



PRIVACY POLICY

Approved: Board

December 2021



TABLE OF CONTENTS

1. GENERAL.....	3
2. APPLICATION OF THIS POLICY.....	3
3. OBLIGATIONS.....	3
4. ACCOUNTABILITY.....	4
5. IDENTIFYING PURPOSES.....	4
6. CONSENT.....	5
7. LIMITING COLLECTION, USE, DISCLOSURE AND RETENTION.....	6
8. SAFEGUARDS.....	7
9. BREACHES.....	7
10. INDIVIDUAL ACCESS.....	7
11. CHALLENGING COMPLIANCE.....	8
12. IP ADDRESS.....	8
13. APPLICABLE LAW.....	8

1. General

- 1.1. Background – Privacy of personal information is governed by the federal *Personal Information Protection and Electronics Documents Act* (“PIPEDA”). This policy describes the way that Speed Skating Canada (SSC) collects, uses, safeguards, discloses, and disposes of personal information, and states SSC’s commitment to collecting, using, and disclosing personal information responsibly. This policy is based on the standards required by PIPEDA and SSC’s interpretation of these standards.
- 1.2. 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 SSC’ to collect, use or disclose personal information.
- 1.3. Definitions – The following terms have these meanings in this Policy:
 - a) *“Commercial Activity”* – Any particular transaction, act or conduct that is of commercial character.
 - b) *“IP Address”* -A numerical label that is assigned to electronic devices participating in a computer network that uses internet protocol for communication between devices.
 - c) *“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.
 - d) *“Representatives”* – Members, directors, officers, committee members, employees, coaches, officials, referees, managers, trainers, volunteers, administrators, contractors, and participants within SSC.

2. Application of this Policy

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

3. Obligations

- 3.1. Statutory Obligations – SSC is governed by the *Personal Information Protection, Electronic Documents Act* in matters involving the collection, use and disclosure of personal information.

3.2. Additional Obligations – In addition to fulfilling all requirements of the *Act*, SSC and its Representatives will also fulfill the additional requirements of this Policy. Representatives of SSC 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 SSC; 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.

4. Accountability

4.1. 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 email address: <mailto:privacyofficer@speedskating.ca>

4.2. Duties - The Privacy Officer will:


- a) Implement procedures to protect personal information.
- b) Establish procedures to receive and respond to complaints and inquiries.
- c) 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 SSC's privacy policies and practices.
- f) Report biannually to the board of directors

4.3. Employees – SSC shall be responsible to ensure that the employees, contractors, agents, or otherwise of SSC are compliant with the *Act* and this Policy.

5. Identifying Purposes

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

- a) Receiving communications from SSC related to e-news, emails, bulletins, donations requests, invoices, notifications, merchandise sales, newsletters, programs, events, and activities.
- b) Database entry at the Coaching Association of Canada to determine level of coaching certification and qualifications.
- c) Coach selection.

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- d) Database entry to determine level of officiating certification and qualifications.
 - e) Determination of eligibility, age group and appropriate level of competition.
 - f) Implementation of SSC's screening program.
 - g) Implementation of Discipline Policy and Appeals Policy, including any public release of decisions under these policies.
 - h) Promotion and sale of merchandise by SSC.
 - i) Medical emergency.
 - j) Athlete registration, outfitting uniforms, monitoring eligibility, arranging travel and various components of athlete and team selection.
 - k) Registration with SSC or at competitions and, where applicable, payment for that registration.
 - l) Implementation of anti-doping policies and drug testing.
 - m) Technical monitoring, coach/club review, officials training, educational purposes, media publications, and sport promotion.
 - n) Purchasing equipment, manuals, resources, and other products.
 - o) Publishing basic demographic information in articles, media relations and posting on SSC website, displays or posters,
 - p) Determination of membership demographics and program needs.
 - q) Managing payroll, health benefits, insurance claims and insurance investigations; and
 - r) Posting images, likeness, or other identifiable attributes to promote SSC on its website, displays or posters.
 - s) Effective and efficient operations of SSC's website and online registration systems.


5.2 Purposes not Identified – SSC 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.

6. Consent

6.1. Consent – SSC shall obtain consent by lawful means from individuals at the time of collection and prior to the use or disclosure of this information. SSC may collect personal information without consent where reasonable to do so and where permitted by law.

6.2. Implied Consent – Within the terms permitted by *Canada Anti-Spam Legislation*, by providing personal information to SSC, individuals are consenting to the use of the information for the purposes identified in this policy.

6.3. 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. SSC will inform the individual of the implications of such withdrawal.

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- 6.4. 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.
- 6.5. Exceptions for Collections – SSC may disclose personal information without the individual's knowledge or consent only:
- a) To a lawyer representing SSC.
 - b) To collect a debt the individual owes to SSC.
 - 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 or complying with any federal or provincial law.
 - e) To an investigative body named in the *Act* or government institution on SSC's initiative when SSC 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 SSC Code, Rule, Policy or Agreement or a contravention of a federal or provincial law.
 - g) In an emergency threatening an individual's life, health, or security (SSC 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.

7. Limiting Collection, Use, Disclosure and Retention

- 7.1. Limiting Collection, Use and Disclosure – SSC 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.
- 7.2. Retention Periods- Personal information shall be retained as long as reasonably necessary to enable participation in SSC, to maintain accurate historical records, and/or as may be required by law.
- 7.3. Destruction of Records – Following retention periods, information may be destroyed, electronically deleted, or inactivated, as reasonably determined, provided retention is no longer required for legal or statutory purposes.

8. Safeguards

- 8.1. 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.

9. Breaches

- 9.1. Breaches – SSC 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”*.
- 9.2. Reporting – SSC 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.
- 9.3. Records and Notifications - In addition to reporting the breach or unauthorized access or disclosure, SSC will keep records of the breach and inform affected individuals.

10. Individual Access

- 10.1. Access – Upon written request, and with assistance from SSC, 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.
- 10.2. 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.
- 10.3. 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.
- 10.4. Reasons – Upon refusal, SSC shall inform the individual the reasons for the refusal and the associated provisions of the *Act*.

- 10.5. 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.

11. Challenging Compliance

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

- 11.2. Procedures – Upon receipt of a complaint SSC 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 Organization 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 SSC, 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.


- 11.3. Whistleblowing – SSC shall not dismiss, suspend, demote, discipline, harass or otherwise disadvantage any director, officer, employee, committee member volunteer, trainer, contactor, and other decision-maker within SSC 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 SSC 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*.

12. IP Address

- 12.1. IP Address – SSC does not collect, use or disclose personal information such as IP Addresses

13. Applicable Law



13.1. Applicable Law – SSC website is created and controlled by SSC in the province of Ontario. As such, the laws in force in the province of Ontario shall govern these disclaimers, terms, and conditions.