

**Kitchener–Waterloo Minor Boys Softball Association  
Policy and Procedure Manual**

<b>Section:</b>	<b>Privacy</b>	<b>Policy Number:</b>	<b>B -01</b>
<b>Title:</b>	<b>Personal Information Protection- Privacy Principles</b>	<b>Date Created:</b>	<b>March 2005</b>
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This Privacy Policy contains ten principles that are observed by KWMBSA regarding the collection, use and disclosure of personal information. Each principle must be read in conjunction with the accompanying commentary. The commentary in the Policy has been tailored to reflect personal information issues specific to KWMBSA. The scope and application of the Policy are as follows:

- The policy applies to personal information about KWMBSA members and other individuals that is collected used or disclosed by KWMBSA.
- This Policy is subject to change and may be supplemented or modified by additional terms applicable between KWMBSA and an individual

**Principle 1 – Accountability**

KWMBSA is responsible for personal information under its control and shall designate one or more persons who are accountable to KWMBSA for compliance with the following:

**1.1** KWMBSA shall designate a Chief Privacy Officer to be accountable for compliance with the Policy. That person shall be the current Vice President of the Association. The Chief Privacy Officer is entitled to delegate the responsibility for administration of the policy and related policies and practices to other members of KWMBSA with the approval of the Executive.

**1.2** KWMBSA is responsible for personal information in its possession or under its control. KWMBSA shall use appropriate means to protect information while information is being processed by a third party on behalf of KWMBSA (see Principle 7)

**1.3** KWMBSA shall implement policies and procedures to give effect to the Policy, including implementing procedures to protect personal information, to receive and respond to inquiries or complaints and to oversee KWMBSA compliance with this policy.

**Principle 2 – Identifying purposes for Collection of Personal Information.**

KWMBSA shall identify and document the purposes for which personal information is collected at or before the time the personal information is collected or, when appropriate, at or before the time the personal information is used for a new purpose.

**2.1** KWMBSA collects personal information for the following purposes:

- a) To establish and maintain a responsible relationship with members
- b) To determine the validity of each player and appropriate division for the player
- c) To collect contact information for KWMBSA: address, phone numbers, parent(s) names etc for use by coaches and KWMBSA executive for the current year and the following year mailing lists
- d) To collect information for contact and mailings for umpires, for the current year and following year follow-up
- e) To determine the validity of players for affiliation with Ontario Amateur Softball Association for those who are selected for the Select teams or the Rep teams
- f) To determine the validity of players affiliation with North Waterloo Rural Softball League for those who are selected for the Rep teams.

- g) To collect information for the selection and use of volunteers: coaches, assistant coaches, executive members, committee members, other volunteers as required.
- h) To meet legal and regulatory requirements

**2.2** KWMBSA shall as appropriate, specify orally, electronically or in writing the identified purposes to the individual at or before the time personal information is collected. Upon request, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person within KWMBSA who shall explain the purposes.

### **Principle 3 –Consent**

The knowledge and consent of an individual are generally required for the collection, use or disclosure of personal information. In certain circumstances personal information can be collected, used or disclosed without the knowledge and consent of the individual, such as in the case of an emergency where the life, health or security of an individual is threatened. KWMBSA may disclose personal information without knowledge or consent to a lawyer, or other advisor representing KWMBSA to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required or authorized by law.

**3.1** In obtaining consent, KWMBSA shall use reasonable efforts to ensure that an individual is advised of the identified purpose for which personal information will be used or disclosed.

**3.2** Generally, KWMBSA shall seek consent to use and disclose personal information at the same times it collects the information. However, KWMBSA may seek consent to use and disclose personal information after it has been collected but before it is used or disclosed for a new purpose.

**3.3** In determining the appropriate form of consent, KWMBSA shall take into account the sensitivity of the personal information and the reasonable expectations of the individual.

**3.4** Where consent is required for a particular use or disclosure, an individual may withdraw consent at any time before such particular use or disclosure has been made, subject to legal or contractual restrictions and reasonable notice. Individuals may contact KWMBSA for more information regarding the implications of withdrawing consent in particular instances.

### **Principle 4 –Limiting Collection of Personal Information**

KWMBSA 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. KWMBSA shall retain personal information only as long as necessary for the fulfillment of those purposes or as required or permitted by law.

### **Principle 5 –Disclosure of Personal Information**

**5.1** KWMBSA may disclose an individual’s personal information to:

- a) a public authority or agent of a public authority if, in the reasonable judgment of KWMBSA, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the information
- b) a third party or parties, where the individual consents to such disclosure or disclosure is required or permitted by law
- c) affiliated associations, O.A.S.A, and N.W.R.S.L.

**5.2** Only KWMBSA executive members, coaches and assistant coaches or persons whose duties reasonably so require, are granted access to personal information about individuals.

**5.3** Depending on the circumstances, where personal information has been used to make a decision about an individual, KWMBSA shall retain, for a reasonable period of time, either the actual information or the rationale for making the decision.

**5.4** KWMBSA shall maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction which apply to personal information that is no longer necessary or relevant for the identified purposes or required or permitted by law to be retained. Such information shall be destroyed, erased or made anonymous.

**Principle 6 –Accuracy.**

KWMBSA shall take steps to ensure that personal information is as accurate, complete and up-to-date as is appropriate for its purposes.

**6.1** Personal information used by KWMBSA shall 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

**6.2** KWMBSA shall update personal information about individuals as and when reasonably necessary to fulfill the identified purposes or as reasonably requested by the individual.

**Principle 7 – Security Safeguards**

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

**7.1** KWMBSA shall establish appropriate safeguards to protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction. Coaches and Assistant coaches shall be made aware of the importance of maintaining the confidentiality of personal information.

**7.2** KWMBSA shall establish appropriate safeguards to protect personal information disclosed to third parties, by stipulating the confidentiality of the information and the purpose for which it is to be used.

**Principle 8 – Openness**

KWMBSA shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.

**8.1** Copies of the Policy will be made available upon request

**8.2** KWMBSA shall make information about its policies and procedures easy to understand including;

- a) the title and addresses of the persons or persons accountable for KWMBSA compliance with the Policy and to whom inquiries or complaints can be forwarded;
- b) the means of gaining access to personal information held by KWMBSA. and
- c) a description of the type of personal information kept by KWMBSA, including a general account of its use.

**Principle 9 – Individual Access**

Upon request, KWMBSA shall inform an individual of the existence, use and disclosure of his or her personal information at no cost to the individual. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

**9.1** In certain situations, KWMBSA may not be able to provide access to all the personal information that it holds about an individual. For example, KWMBSA may not provide access to information if doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of an individual. Also, KWMBSA may not provide access to information if disclosure would reveal confidential information, if the information is protected by solicitor-client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a law. If access to personal information cannot be provided, KWMBSA may upon request, provide the reasons for denying access.

**9.2** In order to safeguard personal information, an individual may be required to provide sufficient identification information to permit KWMBSA to authorize access to the individuals file.

**9.3** Individuals can seek access to their personal information by contacting a designated representative at KWMBSA.

**9.4** KWMBSA will endeavor to respond to all requests within 30 days of receiving a written request complete with sufficient information to permit KWMBSA to investigate and provide an account of the existence, use and disclosure of personal information.

**Principle 10 – Handling Inquiries and Challenges**

An individual shall be able to address a challenge concerning compliance with the above principles to the Chief Privacy Officer for KWMBSA.

**10.1** KWMBSA shall maintain procedures for addressing and responding to all inquiries or complaints from individuals about KWMBSA's handling of personal information.

**10.2** The Chief Privacy Officer (or their designate) may seek external advice where appropriate before providing a final response to individual complaints.

References: Personal Information Protection and Electronic Documents Act- PIPEDA (Canada)  
Privacy Legislation. Are you Ready? By Thomas W. R. Manes; January 1, 2004