



SYNCHRO SWIM MANITOBA
PRIVACY POLICY

Approved: Feb 15, 2006
By the Board of Directors
Number of pages: 8

Purpose of this Policy

1. The purpose of this policy is to govern the collection, use and disclosure of personal information in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of Synchro Swim Manitoba (hereinafter referred to as SSM) to collect, use or disclose personal information.

What is Personal Information?

2. Personal information is information about an identifiable individual. It includes information that relates to their personal characteristics (e.g., gender, age, income, home address or phone number, ethnic background, family status), their health (e.g., health history, health conditions, health services received by them) or their activities and views (e.g., religion, politics, opinions expressed by an individual, an opinion or evaluation of an individual). Personal information, however, does not include business information (e.g., an individual's business address and telephone number), which is not protected by privacy legislation.

PIPEDA

3. Privacy of personal information is governed by the *Personal Information Protection and Electronics Documents Act* ("PIPEDA"). SSM is governed by PIPEDA in matters involving the collection, use and disclosure of personal information in the course of it carrying out commercial activities. This policy is based on the standards required by PIPEDA, and Synchro Swim Manitoba's interpretation of these responsibilities.

Application

4. This policy applies to the personal information of members and perspective members of SSM, coaches, officials, participants, race directors, officers, directors, and volunteers. All Board directors, officers, employees, committee members, volunteers, coaches, event organizers, contractors, and other decision-makers with SSM must comply with this policy.

Accountability

5. Our Executive Director is the Privacy Officer and is responsible for monitoring information collection and data security, and ensuring that all staff receives appropriate training on privacy issues and their responsibilities. The Privacy Officer also handles personal information access requests and complaints. The Privacy Officer may be contacted at the following address:
Synchro Swim Manitoba
200 Main Street
Winnipeg, MB R3C 4M2
Phone: (204) 925-5693
Fax: (204) 925-5703
Email: execdirector@synchro.mb.ca

Why Does Synchro Swim Manitoba Need Personal Information?

6. Personal information is collected by SSM to meet and maintain the highest standard of organizing and programming for the sport of synchronized swimming. SSM collects personal information for purposes that are subject to PIPEDA if they are a commercial activity that may include, but are not limited to, the following:
 - a) Name, address, parental contact, phone numbers, fax number and e-mail address for the purpose of communicating about SSM's programs, events and activities.
 - b) Name, address, phone numbers, e-mail, date of birth, gender, CASSA number, club, star or super star level, coaching/judging levels and certifications, for the purpose of membership registration with Club links and Synchro Canada.
 - c) NCCP number, education, resumes and experience for database entry at the Coaching Association of Canada / Synchro Canada to determine level of certification and coaching qualifications. Coaching info will also be retained in a SSM database to track qualified coaches and communicate with them and for the purpose of awards nominations.
 - d) Date of birth, athlete biography, star or super star level, gender and CASSA number and/or club to determine eligibility, age group and appropriate level of participation.
 - e) Date of birth, gender, name, clubs, coach and athletic results (including scores and rankings) to publish event results and athlete achievements, for record keeping, competing and consider when determining awards.
 - f) Criminal records check and related personal reference information for the purpose of implementing SSM's volunteer and/or coaching screening program.
 - g) Personal health information including provincial health card numbers, allergies, emergency contact and past medical history for use in the case of medical emergency.
 - h) Athlete information including height, weight, uniform size, shoe size, feedback from coaches and trainers, performance results for athlete, registration forms, outfitting uniforms, media relations, and various components of athlete and team selection.
 - i) Athlete information including body weight, height, shoe size, heart rate, skill assessments for physical testing and monitoring to training and development.
 - j) Information from athletes mental training logbooks, which includes details on sleep, training, nutrition, physical health, for use by coaching staff to ensure appropriate levels of training and recovery.
 - k) Athlete whereabouts information including sport/discipline, training times and venues, training camp dates and locations, travel plans, competition schedule, and disability, if applicable, for Canadian Centre for Ethics in Sport inquiries for the purposes of out-of-competition drug testing.
 - l) Marketing information including demographic data on individual members to determine membership demographic structure, and program wants and needs.
 - m) Passport numbers and Aeroplan/frequent flyer numbers for the purposes of arranging travel.

- n) Name, address, phone numbers, fax number and e-mail address for the purpose of providing insurance coverage, managing insurance claims and conducting insurance investigations.
- o) Demographic information including: name, address, gender, and birth date/age for funding reports to Sport Manitoba, and Synchro Canada.
- p) Directors and officers information: name, address, phone number, length of term for purposes of annual corporation return and posting of board names and contact emails for the membership.
- q) Video footage at competitions for the purposes of technical monitoring, coach/club review, officials training, educational purposes and sport promotion. In some cases, videos from an event will be available for purchase to the synchro community.

Consent

7. SSM will obtain consent from individuals at the time of collection prior to the use or disclosure of this information. If consent of the collection, use or disclosure was not obtained upon receipt of the information, consent will be obtained prior to the use or disclosure of the personal information.
8. Consent may be written, oral or implied. In determining the form of consent to use, SSM will all take into account the sensitivity of the information, as well as the individual's reasonable expectations. Individuals may consent to the collection and specified use of personal information in several ways including:
 - a) By signing an application form;
 - b) By checking a check-off box;
 - c) By providing written consent either physically or electronically;
 - d) By consenting orally in person;
 - e) By consenting orally over the telephone; or
 - f) By implicitly consenting via their actions.
9. An individual may withdraw consent to the collection, use or disclosure of personal information at any time, subject to legal or contractual restrictions, provided the individual gives one week's notice of such withdrawal to SSM. The Privacy Officer will advise the individual of the implications of such withdrawal, as it may affect an individual's ability to participate in programs/events.
10. Exceptions for Collection - SSM is not required to obtain consent for the collection of personal information if:
 - a) it is clearly in the individual's interests and consent is not available in a timely way;
 - b) knowledge and consent would compromise the availability or accuracy of the information and collection is required to investigate a breach of an agreement or contravention of a federal or provincial law;
 - c) the information is for journalistic, artistic or literary purposes; or
 - d) the information is publicly available as specified in PIPEDA.

11. Exceptions for Use - SSM may use personal information without the individual's knowledge or consent only:

- a) if SSM has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial or foreign law and the information is used for that investigation;
- b) for an emergency that threatens an individual's life, health or security;
- c) for statistical or scholarly study or research (SSM must notify the Privacy Commissioner before using the information);
- d) if it is publicly available as specified in PIPEDA;
- e) if the use is clearly in the individual's interest and consent is not available in a timely way; or
- f) if knowledge and consent would compromise the availability or accuracy of the information and collection was required to investigate a breach of an agreement or contravention of a federal or provincial law.

12. Exceptions for Disclosure - SSM may disclose personal information without the individual's knowledge or consent only:

- a) to a lawyer representing SSM;
- b) to collect a debt the individual owes to SSM;
- c) to comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;
- d) to a government institution that has requested the information, identified its lawful authority, and indicated that disclosure is for the purpose of enforcing, carrying out an investigation, or gathering intelligence relating to any federal, provincial or foreign law; or that suspects that the information relates to national security or the conduct of international affairs; or is for the purpose of administering any federal or provincial law;
- e) to an investigative body named in PIPEDA or a government institution on SSM's initiative when SSM believes the information concerns a breach of an agreement, or a contravention of a federal, provincial, or foreign law, or suspects the information relates to national security or the conduct of international affairs;
- f) to an investigative body for the purposes related to the investigation of a breach of an agreement or a contravention of a federal or provincial law;
- g) in an emergency threatening an individual's life, health, or security (SSM must inform the individual of the disclosure);
- h) for statistical, scholarly study or research (SSM must notify the Privacy Commissioner before disclosing the information);
- i) to an archival institution;

- j) 20 years after the individual's death or 100 years after the record was created;
- k) if it is publicly available as specified in the regulations; or
- l) if otherwise required by law.

Limiting Use, Disclosure and Retention

13. Personal information will not be used or disclosed by SSM for purposes other than those for which it was collected as described herein, except with the consent of the individual or as required by law.
14. Personal information will be retained for certain periods of time in accordance with the following:
 - a) Registration data and athlete information, parental/family information and information collected by coaches will be retained for a period of three years after an individual has left a program of SSM, in the event that the individual chooses to return to the program;
 - b) Registration data from courses, clinics, camps, or workshops may be retained indefinitely for the sake of records purposes.
 - c) Personal information that is used to make a decision about an individual will be maintained for a minimum of two years of time to allow the individual access to the information after the decision has been made.
 - d) Personal health information will be immediately destroyed when an individual chooses to leave a program of SSM.
 - e) Personal marketing information will be immediately destroyed upon compilation and analysis of collected information.
 - f) Personal demographic information that is reported to funding partners will be retained for a period of 4 years after submission in case verification is requested.
 - g) As otherwise may be stipulated in federal or provincial legislation.
15. SSM may disclose personal information to a government authority that has asserted its lawful authority to obtain the information or to comply with a subpoena or warrant or an order made by the court or otherwise as permitted by applicable law.
16. Printed documents will be destroyed by way of shredding and electronic files will be deleted in their entirety.

Accuracy

17. SSM will use accurate and up-to-date information as is necessary for the purposes for which it is to be used and to minimize the possibility that inappropriate information may be used to make a decision about an individual.

Safeguards

18. Personal information is protected by security safeguards appropriate to the sensitivity of the information against loss or theft, unauthorized access, disclosure, copying, use or modification. Methods of protection and safeguards include, but are not limited to, locked filing cabinets and restricted access to offices and computer files.
19. Staff are trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with this policy. Volunteers who collect, use and disclose personal information will be provided with a copy of this Policy and will be given instructions on how to collect, use and disclose of personal information in accordance with the Policy.
20. External consultants and agencies with access to personal information will provide SSM with appropriate privacy assurances (examples: Insurance company, funding partners).

Openness

21. SSM will publicize information about its policies and practices relating to the management of personal information. This information is available through this policy, on SSM's web site or upon request by contacting the Privacy Officer.
22. The information available to the public includes:
 - a) The name or title, address and telephone number of SSM's Privacy Officer.
 - b) A description of the type of personal information held by SSM, including a general statement of its approved uses.

Individual Access

23. Upon written request, and with assistance from SSM, an individual may be informed of the existence, use and disclosure of his or her personal information and will be given access to that information. As well, an individual is entitled to be informed of the source of the personal information along with an account of third parties to whom the information has been disclosed.
24. Requested information will be disclosed to the individual within 30 days of receipt of the written request at no cost to the individual, or at nominal cost relating to photocopying expenses, unless there are reasonable grounds to extend the time limit.
25. If personal information is inaccurate or incomplete, it will be amended as required.
26. An individual may be denied access to his or her personal information if:
 - a) This information is prohibitively costly to provide;
 - b) The information contains references to other individuals;
 - c) The information cannot be disclosed for legal, security or commercial proprietary purposes; or
 - d) The information is subject to solicitor-client or litigation privilege.
27. Upon refusal, SSM will inform the individual the reasons for the refusal and the associated provisions of PIPEDA.

Challenging Compliance

28. An individual may challenge SSM's compliance with this policy and PIPEDA, by submitting a challenge in writing.
29. Upon receipt of a written complaint, SSM will:
 - a) Record the date the complaint is received;
 - b) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
 - c) Acknowledge receipt of the complaint by way of telephone conversation and clarify the nature of the complaint within five days of receipt of the complaint;
 - d) Notify the complainant of the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures, within 30 days of receipt of the complaint.
30. An individual may appeal a decision made by SSM under this Policy, in accordance with SSM's Appeal Policy.

SYNCHRO SWIM MANITOBA PRIVACY OFFICER JOB DESCRIPTION

Position: Privacy Officer

Immediate Supervisor: President - Synchro Swim Manitoba

Purpose: The Privacy Officer oversees all the activities related to the development, implementation, maintenance and adherence to Synchro Swim Manitoba's privacy policies and procedures. These policies cover the collection, use, disclosure and privacy of personal information in compliance with the *Personal Information Protection and Electronic Document Act* (PIPEDA) and any relevant provincial legislation.

Responsibilities: The Privacy Officer is a person within the organization whose job it is to:

- Develop and implement privacy policies and procedures to ensure Synchro Swim Manitoba's compliance with the Ten Principles outlined in PIPEDA for the protection of privacy;
- Create appropriate consent forms, authorization forms, and information notices and materials reflecting current legal requirements and organizational practices;
- Respond to requests for access to and correction of personal information, and respond to general inquiries relating to personal information;
- Provide education and training to all employees, contractors and volunteers whose roles involve dealing with personal information;
- Implement internal operational systems relating to information privacy and security, including information technology systems;
- Develop procedures to review contracts and partnership agreements to ensure third-party compliance with privacy legislation;
- Establish and administer procedures for receiving, documenting, tracking and resolving complaints concerning personal information;
- Maintain current knowledge of federal and provincial privacy legislation and regulations;
- Manage public perception of data protection and privacy practices for the organization; and
- Cooperate with the offices of provincial and federal privacy commissioners during any investigation of a privacy complaint against Synchro Swim Manitoba.

Skills: The Privacy Officer will require the following skills to effectively perform these tasks:

- Change management and project management;
- Organization and facilitation skills;
- Communications and public relations skills;
- Knowledge of relevant privacy laws, regulations and standards; and
- Experience in policy development and training.

The Privacy Officer will also require a sufficient understanding of information technology and data management systems to ensure proper security systems are in place to protect personal information in computers, transmitted by e-mail and communicated or collected via websites.