

Manitoba Five Pin Bowling Federation – Privacy Policy

“Organization” – refers to: Manitoba Five Pin Bowling Federation

For not-for-profit organizations in Manitoba, the privacy of personal information is governed by the Personal Information Protection and Electronic Documents Act (PIPEDA). This policy is based on the standards required by PIPEDA as interpreted by the Organization.

Purpose

1. The Organization recognizes individuals' right to privacy with respect to their personal information. This policy describes the way that the Organization collects, uses, retains, safeguards, discloses and disposes of personal information and states that the Organization's commitment to collecting, using and disclosing personal information responsibly.

Application

2. This policy applies to all stakeholders and individuals in connection with personal information that is collected, used or disclosed during the Organization's activities.
3. Except as provided in PIPEDA, the Organization's board of directors will have the authority to interpret any provision of this policy that is contradictory, ambiguous or unclear.

Obligations

4. The Organization is obligated to follow and abide by PIPEDA in all matters involving the collection, use and disclosure of personal information.
5. In addition to fulfilling the legal obligations required by PIPEDA, the Organization's stakeholders will not:
 - a) Publish, communicate, divulge or disclose to any unauthorized person, firm, corporation or third party, any personal information without the express written consent of the individual.
 - 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, colleagues or 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.
 - 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

6. The privacy officer is responsible for the implementation of this policy and monitoring information collection and data security and 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:
Manitoba Five Pin Bowling Federation
145 Pacific Avenue
Winnipeg, Manitoba
R3B 2Z6
7. 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
 - e) Train and communicate to staff, information about the Organization's privacy policies and practices

Identifying Purposes

8. Personal information will only be collect by the Organization to meet and maintain the highest standard of organizing and programming the sport of 5 pin bowling. The Organization collects personal information from prospective members, members, coaches, participants, managers and volunteers for purposes that include, but are not limited to the following:
- a) Name, address, phone #, cell #, fax # and e-mail address for the purpose of communicating about the Organization's programs, events and activities.
 - b) NCCP #, education, resumes and experience for database entry at the Coaching Association of Canada to determine the level of certification and coaching qualifications.
 - c) Credit card information for registration at conferences, travel administration and purchasing equipment, coaching manuals and other products and resources.
 - d) Date of birth, athlete biography and member club to determine eligibility, age group and appropriate level of play.
 - e) Banking information, social insurance #, criminal records check, resume and beneficiaries for the Organization's payroll, company insurance and health plan.
 - f) Criminal records check and related personal reference information for the purpose of implementing the Organization's volunteer screening program.
 - g) Personal health information, including provincial health card #'s, allergies, emergency contact and past medical history for use in the case of medical emergency.
 - h) Athlete information, including, uniform size, feedback from coaches, performance results for athlete registration forms, outfitting uniforms, media relations and various components of athlete and team selection.
 - i) Athlete's whereabouts information, including sport/discipline, practice times and venues, locations, travel plans, competition schedule and disability, if applicable, for the Canadian Centre for Ethics in Sport inquiries for the purpose of out-of-province competition drug testing.
 - j) Marketing information, including attitudinal and demographic data on individual members to determine membership demographic structure, program wants and needs.
 - k) Name, address, phone #, cell #, fax # and e-mail address for the purpose of managing an insurance claim and conducting insurance investigations (if applicable).
9. If a purpose has not been indentified herein, the Organization will seek consent from individuals when personal information is used for a purpose not already consented to. This consent will be documented as to when and how it was received.

Consent

10. By providing personal information to the Organization, individuals are implying their consent to the use of that personal information for the purposes identified in the identifying purposes section of this policy.
11. At the time of the collection of personal information and prior to the use or disclose of the personal information, the Organization will obtain consent from individuals by lawful means. The Organization may collect personal information without consent when it is reasonable to do so and permitted by law.
12. In determining whether to obtain written or implied consent, the Organization will take into account the sensitivity of the personal information as well the individuals' reasonable expectations. Individuals may consent to the collection and specified use of personal information in the following ways:
- a) Completing and/or signing an application form
 - b) Checking a check box or selecting an option (such as 'yes' or 'I agree')
 - c) Providing written consent either physically or electronically
 - d) Consenting orally in person
 - e) Consenting orally over the phone

13. The Organization will not, as a condition of providing a product or service, require individuals to consent to the use, collection or disclosure of personal information beyond what is required to fulfill the specified purpose of the product or service.
14. An individual may withdraw consent in writing, at any time, subject to legal or contractual restrictions, provided the individual gives one (1) week's notice of such withdrawal to the Organization. The Organization will inform the individual of the implications of withdrawing consent.
15. The Organization will not obtain consent from individuals who are minors, seriously ill or mentally incapacitated. Consent from these individuals will be obtained from a parent, legal guardian or a person having power of attorney.
16. The Organization is not required to obtain consent for the collection of personal information and may use personal information without the individual's knowledge or consent, only if:
 - a) It is clearly in the individual's interests and the opportunity for obtaining consent is not available in a timely way.
 - b) Knowledge and consent would compromise the availability or accuracy of the personal information and collection is required to investigate a breach of an agreement or a contravention of a federal or provincial law.
 - c) An emergency threatens an individual's life, health or security.
 - d) The information is publicly available as specified in PIPEDA.
17. The Organization is also not required to obtain consent for the collection of personal information if the information is for journalistic, artistic or literary purposes.
18. 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 that 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 and identified its lawful authority, if that government institution indicates that disclosure is for one of the following purposes: enforcing or carrying out an investigation, gathering intelligence relating to any federal, provincial or foreign law, national security or the conduct of international affairs or administering any federal or provincial law.
 - e) To an investigative body named in PIPEDA or a government institution, if the Organization believes the personal information concerns a breach of an agreement, contravenes a federal, provincial or foreign law or if the Organization suspects the personal information relates to national security or the conduct of international affairs.
 - f) To an investigative body for 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 (the Organization will inform the individual of the disclosure).
 - h) To an archival institution.
 - i) Twenty (20) years after the individual's death or 100 years after the record was created.
 - j) If it is publicly available as specified in PIPEDA.
 - k) If otherwise required by law.

Accuracy, Retention and Openness

19. In order to minimize the possibility that inappropriate personal information may be used to make a decision about a member, personal information will be accurate, complete and as up-to-date as is necessary for the purposes for which it will be used.

20. Personal information will be retained as long as reasonably necessary to enable participation in the Organization's programs, events and activities and in order to maintain historical records as may be required by law or by governing organizations.
21. The Organization's stakeholders will be made aware of the importance of maintaining the confidentiality of personal information and are required to comply with the Organization's confidentiality policy.
22. Personal information will be protected against loss or theft, unauthorized access, disclosure, copying, use or modification by security safeguards appropriate to the sensitivity of the personal information.
23. Personal information that has been used to make a decision about an individual will be maintained for a minimum of one (1) year in order to allow the individual the opportunity to access the personal information after the decision has been made.
24. The Organization will make the following information available to individuals:
 - a) This privacy policy.
 - b) Any additional documentation that further explains the Organization's privacy policy.
 - c) The name or title and the address of the personnell who is accountable for the Organization's privacy policy.
 - d) The means of gaining access to personal information held by the Organization.
 - e) A description of the type of personal information held by the Organization, including a general account of its use.
 - f) Identification of any third parties to which personal information is made available.

Access

25. Upon written request and with assistance from the Organization after confirming the individual's identity, individuals may be informed of the existence, use and disclosure of their personal information and will be given access to that personal information. Individuals are also entitled to be informed of the source of the personal information and provided with an account of third parties to which the personal information has been disclosed.
26. Unless there are reasonable grounds to extend the time limit, requested personal information will be disclosed to the individual, at no cost to the individual, within thirty (30) days of receipt of the written request.
27. Individuals may be denied access to their 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..
 - d) Is subject to solicitor-client privilege or litigation privilege.
28. If the Organization refuses a request for personal information, it shall inform the individual the reasons for the refusal and identify the associated provisions of PIPEDA that support the refusal.


Compliance Challenges


29. Individuals are able to challenge the Organization for its compliance with this policy and PIPEDA by submitting a challenge in writing.
30. Upon receipt of a written complaint, the Organization will:
 - 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 seven (7) days of receipt of the complaint.

- d) Appoint an investigator using the Organization's personnel or an independent investigator, who will have the skills necessary to conduct a fair and impartial investigation and will have unfettered access to all files and personnel within ten (10) days of receipt of the complaint.
 - e) Upon completion of the investigation and within thirty (25) days of receipt of the complaint, the investigator will submit a written report to the Organization.
 - f) Notify the complainant of 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.
31. The Organization will not dismiss, suspend, demote, discipline, harass or otherwise disadvantage any of the Organization's individuals or stakeholders who:
- a) Challenge the Organization for its compliance with this policy.
 - b) Refuse to contravene this policy for PIPEDA.
 - c) Take precautions not to contravene this policy or PIPEDA; even though said precautions may be in opposition to the regular duties performed by the individual.

This policy will be reviewed on an annual basis at the Organization's annual general meeting, where it may be amended, deleted or replaced by a resolution and approved at the meeting. The policy will be signed off by the following members of the executive committee of the Organization.

Date: January 23rd, 2019

Grant Szpak (President): 

Mike Devenney (Vice President): 

Sandi Anderson (Treasurer): 