

POLICY

The YMCA of Greater Vancouver respects the right of individuals to the protection of their personal information.

PROCEDURE

Protecting the Privacy of Personal Information:

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

People are concerned about their ability to exercise a substantial degree of control over the collection, use and disclosure of their personal information.

Personal information is information about an identifiable individual.

- Examples of personal information include, but are not limited to, name, 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 phone number of an employee of an organization.

YMCA staff and volunteers having access to personal information *must follow* the ten fair information principles and steps for implementing these principles, in keeping with privacy laws.

Principle 1 - Accountability

The YMCA is responsible for personal information under its control and shall designate an individual(Privacy Officer) or individuals who are accountable for YMCA compliance with established privacy principles.

Vice Presidents and General Managers are responsible for and shall oversee compliance by their staff with YMCA privacy protection procedure and fair information principles, to ensure:

- a) Purposes are defined for collection of personal information;
- b) Consents are obtained;
- c) Collection, use and disclosure of personal information is limited;
- d) Information used is accurate, complete and up-to-date;
- e) Adequate safeguards protect personal information in YMCA'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 regarding YMCA handling of personal information.
- i) Contracts with third parties that process YMCA information shall include privacy protection requirements.

Supervisors are responsible for the day-to-day collection, processing and safeguarding of personal information under their control. Supervisors shall inform and train staff, and volunteers having access to personal information, on YMCA privacy protection procedure and information handling practices.

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

Upon request by an individual, staff and volunteers shall make known contact information for a Vice President or General Manager (VP/GM), to whom inquiries or complaints can be forwarded about our YMCA privacy protection procedure and practices. The Privacy Officer will provide assistance when a more detailed knowledge of the organization's responsibilities is required.

The contact information of the Privacy Officer for the YMCA is provided below:

Vice President, HR and Association Services
200 - 1166 Alberni Street
Vancouver, BC V6E 3Z3
Tel: 604-622-4966
Fax: 604-688-0220

Principle 2 - Identifying Purposes

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

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

The YMCA's purposes for collecting personal information are:

- a) To establish and maintain responsible relationships with its members, participants, parents, donors, 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 determine program, service, employment or volunteer eligibility;
- g) To provide safe and secure YMCA environments;
- h) To collect data for statistical purposes;
- i) To better understand the changing needs of communities we serve;
- j) To communicate a range of programs, services, and philanthropic opportunities that benefit people we serve;
- k) To meet legal, regulatory and contractual requirements.

The YMCA shall indicate either orally, electronically or in writing, at or before the time personal information is collected, the purpose 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 personal information that has been collected, without the consent of the individual. Staff shall advise their VP/GM

of a potential new identified purpose. Any new identified purpose must be approved by a Vice President or General Manager, documented and consent obtained from individuals prior to YMCA 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).

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

The YMCA 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 enrolment by an employee;
- d) acceptance of a volunteer position.

For most YMCA employment and community service programs, the YMCA is obligated by its contract with the government to obtain the *express* written consent from a participant to collect, use and disclose their personal information.

Express consent is required from an individual when dealing with more sensitive information, such as financial, criminal and medical data. Speak with your supervisor for more information about when express consent is required in your program or service area.

Individuals may at any time withdraw their consent to the YMCA's use or disclosure of their personal information, subject to certain service, legal or contractual restrictions. Individuals wishing to withdraw consent may contact the YMCA for more information regarding the implications of withdrawing consent.

Exceptions

YMCA may collect, use or disclose personal information without prior knowledge or consent of the individual in the following limited circumstances:

- a) To a lawyer or other legal representative of the YMCA, when legal advice is required by the organization;
- 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 as may be otherwise required by law;
- d) When the collection, use or disclosure of personal information is permitted or required by law.
- e) When the personal information is available from a public source (e.g., a telephone directory);
- f) In an emergency that threatens an individual's life, health, or personal security;
- g) To protect ourselves from fraud;

- h) To investigate an anticipated breach of an agreement or a contravention of law

For more information about consent and disclosure, please speak with your VP/GM.

Principle 4 - Limiting Collection

The YMCA 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.

Principle 5 - Limiting Use, Disclosure, and Retention

The YMCA 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 for at least a year and after which for 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 used to make a decision that directly affects an individual must be retained for at least one year, after which it shall be retained only as long as necessary for the fulfillment of those purposes for which it was collected, or as required by law, or by contract with a funding partner.

Depending on the circumstances, where personal information has been used to make a decision about an individual, the YMCA 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.

Speak with your VP/GM for more information on records retention and destruction requirements for your program or service area.

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 the YMCA 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.

If staff and volunteers are aware of any inaccuracy or changes in their personal information that the YMCA holds about them, please contact the Human Resources department or staff contact if a volunteer.

Staff handling personal information shall update personal information about participants, members, donors, staff, volunteers, independent contractors, as and when necessary.

Speak with your supervisor or VP/GM if you have questions about correction requests or on how accurate, complete and up-to-date personal information needs to be.

Principle 7 - Safeguards

The YMCA 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.

The more sensitive personal information is, the more security is required. Speak with your supervisor or GM for more information on safeguards appropriate to the sensitivity of personal information in your program or service area.

Staff shall protect personal information in their control (regardless of format) against such risks as loss or theft, 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). See safeguards outlined in Required Reading 5.VS.8 - *Acceptable Use of Computer Resources* if you have access to a YMCA computer.

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

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

Information on the YMCA's commitment to privacy is available to the public on the YMCA's web site at www.vanymca.org.

Staff and volunteers shall make known upon request the contact information for the respective Vice President or General Manager to whom inquiries or complaints can be forwarded.

Principle 9 - Individual Access

The YMCA 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. 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 a supervisor or GM.

Staff shall immediately inform their supervisor or GM of a request for access by an individual to his or her personal information collected by the YMCA. The GM 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* below.

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

The GM 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.

The GM 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 cannot be made.

Upon request, the GM shall provide an account of the use and disclosure of personal information. A list of organizations to which the YMCA may have disclosed personal information shall be provided.

Staff can request access to their employee file by contacting the Human Resources department.

Exceptions to access

The YMCA 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 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, or as otherwise permitted by law.

If access to personal information cannot be provided, the GM 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 designated persons accountable for YMCA compliance.

Staff and volunteers shall refer any inquiries or complaints about YMCA's handling of personal information, to the General Manager for response in a fair and timely manner.

Individuals may contact the General Manager to discuss their question or concern about YMCA information handling practices.

Individuals wishing to make a complaint about YMCA information handling practices, will be asked to provide in writing to the General Manager, the following information:

- Name and address or fax number where the individual prefers to be reached;
- Nature of the complaint and relevant details;

- If applicable, the name of the YMCA staff with whom the individual has already discussed the issue.

The YMCA shall investigate all complaints. If a complaint is found to be justified, the YMCA shall take appropriate measures to resolve the complaint.

Ongoing Relevancy

The YMCA regularly reviews its policies and procedures to ensure we remain current with evolving public expectations and changing laws.