

Coalition on the Niagara Escarpment

PRIVACY POLICY & GUIDELINES

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1. GENERAL PRINCIPLES

The Coalition on the Niagara Escarpment (CONE's) develops its internal policies and guidelines to ensure that they meet all applicable federal and provincial legislation. CONE, in its policies and procedures, will attempt to be forward thinking in policy and action and work to be a model for similar organisations.

In April 2000, the Government of Canada passed the Personal Information Protection and Electronic Documents Act (PIPEDA). This Act affects the privacy of personal information of all Canadians, and came into effect on January 1st, 2001. As of January 1, 2004, all organizations who collect, gather, store, share, disseminate and destroy personal information in the course of commercial activities are subject to the Act.

Only one CONE activity meets the legislated definition of commercial activities – CONE sells various products through it's internet General Store, and collects information necessary for that purpose. CONE does, however, by nature of its goals as an advocacy group, collect, gather, store, share, disseminate and destroy personal information in the course of its other activities. While these are not strictly commercial, CONE engages itself to follow privacy best practices based on the National Standard of Canada entitled Model Code for the Protection of Personal Information, CAN/CSA-Q830-96 – on which PIPEDA is based.

CONE does not sell, trade or otherwise share our mailing lists. From time to time, CONE may use its mailing list to distribute information to our members and contacts on behalf of the Niagara Escarpment Foundation or other organisations whose mandate or goals coincide with CONE's.

CONE is also responsible for maintaining the privacy of its staff and volunteers. Policies related to this responsibility are included in the human resource policies.

2. DEFINITIONS

Personal information: Personal information is any information that can be used to distinguish, identify or contact a specific individual. This information can include an individual's opinions or beliefs, as well as facts about, or related to, the individual. Exceptions: business contact information and certain publicly available information, such as names, addresses and telephone numbers as published in telephone directories, are not considered personal information.

Where an individual uses his or her home contact information as business contact information as well, we consider that the contact information provided is business contact information, and is not therefore subject to protection as personal information.

Commercial Activity: Commercial activity is any particular transaction, act or conduct or any regular course of conduct that is of a commercial character, including the selling, bartering or leasing of donor, membership or other fundraising lists.

Consent: Permission to collect, use or share personal information for a stated purpose

Implied Consent: Consent that can be inferred either through an ongoing relationship or through reasonable expectation. For example, consent could be implied for continuing to send a regular mail donor direct mail solicitations or for using the return address on a donation cheque to send a donor a receipt or recognition.

Express consent: Permission that is explicitly sought and applied to the collection, use or disclosure of information, particularly for sensitive information or when there has been a significant change from the original purpose for which information was collected.

3. PRIVACY PRINCIPLES

3.1 Accountability

The Executive Director is accountable for CONE's implementation of privacy best practices, even though other individuals within the organization or third-parties may be responsible for the day-to-day collection and processing of personal information. Responsibilities include implementing procedures to protect personal information; establishing procedures to receive and respond to complaints and inquiries; training staff and communicating to staff information about the organization's policies and practices; and developing information to explain the organization's policies and procedures.

Contracts with third-parties with whom CONE shares personal information for CONE's operations (for example, newsletter mailing lists submitted to a mailing house) will contain a provision explicitly requiring adherence to privacy legislation and best practices.

Staff and volunteers who have access to personal information will be required to sign an annual statement confirming that they understand and will comply with this policy to maintain the confidentiality of personal information.

3.2 Identifying Purposes

The purposes for which personal information is collected are identified and documented by the organization at or before the time the information is collected.

The identified purposes are specified at or before the time of collection to the individual from whom the personal information is collected. Depending upon the way in which the information is collected, this can be done orally or in writing.

When personal information that has been collected is to be used for a purpose not previously identified, the new purpose is identified and consent obtained prior to use.

The two purpose statements below will cover most uses for which CONE may collect personal information.

1) Fundraising and Action Alerts:

The Coalition on the Niagara Escarpment respects your privacy. We protect your personal information and adhere to all legislative requirements with respect to privacy. We do not rent, sell or trade our mailing lists. We use your personal information to keep you informed and up to date on CONE activities including programmes, services, special events, funding needs, opportunities to volunteer or to give and more through periodic contacts from CONE and/or the Niagara Escarpment Foundation. If at any time you wish to be removed from any of these contacts simply contact us in writing by fax at (519) 853-0424, by email at cone@niagaraescarpment.org, or by mail at PO Box 389, Acton, ON, L7J 2M6. We will gladly accommodate your request.

2) General Store

The Coalition on the Niagara Escarpment respects your privacy. We protect your personal information and adhere to all legislative requirements with respect to privacy. We do not rent, sell or trade our mailing lists. The information you provide will be used to send you your order and confirm that it has been received. In the future we will keep you informed and up to date on CONE activities including programmes, services, special

events, funding needs, opportunities to volunteer or to give and more through periodic contacts from CONE and/or the Niagara Escarpment Foundation. If you do not wish to be added to this mailing list, please check the box below. If at any time in the future you wish to be removed from these contacts simply contact us in writing by fax at (519) 853-0424, by email at cone@niagaraescarpment.org, or by mail at PO Box 389, Acton, ON, L7J 2M6. We will gladly accommodate your request.

3.3 Consent

The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information. This can be obtained at or after the time of the collection of the information but must be prior to its use. The sensitivity of the information collected as well as the reasonable expectations of the individual is to be taken into account in the way in which CONE seeks consent. Ways in which consent may be sought include application forms, check-off boxes, or verbal consent over the telephone. An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. The CONE informs the individual of the implications of such a withdrawal.

3.4 Limiting Collection

The collection of personal information is limited to that which is necessary for the purposes identified by the organization. Information is collected by fair and lawful means. The amount and type is dictated by the identified purpose

3.5 Limiting Use, Disclosure, and Retention

Personal information is not 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. Personal information is retained only as long as necessary for the fulfilment of those purposes. The use of personal information for a new purpose is documented. Personnel are authorized to access personal information based only on their need to deal with the information for the reason(s) for which it was gathered.

Personal information is maintained in our contact database until one of two conditions is met. 1) The individual in question asks us to remove the information or 2) The information is deemed to be inaccurate (for example, mail or email contacts are returned)

In the case of the second condition, reasonable efforts will be made to contact the individual to confirm and/or update the information in question. If contact cannot be made, the information will be destroyed and/or erased as appropriate.

3.6 Accuracy

Personal information is as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used. CONE does not routinely update personal information, unless such a process is necessary to fulfil the purposes for which the information was collected, or CONE has reason to believe that the information is inaccurate.

3.7 Safeguards

Personal information is protected in the following ways:

- Our office and storage area are locked at all times when no staff or executive board members are present.
- Paper files containing personal information are kept in a locked filing cabinet except when in use. The Executive Director and the Treasurer have keys.
- Computer files containing personal information are protected by passwords known only to the Executive Director and President and are modified at least every three months.
- Password protocols and encryption software are used to protect personal and other information we receive through the internet. CONE's software is routinely updated to maximize protection of such information.
- Portable computer equipment is kept in the presence of the Executive Director at all times when outside of the office, or is kept in a locked filing cabinet at the Executive Director's home.
- The office is equipped with a shredder that may be used by the Executive Director as appropriate.

3.8 Openness

CONE makes readily available to individuals specific information about its policies and practices relating to the management of personal information.

The information made available includes the name or title, and the address, of the person who is accountable for the organization's policies and practices and to whom complaints or inquiries can be forwarded; the means of gaining access to personal information held by the organization; a description of the type of personal information held by the organization, including a general account of its use; a copy of any brochures or other information that explain the organization's policies, standards, or codes; and what personal information is made available to related organizations

3.9 Individual Access

Upon request, an individual is informed of the existence, use, and disclosure of his or her personal information and is given access to that information. An individual is able to challenge the accuracy and completeness of the information and have it amended as appropriate.

3.10 Challenging Compliance

An individual is able to address a challenge concerning compliance with the above principles to the Executive Director and be informed of the complaints procedure. CONE investigates all complaints. If CONE finds that a complaint is justified, CONE will take appropriate measures, including, if necessary, amending its policies and practices.

4. ADMINISTRATION

CONE will review this policy and related practices annually. Questions, concerns, or complaints related to this policy should be directed to the Executive Director in writing by fax at (519) 853-0424, by email at cone@niagaraescarpment.org, or by mail at PO Box 389, Acton, ON, L7J 2M6