

Privacy Policy

Article 1 – General

1.1 Background – Privacy of personal information is governed by the Personal Information Protection and Electronics Documents Act (“PIPEDA”). This policy describes the way that the Vancouver Southsiders collects, uses, safeguards, discloses and disposes of personal information, and states the Vancouver Southsiders’ commitment to collecting, using and disclosing personal information responsibly. This policy is based on the standards required by PIPEDA, and the Vancouver Southsiders’ interpretation of these responsibilities.

1.2 Purpose –The purpose of this policy is to govern the collection, use and disclosure of personal information in the course of activities in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of the Vancouver Southsiders to collect, use or disclose personal information.

1.3 Definitions – The following terms have these meanings in this Policy:

- a. Act – Personal Information Protection and Electronic Documents Act.
- b. Southsiders– The Vancouver Southsiders.
- c. Personal Information – any information about an identifiable individual including information that relates to their personal characteristics including, but not limited to, gender, age, home address or phone number, email, ethnic background, family status, or Whitecaps Season Ticket number or status.
- d. Representatives – Members, directors, officers, committee members, volunteers, administrators, contractors and all other participants within the Southsiders’ programs and services.

1.4 Application –This Policy applies to the Southsiders in connection with personal information that is collected, used or disclosed during any activity related to the Southsiders.

1.5 Statutory Obligations – The Southsiders are governed by the Personal Information Protection and Electronic Documents Act in matters involving the collection, use and disclosure of personal information.

1.6 Additional Obligations – In addition to fulfilling all requirements of the Act, the Vancouver Southsiders will also fulfill the additional requirements of this Policy. The Vancouver Southsiders 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 Southsiders; and
- e. Accept any gift or favor that could be construed as being given in anticipation of, or in recognition for, the disclosure of personal information.

1.7 Ruling on Policy – Except as provided in the Act, the Southsiders’ Privacy Officer will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

Article 2- Accountability

2.1 Privacy Officer – The Southsiders' Ombudsman, is the Southsiders' Privacy Officer and is responsible for the implementation of this policy and monitoring information collection and data security, and ensuring that all employees receive 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:

Email: ombudsman@vancouverouthsiders.ca

2.2 Duties – The Privacy Officer will:

- a. Implement procedures to protect personal information;
- b. Establish procedures to receive and respond to complaints and inquiries;
- c. Ensure any third party providers abide by this policy; and
- d. Train and communicate to representatives information about the Southsiders policies and practices.

2.3 Representatives – The Vancouver Southsiders will be responsible to ensure that the all representatives are compliant with the Act and this Policy.

Article 3 – Identifying Purposes

3.1 Purpose – Personal information may be collected from representatives and prospective representatives and will only be used to meet and maintain the highest standards related to the groups organization and activities.. The Southsiders will use personal information for purposes that include, but are not limited to, the following:

- a. Ensure the provision of high quality products and/or services.
- b. Receiving communications from Southsiders and their sponsors in regards to E-news, e-mails, bulletins, donation requests, invoices, notifications, merchandise sales, newsletters, programs, events and activities.
- c. Determination of eligibility for voting and for election into office.
- d. Promotions, sale of merchandise and financial transactions*.
- e. Medical emergency.
- f. Award nominations.
- g. Biographical information.
- h. Membership registration.
- i. Arranging travel.
- j. Publishing articles, media relations and posting on the Southsiders' website, publications, and social media.
- k. Determination of membership demographics and program wants and needs.
- l. Other purposes deemed necessary by the Southsiders' Privacy Officer while in compliance with the Act.

*Financial information, for example credit card numbers, will not be maintained by the Southsiders and will be deleted upon completion of the applicable financial transaction.

3.2 Purposes not Identified – The Southsiders will seek consent from individuals when personal information is used for commercial purpose not identified herein or previously identified. This consent will be documented as

to when and how it was received.

3.3 User ID and/or Password – A Representative or potential Representative is solely responsible for any 'User ID and/or password to access the Southsiders' website and will not disclose their User ID or password to any third party. Upon such disclosure, the Representative or potential Representative will be solely responsible for the actions resulting from the disclosure.

3.4 Shopping On-Line – A Representative or potential Representative who shops and orders from the Southsiders on-line store or membership portal will be provided a secure commerce transaction by way of secure server software.

3.5 Cookies – In order for the Southsiders to ensure its website is well managed and to facilitate improved navigation, the Southsiders may use cookies or web beacons to collect aggregate data. Aggregate data may include IP address, domain, browser type and pages visited. Cookies or web beacons used by the Southsiders do not collect any personal information such as name, address or email address. Representatives and potential Representatives may have web browsers which permit the user to decline cookies, however, under specific circumstances; the Southsiders' website may deny access to some part of its website if the browser is set to decline cookies.

Article 4- Consent

4.1 Consent – The Southsiders will obtain consent by lawful means from individuals at the time of collection and prior to the use or disclosure of the applicable personal information. The Southsiders may collect personal information without consent where reasonable to do so and where permitted by law.

4.2 Implied Consent – By providing personal information to the Southsiders in any format, including but not limited to email, personal correspondence, letter or via registration, individuals are consenting to the use of the information for the purposes identified in this policy.

4.3 Withdrawal – An individual may withdraw consent in writing to the collection, use or disclosure of personal information at any time, subject to legal or contractual restrictions. The Southsiders will inform the individual of the implications of such withdrawal.

4.4 Legal Guardians – Consent will not be obtained from individuals who are minors, seriously ill, or mentally incapacitated and therefore will be obtained from a parent, legal guardian or person having power of attorney.

4.5 Exceptions for Collection – The Southsiders are 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 law;
- c. The information is for journalistic, artistic or literary purposes; or
- d. The information is publicly available as specified in the Act.

4.6 Exceptions for Use – The Southsiders may use personal information without the individual's knowledge or consent only:

- a. If the Southsiders has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial 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.

4.7 Exceptions for Disclosure – The Southsiders may disclose personal information without the individual's knowledge or consent only:

- a. To a lawyer representing the Southsiders;
- b. To collect a debt the individual owes to the Southsiders;
- 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 Southsiders' initiative when Southsiders 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 (Southsiders 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.

Article 5- Limiting Collection, Use, Disclosure and Retention

5.1 Limiting Collection, Use and Disclosure – The Southsiders will not collect, use or disclose personal information indiscriminately. Information collected will be for the purposes specified in Article 3.1, except with the consent of the individual or as required by law.

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

5.3 Destruction of Information – Documents will be destroyed by way of shredding and electronic files will be

deleted in their entirety.

Article 6 - Safeguards

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

Article 7- Individual Access

7.1 Access – Upon written request, and with assistance from the Southsiders, an individual may be informed of the existence, use and disclosure of his or her personal information and will be given access to that information. As well, 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.

7.2 Response – Requested information will 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.

7.3 Denial – An individual may be denied access to his or her personal information if:

- a. This information is prohibitively costly to provide;
- b. The information contains references to other individuals;
- c. The information cannot be disclosed for legal, security or commercial proprietary purposes;
- d. The information is subject to solicitor-client or litigation privilege.

7.4 Reasons – Upon refusal, the Southsiders will inform the individual the reasons for the refusal and the associated provisions of PIPEDA.

7.5 Identity – Sufficient information will be required to confirm an individual's identity prior to providing that individual an account of the existence, use, and disclosure of personal information.

Article 8- Challenging Compliance

8.1 Challenges – An individual will be able to challenge compliance with this Policy and the Act to the designated individual accountable for compliance.

8.2 Procedures – Upon receipt of a complaint the Southsiders 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 or E-Mail conversation and clarify the nature of the complaint;
- d. Appoint an investigator using Southsiders 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 file and personnel.
- e. Upon completion of the investigation, the investigator will submit a written report to Southsiders Board of Directors.
- f. Notify the complainant the outcome of the investigation and any relevant steps taken to rectify the

complaint, including any amendments to policies and procedures.

8.3 Whistle-blowing – The Southsiders will not dismiss, suspend, demote, discipline, harass or otherwise disadvantage all members, officers, employees, committee members, volunteers, trainers, contractors, and other decision-makers within the Southsiders 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 Southsiders 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.

Article 9- Applicable Law

9.1 Applicable Law – The laws of the province of British Columbia will govern.