

	Policy Title:	Privacy Policy
	Adopted:	2014
	Approved by:	Calgary Aquabelles Board of Directors
	Effective Date:	January 1, 2019
	Pages:	6

*For not-for-profit organizations in Alberta, the privacy of personal information is governed, federally, by the Personal Information Protection and Electronic Documents Act (PIPEDA) and, provincially, by the Personal Information Privacy Act (PIPA).

1) Definitions

- a) "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, home phone number, ethnic background, family status, health history, and health conditions.
- b) "Stakeholder" – Individuals employed by, or engaged in activities on behalf of, the Aquabelles including coaches, staff members, contract personnel, volunteers, administrators, committee members, all categories of members defined in the Aquabelles by-laws, and directors and officers of the Aquabelles.
- c) "Participants" – All categories of membership defined in the Aquabelles By-laws as well as all individuals employed by, or engaged in activities with, the Aquabelles including, but not limited to, athletes, coaches, officials, volunteers, administrators, and directors and officers of the Aquabelles.

2) Purpose

- a) The Aquabelles recognizes Participants' right to privacy with respect to their Personal Information. This policy describes the way that the Aquabelles' collect, use, safeguard, disclose, and dispose of Personal Information.

3) Application of this Policy

- a) This policy applies to all Stakeholders and Participants.

4) Obligations

- a) The Aquabelles are obligated to follow and abide by PIPEDA and PIPA in all matters involving the collection, use, and disclosure of Personal Information.
- b) In addition to fulfilling the legal obligations required by PIPEDA and PIPA, Stakeholders will not:
 - i) Publish, communicate, divulge, or disclose to any unauthorized person, firm, corporation, or third party any Personal Information without the express written consent of the Participant.
 - ii) Knowingly place themselves in a position where they are under obligation to any organization to disclose Personal Information.
 - iii) 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.
 - iv) Derive personal benefit from Personal Information that they have acquired during the course of fulfilling their duties with the Aquabelles.

- v) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, the disclosure of Personal Information.

5) Accountability

- a) 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:

The Calgary Aquabelles Artistic Swimming Club
2225 Macleod Trail South
Calgary, AB
T2G 5B6
Tel: (403) 209 2941
Email: office@aquabelles.com

- b) The Privacy Officer will:
 - i) Implement procedures to protect personal information.
 - ii) Establish procedures to receive and respond to complaints and inquiries.
 - iii) Record all persons having access to personal information.
 - iv) Ensure any third-party providers abide by this policy.
 - v) Train and communicate to staff information about the Aquabelles's privacy policies and practices.

6) Identifying Purposes

- a) The Aquabelles may collect Personal Information from members and prospective members for purposes that include, but are not limited to:
 - i) *Communications*
 - (1) Sending communications in the form of e-news or a newsletter with content related to the Aquabelles, Alberta Artistic Swimming and Canada Artistic Swimming programs, events, fundraising, activities, discipline, appeals, and other pertinent information.
 - (2) Publishing articles, media relations and postings on the Aquabelles website, displays or posters.
 - (3) Award nominations, biographies, and media relations.
 - (4) Communication within and between Stakeholders and members
 - (5) Discipline results and long-term suspension list.
 - ii) *Registration, Database Entry and Monitoring*
 - (1) Registration of programs, events and activities.
 - (2) Database entry at the Alberta Artistic Swimming, Canada Artistic Swimming and/or Coaching Association of Canada and to determine level of coaching certification coaching qualifications and coach selection.
 - (3) Database entry to determine level of officiating certification and qualifications.
 - (4) Determination of eligibility, age group and appropriate level of play/competition.
 - (5) Registration, outfitting uniforms, and various components of athlete and team selection.
 - (6) Technical monitoring, officials training, educational purposes, sport promotion, and media publications.
 - iii) *Sales, Promotions and Merchandising*

- (1) Purchasing equipment, coaching manuals, resources and other products.
- (2) Promotion and sale of merchandise.

iv) *General*

- (1) Travel arrangement and administration.
 - (2) Implementation of the Aquabelles screening program.
 - (3) Medical emergency, emergency contacts or reports relating to medical or emergency issues.
 - (4) Determination of membership demographics and program wants and needs.
 - (5) Managing insurance claims and insurance investigations.
 - (6) Video recording and photography for personal use, and not commercial gain, by spectators, parents and friends.
 - (7) Video recording and photography for promotional use, marketing and advertising by the Aquabelles.
 - (8) Payroll, honorariums, company insurance and health plans.
- b) Stakeholders may collect Personal Information from members and prospective members for other purposes, provided that documented consent specifying the use of the Personal Information is obtained from the members or prospective members.

7) Consent

- a) By providing Personal Information to the Aquabelles, Participants are implying their consent to the use of that Personal Information for the purposes identified in the Identifying Purposes section of this policy.
- b) At the time of the collection of Personal Information and prior to the use or disclosure of the Personal Information, the Aquabelles will obtain consent from Participants by lawful means. The Aquabelles may collect Personal Information without consent when it is reasonable to do so and permitted by law.
- c) In determining whether to obtain written or implied consent, the Aquabelles will take into account the sensitivity of the Personal Information, as well the Participants' reasonable expectations. Participants may consent to the collection and specified use of Personal Information in the following ways:
- i) Completing and/or signing an application form.
 - ii) Checking a check box or selecting an option (such as 'Yes' or 'I agree').
 - iii) Providing written consent either physically or electronically.
 - iv) Consenting orally in person.
 - v) Consenting orally over the phone.
- d) The Aquabelles will not, as a condition of providing a product or service, require Participants 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.
- e) A Participant may withdraw consent in writing, at any time, subject to legal or contractual restrictions. The Aquabelles will inform the Participant of the implications of withdrawing consent.
- f) The Aquabelles will not obtain consent from Participants 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.

- g) The Aquabelles are not required to obtain consent for the collection of Personal Information, and may use Personal Information without the Participant's knowledge or consent, only if:
 - i) It is clearly in the Participant's interests and the opportunity for obtaining consent is not available in a timely way.
 - ii) 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
 - iii) An emergency threatens a Participant's life, health, or security.
 - iv) The information is publicly available as specified in PIPEDA and/or PIPA.
- h) The Aquabelles are also not required to obtain consent for the collection of Personal Information if the information is for journalistic, artistic, or literary purposes.
- i) The Aquabelles may disclose Personal Information without the Participant's knowledge or consent only:
 - i) To a lawyer representing the Aquabelles.
 - ii) To collect a debt that the Participant owes to the Aquabelles.
 - iii) To comply with a subpoena, a warrant, or an order made by a court or other body with appropriate jurisdiction.
 - iv) 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.
 - v) To an investigative body named in PIPEDA or PIPA or a government institution, if the Aquabelles believe the Personal Information concerns a breach of an agreement, contravenes a federal, provincial, or foreign law, or if the Aquabelles suspects the Personal Information relates to national security or the conduct of international affairs.
 - vi) 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.
 - vii) In an emergency threatening a Participant's life, health, or security (the Aquabelles will inform the Participant of the disclosure).
 - viii) To an archival institution.
 - ix) 20 years after the individual's death or 100 years after the record was created.
 - x) If it is publicly available as specified in PIPEDA and/or PIPA.
 - xi) If otherwise required by law.

8) Accuracy, Retention, and Openness

- a) In order to minimize the possibility that inappropriate Personal Information may be used to make a decision about a Participant, Personal Information will be accurate, complete, and as up-to-date as is necessary for the purposes for which it will be used.
- b) Personal Information will be retained as long as reasonably necessary to enable participation in the Aquabelles programs, events, and activities, and in order to maintain historical records as may be required by law or by governing organizations.
- c) Stakeholders will be made aware of the importance of maintaining the confidentiality of Personal Information and are required to comply with the Aquabelles' *Confidentiality Policy*.
- d) 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.

- e) Personal Information that has been used to make a decision about a Participant will be maintained for a minimum of one year in order to allow the individual the opportunity to access the Personal Information after the decision has been made.
- f) The Aquabelles will make the following information available to Participants:
 - i) This Privacy Policy.
 - ii) Any additional documentation that further explains the Aquabelles's Privacy Policy.
 - iii) The name or title, and the address, of the person who is accountable for the Aquabelles' Privacy Policy.
 - iv) The means of gaining access to Personal Information held by the Aquabelles.
 - v) A description of the type of Personal Information held by the Aquabelles, including a general account of its use.
 - vi) Identification of any third parties to which Personal Information is made available.

9) Access

- a) Upon written request, and with assistance from the Aquabelles after confirming the Participant's identity, Participants may be informed of the existence, use, and disclosure of their Personal Information and will be given access to that Personal Information. Participants 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.
- b) Unless there are reasonable grounds to extend the time limit, requested Personal Information will be disclosed to the Participant, at no cost to the Participant, within thirty (30) days of receipt of the written request.
- c) Participants may be denied access to their Personal Information if the information:
 - i) Is prohibitively costly to provide.
 - ii) Contains references to other individuals.
 - iii) Cannot be disclosed for legal, security, or commercial proprietary purposes.
 - iv) Is subject to solicitor-client privilege or litigation privilege.
 - v) If the Aquabelles refuse a request for Personal Information, it shall inform the Participant the reasons for the refusal and identify the associated provisions of PIPEDA and/or PIPA that support the refusal.

10) Compliance Challenges

- a) Participants are able to challenge the Aquabelles for its compliance with this Policy.
- b) Compliance challenges shall be addressed under the Aquabelles' *Discipline and Complaints Policy*, with the person accountable for the Aquabelles' *Privacy Policy* serving as the Respondent. The Aquabelles must:
 - i) Record the date that the challenge was received.
 - ii) Within seven (7) days of receiving the challenge, acknowledge receipt of the challenge and clarify the nature of the challenge by way of telephone conversation.
 - iii) Appoint a Case Manager; pursuant to the Aquabelles' *Discipline and Complaints Policy*, who shall follow the Aquabelles' *Discipline and Complaints Policy* in order to resolve the challenge.
 - iv) Take any relevant steps to rectify the challenge, which may include amending the Aquabelles' *Privacy Policy* and/or sanctioning certain Stakeholders (pursuant to the Sanctions section of the Aquabelles' *Discipline and Complaints Policy*).
- c) The Aquabelles will not dismiss, suspend, demote, discipline, harass, or otherwise disadvantage any Participant or Stakeholder who:

- i) Challenges the Aquabelles for its compliance with this Policy.
- ii) Refuses to contravene this Policy, PIPEDA, or PIPA.
- iii) Takes precautions not to contravene this Policy, PIPEDA, or PIPA; even though said precautions may be in opposition to the regular duties performed by the Participant or Stakeholder.

11) Website Copyright and Legal Disclaimer

- a) The Aquabelles website is created and controlled by the Aquabelles in the province of Alberta and as such, the laws of the province of Alberta will govern these disclaimers, terms, and conditions.
- b) The Aquabelles website is a product of the Aquabelles. The information on the website is provided as a resource to those interested in the Aquabelles. The Aquabelles disclaim any representation or warranty, express, or implied, concerning the accuracy, completeness, or fitness for a particular purpose of the information. Persons accessing this information assume full responsibility for the use of the information and understand and agree that the Aquabelles are not responsible or liable for any claim, loss, or damage arising from the use of this information. Reference to specific products, processes, or services does not constitute or imply recommendation or endorsement by the Aquabelles. The Aquabelles reserves the right to make changes to this website at any time without notice.
- c) Links made available through the Aquabelles website may allow you to leave the Aquabelles site. Please be aware that the internet sites available through these links are not under the control of the Aquabelles. Therefore, The Aquabelles do not make any representation to you about these sites or the materials available there. The Aquabelles are providing these links only as a convenience to you, and in no way guarantee these links and the material available there. The Aquabelles are not responsible for privacy practices employed by other companies or websites.