

Introduction

The Justice Institute of British Columbia Foundation (the “Foundation”) responsibly safeguards the privacy of its volunteers, donors, supporters and other key interest holders. The Foundation understands the sensitivity with which personal information must be handled and is committed to safeguarding personal information and taking all possible measures to protect personal information from loss, misuse, unauthorized access, disclosure, alteration or destruction. The Foundation will use commercially reasonable efforts to ensure that the information entrusted with it is used only for the purposes set forth herein or as otherwise communicated to a user at the time it is provided.

Users can visit the Foundation section of the JIBC website (www.jibc.ca/foundation) without revealing any personal information about themselves. The website does not collect personal information unless users voluntarily submit it, in which case, the purpose for which that personal information provided is expressly stated. To improve the website, aggregate information is collected on what pages of the website are visited. No names, e-mail addresses, or other personally identifiable information is collected in this manner.

This policy contains principles that are observed by the Foundation regarding the collection, use and disclosure of personal information in accordance with British Columbia’s *Personal Information Protection Act* (“PIPA”).

Scope and Application

This policy applies to all personal information collected, used or disclosed by the Foundation, which, includes all information that is provided to the Foundation through the website or by other means, including all personal information which is provided to the Foundation by a volunteer or as a donor (such as age, education, donation history, spouse’s name, gender, address and telephone information, marital status, and other information provided to the Foundation, etc.).

Definitions

Collection: the act of gathering, acquiring, recording, or obtaining personal information.

Consent: voluntary agreement with respect to the collection, use or disclosure of personal information for defined purposes. Consent can either be express or implied, and can be provided directly by the individual or by an authorized representative. An individual may also provide “opt-out” consent. Express consent can be given orally, electronically or in writing. Implied consent happens when an individual does not expressly give consent, but volunteers information for an obvious purpose and a reasonable person would consider it appropriate in the circumstances. Opt-out consent is consent by not declining consent, such as a form notifying an individual of an organization’s intended use of the personal information with a “check-off box”, which allows the individual to check the box if they do not want the organization to use their information for this purpose.



- Contact Information:** information that enables one to be contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number.
- Disclosure:** making personal information available to a third party.
- Personal Information:** information about an identifiable individual and includes employee personal information but does not include contact information or work product information. Personal information also excludes certain publicly available information, such as names, addresses and telephone numbers as published in telephone directories or on websites.
- Third Party:** an individual or organization outside the Foundation.
- Use:** the treatment, handling and management of personal information by and within an organization.
- Work Product Information:** information that is prepared or collected by the Foundation as a part of the Foundation's responsibilities or activities.

1. Accountability

- 1.1 The Foundation is responsible for personal information under its control and has designated a Privacy Officer. The Privacy Officer is accountable for the Foundation's compliance with PIPA and for administration of this policy. The Foundation's Privacy Officer may delegate tasks to others within the Foundation, such as the collection and processing of personal information. In addition, all Foundation employees, whether employed directly by the Foundation or employees of the Justice Institute of British Columbia, are responsible for ensuring compliance with this policy.
- 1.2 The Privacy Officer may be contacted by email at foundation@jibc.ca, by phone at 604.528.5986, or by mail at 715 McBride Boulevard, New Westminster, BC, V3L 5T4.

2. Identifying Purposes for Collection for Personal Information

- 2.1 The Foundation shall identify and document the purposes for which personal information is collected 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.
- 2.2 The Foundation collects personal information for the following purposes:
 - a) to meet legal and regulatory requirements;
 - b) to develop, enhance and improve its activities and fundraising efforts;
 - c) to process donations; and
 - d) to provide donors with future information about the Foundation and its initiatives.
- 2.2 The Foundation shall, as appropriate, specify orally, electronically or in writing the identified purposes to the individual at the time of collection.



- 2.3 The Foundation collects contractor personal information for the following purposes:
- to establish, maintain or terminate a contractor;
 - to ensure contractor is properly identified; and
 - to monitor contractor performance.
- 2.4 If the Foundation collects employee personal information about an employee, it will advise the employee that the information is being collected and the purpose for its collection. For example, the Foundation will collect birthdays and home addresses of Board members in order to comply with the *Societies Act* and retain its Registered Charity status. However, there may be circumstances in which such notice will not be provided such as in the course of an investigation.

3. Consent

- 3.1 The Foundation will either seek express written consent from donors to collect, use and disclose their personal information or rely on implied consent for information that is voluntarily provided to the Foundation for a particular purpose. In both cases, the information will only be used for the purpose for which it was provided and the individual will be given a clear and meaningful way to opt out.
- 3.2 In the event that the Foundation wishes to use the personal information for a different purpose for which it was originally collected, new consent will be sought and obtained.
- 3.3 The Foundation will not, as a condition of the supply of a service or product, require an individual to consent to the collection, use or disclosure of personal information beyond that which is required to carry out the stated purpose.
- 3.4 An individual may withdraw their consent at any time, subject to any legal or contractual restrictions.
- 3.5 In accordance with PIPA, consent is not required to collect, use or disclose employee personal information if such information is necessary for establishing, maintaining or terminating an employment relationship. An employee is defined in PIPA to include a volunteer. Accordingly, employee and volunteer personal information will continue to be collected, used and disclosed for these purposes.

4. Limiting Collection of Personal Information

- 4.1 The Foundation shall limit the collection of personal information to that which is necessary for its purposes.
- 4.2 The Foundation collects personal information in a number of different ways. It may be done orally (either in person or over the telephone), in writing or online. When information is collected orally, notes may be made and retained for future reference.



- 4.3 The Foundation collects personal information primarily from the individual to whom the information relates.

5. Limiting Use, Disclosure, and Retention

- 5.1 Personal information will only be used or disclosed for the purpose for which it was provided to the Foundation. If another use or disclosure is planned, the individual will be contacted and asked to consent to the new proposed use or disclosure. There may be circumstances, however, where such consent will not be sought, such as to comply with law.
- 5.2 The Foundation will not provide personal information to third parties without your express consent. When information is provided to a third party, the Foundation will ensure that the third party protects that information in accordance with PIPA and this policy.
- 5.3 The Foundation will retain personal information only for so long as it is necessary to fulfill the stated purpose for which it was collected in the first place, or as otherwise required by law. Irrelevant information and information that does not serve the stated purpose, or no longer serves the stated purpose will be destroyed, erased or made anonymous.
- 5.4 Employee personal information will be used by the Foundation without the employees' consent for the purpose of establishing, managing or terminating the employment relationship. However, the Foundation will notify employees that it will be using or disclosing employee personal information and the purposes for the use and disclosure before the personal information is used or disclosed.
- 5.5 It must be noted that all messages sent and received over the Foundation's computer systems are the property of the Foundation and together with internet usage, may be subject to electronic surveillance. For this reason, employees should not expect any privacy in respect of their use of the Foundation's computer equipment.

6. Accuracy

- 6.1 The Foundation is committed to ensuring that the personal information it collects is as accurate and complete as possible for its purposes.
- 6.2 Personal information used by the Foundation 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.



7. Safeguards and Security

- 7.1 The Foundation maintains security measures that are aimed at protecting against the loss or theft, unauthorized access or use, misuse, disclosure, copying or modification of the personal information in its possession and control, irrespective of the medium in which the personal information is stored.
- 7.2 These security measures will vary depending on the sensitivity of the information that has been collected, the amount, distribution, and format of the information and the method of storage. The methods of protection will include: physical measures (i.e. locked filing cabinets and restricted access to offices); organizational measures (i.e. security clearances and limiting information on a “need-to-know” basis); and technological measures (i.e. the use of passwords and encryption).
- 7.3 The Foundation will ensure that all staff are aware of the importance of maintaining the confidentiality and security of personal information. All staff will be required to read and sign a copy of this policy. Casual volunteers (i.e. event volunteers who do not access personal information) will not be required to read and sign a copy of this policy.
- 7.4 The Foundation will take care to ensure that the disposal or destruction of personal information will be accomplished in a secure manner so as to ensure that unauthorized persons do not gain access to the information. Typically, information in paper form will be shredded and information in electronic form will be deleted.

8. Openness

- 8.1 The Foundation shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.
- 8.2 Copies of this policy will be made available upon request and it will be posted on the Foundation section of the website.

9. Access to Personal Information and Correction

- 9.1 Individuals may request access to their personal information that is in the Foundation’s possession or control at any time. Such requests must be made in writing and contain sufficient detail to enable the Foundation to identify the individual and the personal information being sought. After receipt of such a request, and within 30 days, the Foundation will provide you with a complete accounting of your personal information in its possession or control together with an explanation of how that information has been used and is being used and the names of third parties to whom the information has been disclosed (if any). There may be circumstances where the Foundation will not be able to respond within this time frame due to the nature of the request, the volume of the information requested, etc., in which case the Foundation will seek the individual’s agreement to extend the time for response. If an agreement cannot be reached, the Foundation will seek an extension form the Office of the Information and Privacy Commissioner for British Columbia (the “Commissioner”).
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- 9.2 There may also be circumstances where the Foundation will not be able to provide all such information (i.e. where it contains references to another person's personal information, are subject to solicitor and client privilege, contain confidential information proprietary to the Foundation, relate to an investigation or cannot be disclosed for other legal reasons, etc.).
- 9.3 The Foundation endeavors to keep personal information as accurate, complete and up-to-date as possible. If, at any time, you wish to have your personal information removed from our records, if you wish to opt out of receiving any particular communication and/or if you wish to change or correct any information that you have previously provided to us, please contact us and we will make the necessary notation, removal, change and/or correction within three (3) business days. Please note that such requests may be subject to legal or contractual restrictions. All such requests are to be directed to the Foundation's Privacy Officer.

10. Compliance and Challenges

Any complaints arising out of this policy and the Foundation's handling of personal information must be made to the Foundation's Privacy Officer, in writing. The Privacy Officer will respond to any such complaint within 30 days, unless the complainant and the Foundation agree to a longer period of time. If the complaint is not resolved to the complainant's satisfaction, the complainant may then contact the Commissioner for assistance. The Commissioner may be contacted at:

P.O. Box 9038, STN PROV GOVT
Victoria, British Columbia V8W 9A4
Ph: 250.387.5629
Web: www.oipc.bc.ca

Changes to this Policy

The Foundation will periodically review this policy and make changes as necessary. If changes are made, they will be posted on the website.

Contact Us

If you have any questions, please do not hesitate to contact our Privacy Officer:

The JIBC Foundation
715 McBride Boulevard
New Westminster, BC V3L 5T4
Ph: 604.528.5986
Email: foundation@jibc.ca



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