part Four: Forms

G 10-A Privacy Notice for Donors

G 10-B Privacy Notice for Volunteers

G 10-C Privacy Notice for Employees

G 10-D Privacy Notice for Applicants for Scholarships and Other Awards