



PRIVACY POLICY

I. PERSONAL INFORMATION PROTECTION ACT

A. Introduction

On January 1 2004, the *Personal Information Protection Act* (PIPA) came into force. PIPA applies to all private sector organizations in British Columbia, including businesses, non-profit organizations and unions. PIPA contains rules designed to protect the privacy of personal information that is collected, used, and disclosed by organizations/businesses in the course of their activities.

B. Purpose

As indicated in section 2 of the Act, the purpose of PIPA is to:

"govern the collection, use and disclosure of personal information by organizations in a manner that recognizes both the right of individuals to protect their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances."

C. Responsibilities of the BC Cancer Foundation under PIPA

Under section 3 of the Act, the BC Cancer Foundation (the Foundation) is subject to PIPA and in order to comply with the Act, the Foundation must:

1. develop and follow policies and practices that are necessary for the Foundation to meet its obligations under this Act;
2. develop a process to respond to complaints that may arise from application of this Act; and,
3. designate one or more individuals responsible for ensuring compliance with this Act.

D. Freedom of Information versus Protection of Privacy

The Foundation is responsible for the collection, use, and disclosure of personal information collected in the course of its business activities and, if requested, is responsible for responding to requests regarding the personal information of the applicant only. For example, a person can make a request to see his/her records and



PRIVACY POLICY

the Foundation must comply. However, a person has no legal right to access other records and the Foundation will not provide access to such records.

II. BC CANCER FOUNDATION PRIVACY PRINCIPLES

The BC Cancer Foundation is committed to ensuring that all personal information is gathered in accordance with PIPA and it is accurate, kept confidential, and safeguarded. To make certain that it meets this commitment, the Foundation will follow the ten privacy principles that have been established to govern the collection, use, and disclosure of personal information.

A. Accountability

BC Cancer Foundation is responsible for all personal information under its custody or control, including information which it may transfer to third parties for processing.

The privacy officer is accountable for BC Cancer Foundation's overall compliance with this policy and acts as BC Cancer Foundation's arbitrator on information privacy and security matters. Individual managers also have a responsibility to oversee compliance with this policy for employees under their areas of responsibility.

In addition, each person who has an association with BC Cancer Foundation has an individual responsibility to ensure that personal information is protected at all times in accordance with this policy. Each individual receives information regarding the Foundation's privacy policies and is expected to take personal responsibility for the following:

- Being knowledgeable about and following current Foundation policies and related procedures;
- Reporting to the privacy officer possible problems with and improvements to Foundation information privacy and security procedures ; and,
- Helping to resolve problems and implement improvements.

BC Cancer Foundation will implement policies and procedures to give effect to its privacy policy, including:



PRIVACY POLICY

- Using contractual or other means to provide a comparable level of protection for information that has been transferred to a third party for processing;
- Establishing procedures to receive and respond to inquiries or complaints;
- Training staff about the Foundation's privacy policies and practices; and
- Developing publicly available information to explain the Foundation's privacy policies and practices.

B. Identifying Purposes for Data Collected

Before, or at the time of collection, the Foundation will identify the purposes for which personal information is collected, used, disclosed and retained. The Foundation collects personal information only for the following purposes:

- To process donations;
- To manage our business, to protect our company assets;
- To administer the volunteer network;
- To keep our donors informed about the programs, services and activities of the Agency and the Foundation, including the use of their financial support; and
- To ask individuals and organizations for their support for our mission.

Individuals collecting personal information on behalf of the Foundation will be able to identify the purposes for which the information is being collected. If personal information is to be used for a purpose not previously identified, the Foundation will identify this purpose prior to use and provide individuals with an opportunity to opt-out of this activity.

C. Consent

The knowledge and consent of the individual are required for the collection, use or disclosure of personal information, except where PIPA authorized the collection, use or disclosure without consent of the individual or PIPA deems the collection, use or disclosure to be consented to by the individual inappropriate. In such cases PIPA can be applied in accordance with industry best practices.



PRIVACY POLICY

In certain circumstances, personal information can be collected, used or disclosed without the knowledge and consent of the individual, such as in the investigation of a breach of an agreement or a contravention of a federal or provincial law. The Foundation may also disclose personal information without knowledge or consent in the case of an emergency where the life, health or security of an individual is threatened. The Foundation may also disclose personal information without knowledge or consent to comply with a subpoena, warrant or court order, or as may otherwise be required or authorized by law.

- In obtaining consent, the Foundation will make reasonable efforts to ensure that individuals are advised orally or in writing of the purposes for the collection, use and disclosure of personal information. Purposes will be stated in a manner that can reasonably be understood by the individual.
- Generally, the Foundation will seek consent to use and disclose personal information at the same time it collects personal information. However, the Foundation may seek consent to use and disclose personal information after it has been collected, but before it has been used or disclosed for a new purpose.
- In determining the appropriate form of consent, the Foundation will take into account the sensitivity of the personal information and the reasonable expectations of an individual.
- The Foundation may acquire personal information through the purchase of mailing lists of prospective donors from other organizations. In such cases, the organization providing the list would be expected to obtain the required consent before disclosing personal information to the Foundation.
- A donor may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Donors may contact the Foundation for more information regarding the implications of withdrawing consent. If consent is withdrawn, the Foundation will comply with this request; however, individuals will be made aware that implementation of their request may take a few months.

D. Limiting Collection of Information



PRIVACY POLICY

The recording of personal information will be limited to that which is necessary to meet the intended purposes identified by the Foundation. The Foundation will only record information by fair and lawful means.

- The Foundation will not record personal information indiscriminately. Both the amount and type of information recorded will be limited to the minimum amount necessary to satisfy the intended purpose for the information.
- As much as possible, personal information will be collected directly from the individual.
- However the Foundation may also record personal information from other sources in support of its mission.

E. Limiting use, disclosure and retention

Personal information will not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. The Foundation will retain personal information only as long as necessary for the fulfillment of those purposes and for legal or business purposes.

- Only Foundation employees, authorized agents or volunteers with a need to know for Foundation business purposes, or whose duties reasonably so require, are granted access to personal information about donors and prospective donors.
- The Foundation does not sell, barter, rent or lease its donor or prospective donor lists.
- The Foundation will retain personal information only as long as necessary for the fulfillment of the purposes for which it was collected and for legal or business purposes. The Foundation will maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction. Information that is no longer necessary or relevant for the identified purposes will be destroyed, erased or made anonymous.

Personal information will only be retained as long as a relationship is being cultivated and maintained between the Foundation and the individual and the Foundation may retain personal information in order to best meet the needs of our relationship with the individual.



PRIVACY POLICY

F. Accuracy

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

- Information will be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about an individual.
- The Foundation will update personal information about its donors and prospective donors as and when necessary to fulfill the identified purposes or upon notification by the individual.
- Individuals may request amendments to their personal information but the Foundation may retain the original information for reference purposes only.

G. Safeguards

The Foundation will protect personal information by security safeguards appropriate to the sensitivity of the information.

The Foundation will protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use modification or destruction through appropriate security measures and will protect the information regardless of the format in which it is held.

The Foundation will protect personal information disclosed to third parties for processing through contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.

- All Foundation employees, agents or volunteers with access to personal information will be required to respect the confidentiality of that information by signing a confidentiality agreement, participating in privacy training and implementing methods of protection that include:
 1. *Physical* measures: for example, locked filing cabinet and restricted access to offices.
 2. *Organizational* measures: for example, limited access on a “need-to-know” basis



PRIVACY POLICY

3. *Technological* measures: for example the use of passwords, encryption and audits.

H. Openness

The Foundation will make available directly to individuals specific information about its policies and practices related to the management of personal information. This information will also be made available publicly in multiple formats.

The Foundation will make information about its policies and practices easy to understand, including provision of:

- The title and address of the person or persons accountable for the Foundation's compliance with its Privacy Policy and to whom inquiries or complaints can be directed;
- The available means of gaining access to personal information held by BC Cancer Foundation;
- A description of the type of personal information held by BC Cancer Foundation, including a general account of its use.

I. Individual access

Upon request the Foundation will inform an individual of the existence, use and disclosure of his or her personal information and will give the individual access to that information. The individual will be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

- Upon request, the Foundation will afford individuals a reasonable opportunity to review the personal information it holds. Personal information will be provided in an understandable form within a reasonable time.
- In certain situations, the Foundation may not be able to provide access to all the personal information it holds about an individual and exceptions to the access requirement will be limited and specific. These exceptions may include information containing certain references to other individuals, information that cannot be disclosed for legal, security, or commercial proprietary reasons, and information subject to solicitor-client or litigation privilege.



PRIVACY POLICY

- In providing an account of third parties to which it has disclosed personal information about an individual, the Foundation will attempt to be as specific as possible. When it is not possible to provide a list of the organizations to which it has actually disclosed information about an individual, the Foundation will provide a list of organizations to which it may have disclosed information about the individual.
- The Foundation will correct or amend any personal information if its accuracy and completeness is challenged and found to be deficient. Any unresolved differences as to accuracy or completeness will be noted in the individual's file.
- In order to safeguard personal information, an individual may be required to provide sufficient identification information to permit the Foundation to account for the existence, use and disclosure of personal information and to authorize access to the individual's file. Any such information received will be used only for this purpose.

J. Challenging Compliance

The Foundation will maintain procedures for addressing and responding to all inquiries or complaints from individuals about its handling of personal information and will inform its donors about the existence of these procedures.

An individual will be able to challenge compliance with this policy with the privacy officer who will ensure the issue is properly discussed, documented and addressed as quickly as possible.

Any person accountable for compliance with the Foundation's privacy policy may seek external advice where appropriate in order to provide a final response to individual complaints. The Foundation will investigate all complaints concerning compliance with its privacy policy, and, if a complaint is found to be justified, appropriate measures will be taken, including amending policies and procedures where required. The individual will be informed of the outcome of the investigation regarding his or her complaint.

III. POLICY VIOLATIONS



PRIVACY POLICY

Any individual, including Foundation employees and volunteers, who fails to comply with this policy will be subject to disciplinary actions, up to and including termination of employment or volunteer relationship. Examples of violations of this policy include, but are not limited to:

- Accessing information that is not required for job purposes
- Misusing, disclosing without proper authorization, or altering donor information
- Disclosing to another one's password for accessing electronic records.