



Privacy Policy

Intent

The purpose of this policy is to outline YMCA of Oakville's implementation of the [Personal Information Protection and Electronic Document Act \(PIPEDA\)](#).

Definitions

PIPEDA defines **Personal information** as information about an identifiable individual:

- For example, name, address, email address, gender, age, ID numbers, income, racial or ethnic origin, relationship status, employee files, payment or medical/health records, assessments or evaluations.
- An individual's name *does not* need to be attached to the information in order for it to qualify as personal information.
- Personal information *does not* include name, title, business address, or business phone number of an employee of an organization.

Policy Statement

YMCA of Oakville is committed to maintaining the confidentiality, privacy and accuracy of the personal information it collects, uses and discloses about our members, participants, donors, staff, volunteers and independent contractors.

Policy Description

- 1.1 Appendix A outlines the procedures to be followed by YMCA of Oakville in accordance with PIPEDA.
- 1.2 Appendix B outlines YMCA of Oakville's website and cyber privacy practices.
- 1.3 This policy is published on the YMCA of Oakville's website.

Accountability

The President and CEO is accountable to the YMCA of Oakville Board of Directors for the implementation of this policy.

Related documents and/or relevant legislation

- YMCA of Oakville Fundraising Policy
- Canadian Code of Practice for Consumer Protection in Electronic Commerce
- Canada's Anti-Spam Legislation (CASL) <http://fightspam.gc.ca/>
- Personal Information Protection and Electronic Document Act (PIPEDA)
 - Office of the Information and Privacy Commissioner/Ontario <http://www.ipc.on.ca>
 - Privacy Commissioner of Canada <https://www.priv.gc.ca>

Appendix A:

YMCA of Oakville staff and volunteers with access to personal information must follow PIPEDA's ten fair information principles and steps.

PRINCIPLE 1 - ACCOUNTABILITY

YMCA of Oakville is responsible for safeguarding personal information under its control and shall designate an individual or individuals who are accountable for YMCA compliance with established privacy principles.

The Manager of Marketing and Communications is the designated Privacy Officer. The Privacy Officer is responsible for understanding the broad impact of legislation, communicating the policy and handling complaints about privacy.

The Senior Leadership Team is responsible for overseeing compliance by their staff to ensure:

- a) Purposes are defined for collection of personal information;
- b) Consents are obtained for the collection, use and disclosure of personal information, except where inappropriate;
- c) Collection, use and disclosure of personal information is limited to that which is necessary for defined purposes;
- d) Information used is accurate, complete and up-to-date;
- e) Adequate safeguards are put into place to protect personal information under YMCA of Oakville's control;
- f) Retention and destruction timetables are maintained;
- g) Access requests by individuals are processed promptly;
- h) Timely response is provided to an inquiry or complaint about YMCA of Oakville's handling of personal information; and
- i) Contracts with third parties that process YMCA of Oakville's information shall include privacy protection requirements.

Supervisors and Managers are responsible for the day-to-day collection, processing and safeguarding of personal information under their control. Supervisors and Managers shall inform and train staff, and volunteers having access to personal information.

Staff and volunteers shall follow the privacy protection procedures established by YMCA of Oakville when collecting, using, disclosing and safeguarding personal information.

The contact information of the Privacy Officer is provided below:

Kyla Kumar
Privacy Officer
Email: privacy@oakville.ymca.ca
Phone: 905-529-7102 ext. 7311

Mailing address:
YMCA of Oakville
410 Rebecca Street
Oakville, ON L6K 1K7

PRINCIPLE 2 - IDENTIFYING PURPOSES

YMCA of Oakville shall identify the purposes for collecting personal information before or at the time personal information is collected.

YMCA of Oakville needs to collect, use and disclose some information about its participants, members, donors, parents/guardians, staff, volunteers and independent contactors in order to conduct its operations and deliver YMCA programs and services to the communities it serves.

YMCA of Oakville's purposes for collecting personal information are:

- a) To establish and maintain responsible relationships with its participants, members, donors, parents/guardians, staff and volunteers;
- b) To manage, develop and enhance YMCA operations, programs and services;
- c) To acknowledge gifts, issue tax receipts, and other administrative requirements including information requests;
- d) To process and collect fees for service;
- e) To assess participant needs;
- f) To conduct participant satisfaction research;
- g) To determine program, service, employment or volunteer eligibility;
- h) To provide safe and secure YMCA of Oakville environments;
- i) To collect data for statistical purposes;
- j) To better understand the changing needs of communities we serve;
- k) To communicate a range of programs, services, and philanthropic opportunities that benefit people we serve;
- l) For administration, management, strategic planning, decision-making, research, and allocating of resources within the YMCA;
- m) For fundraising and advertising; and
- n) To meet legal, regulatory and contractual requirements.

YMCA of Oakville shall indicate either verbally, electronically or in writing, at or before the time personal information is collected, the purpose(s) for which it is being collected.

Staff and volunteers collecting personal information shall use reasonable efforts to explain identified purposes, or refer the individual to a supervisor who shall explain the identified purposes for collecting personal information.

Unless required by law, staff and volunteers shall not use or disclose for any *new* purpose the personal information that has been collected, without the consent of the individual. Staff shall advise their Senior Leader of a potential new identified purpose. Any new identified purpose must be approved by the Privacy Officer, documented and consent obtained from individuals prior to YMCA of Oakville use or disclosure.

PRINCIPLE 3 - CONSENT

The knowledge and consent of an individual is required for the collection, use, or disclosure of personal information, except where not required by law (see Exceptions on page 6).

In obtaining consent, staff and volunteers shall advise individuals (e.g. participants, members, donors, parents, staff, volunteers and independent contractors) of identified purposes for which personal information will be collected, used or disclosed. Purposes shall be communicated in clear, understandable language.

YMCA of Oakville takes into account the sensitivity of the personal information when determining what form of consent is appropriate for the circumstances.

In general, the following actions by an individual constitute *implied* consent for the YMCA to collect, use and disclose personal information for purposes identified to the individual:

- a) registration for YMCA programs and services;
- b) completion of a donation pledge form;
- c) acceptance of employment and benefits enrollment by an employee; or
- d) acceptance of a volunteer position or student placement.

Individuals may at any time withdraw their consent to YMCA of Oakville's use or disclosure of their personal information, subject to legal requirements. Individuals wishing to withdraw consent may contact YMCA of Oakville for more information regarding the implications of withdrawing consent, including how it may affect their continued participation in programs and services.

Exceptions

YMCA of Oakville may collect, use or disclose information without an individual's prior knowledge or consent in certain circumstances permitted by law. For example, YMCA of Oakville may collect, use or disclose personal information without prior knowledge or consent if it is clearly in the best interest of the individual to do so, such as in an emergency situation where the life, health or security of an individual is threatened.

YMCA of Oakville may disclose personal information without prior knowledge or consent of the individual:

- a) to a lawyer or other legal representative of the YMCA of Oakville;
- b) to a government body or agency in certain circumstances;
- c) to collect a debt, or comply with a subpoena, warrant or other court order; or
- d) in circumstances otherwise required or permitted by law.

PRINCIPLE 4 - LIMITING COLLECTION

YMCA of Oakville shall limit the collection of personal information to that which is necessary for the purposes identified by the YMCA. Information shall be collected by fair and lawful means.

When collecting personal information, staff and volunteers will usually collect it directly from the individuals about whom the personal information pertains. Personal information may be collected from other sources with prior consent from the individual, for example, from prior employers, personal references or from other third parties having the right to disclose the information.

To help safeguard an individual's privacy, YMCA of Oakville will consider using whenever possible non-identifiable information, such as coded or anonymous data, that does not identify individuals.

PRINCIPLE 5 - LIMITING USE, DISCLOSURE, AND RETENTION

YMCA of Oakville shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

In certain circumstances, personal information can be collected, used or disclosed without the knowledge and consent of the individual. See *Exceptions* above under Principle 3 - Consent.

Personal information shall be retained only as long as necessary for the fulfillment of those purposes for which it was collected (including as required by contract with a funding partner) or as required by law.

Depending on the circumstances, where personal information has been used to make a decision about an individual, the YMCA of Oakville shall retain, for a period of time that is reasonably sufficient to allow for access by the individual, either to actual information or the rationale for making the decision.

Supervisors shall maintain schedules for records retention and destruction, which apply to personal information that is no longer necessary or relevant for the identified purposes for collection, or required to be retained by law or under contract. Such information shall be destroyed, erased or rendered anonymous.

PRINCIPLE 6 - ACCURACY

Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

Personal information used by YMCA of Oakville shall be sufficiently accurate, complete and up-to-date to minimize the possibility that inaccurate information is being used to make a decision about an individual. Staff handling personal information shall update personal information about participants, members, donors, staff and volunteers, as and when necessary.

PRINCIPLE 7 - SAFEGUARDS

YMCA of Oakville shall protect personal information by security safeguards appropriate to the sensitivity of the information.

All staff and volunteers with access to information shall be required as a condition of employment or volunteer role, to respect the confidentiality of personal information. Staff shall protect personal information in their control (regardless of format) against such risks as loss or theft, or unauthorized access, disclosure, copying, use, modification or destruction, through appropriate security safeguards.

Safeguards may include physical measures (such as locked doors, locked file cabinets), organizational measures (such as staff training, limited access, security clearances) and technological measures (such as passwords, anti-virus software for computer systems).

Personal information shared with a third party for processing shall be protected through contractual agreements with requirements for confidentiality and appropriate safeguards.

PRINCIPLE 8 - OPENNESS

YMCA of Oakville shall make readily available to individuals, information about its procedures and practices relating to the management of personal information.

Information on YMCA of Oakville's commitment to privacy is available to the public on the YMCA of Oakville's website at www.ymcaofOakville.org or by contacting privacy@oakville.ymca.ca.

PRINCIPLE 9 - INDIVIDUAL ACCESS

YMCA of Oakville shall upon request inform an individual of the existence, use and disclosure of his or her personal information and shall give the individual access to that information, except where inappropriate. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

Staff and volunteers shall refer requests about personal information held about an individual to their supervisor or Senior Leader.

A Senior Leader or designate shall respond to a written request for individual access by providing access to the individual's data, except in limited circumstances. See *Exceptions to Access* on page 9.

In order to safeguard personal information, an individual may be required to provide sufficient identification information to permit YMCA of Oakville to account for the existence, use and disclosure of personal information, and authorize access to the individual's file.

A Senior Leader shall respond to a written request for access in a reasonable time, and at minimal or no cost. Personal information shall be provided in a format that is understandable, along with any explanation needed to facilitate the individual's understanding.

A Senior Leader or designate shall provide the individual a reasonable opportunity to review and challenge the accuracy and completeness of personal information. A statement of disagreement will be attached to records where a requested amendment can be made.

Upon request, a Senior Leader or designate shall provide an account of the use and disclosure of personal information to the individual to whom the information relates. A list of organizations to which YMCA of Oakville may have disclosed personal information shall be provided, when it is not possible to provide a list of actual disclosures.

Exceptions to access

YMCA of Oakville may not be able to provide an individual with access to some or all of his or her personal information in certain circumstances permitted by law. Some exceptions to access include if:

- a) doing so would likely reveal personal information about a third party;
- b) disclosure could reasonably be expected to threaten the life or security of another individual;
- c) information was collected in relation to the investigation of a breach of an agreement, or a contravention of law.

If access to personal information cannot be provided, a Senior Leader or designate shall provide the individual with written reasons for denying access.

PRINCIPLE 10 - CHALLENGING COMPLIANCE

An individual shall be able to address a challenge concerning compliance with the above principles to the Privacy Officer accountable for YMCA of Oakville's compliance.

An individual with any questions, concerns or complaints about YMCA of Oakville's "Privacy Policy" or its compliance with PIPEDA may speak to our staff and volunteers or to the Privacy Officer. Staff and volunteers shall refer any inquiries or complaints about YMCA of Oakville's handling of personal information to the Privacy Officer for response in a fair and timely manner.

Please contact YMCA of Oakville at:

- Telephone: (905) 845-3417
- Fax: (905) 842-6792
- Email: privacy@oakville.ymca.ca