

PRIVACY POLICY

1. GENERAL

- 1.1 Background** – Privacy of personal information is governed by the *Personal Information Protection Act* ("PIPA"). This policy describes the way that Triathlon Canada collects, uses, retains, safeguards, discloses and disposes of personal information, and states Triathlon Canada's commitment to collecting, using and disclosing personal information responsibly. This Policy is based on the standards required by PIPA, and Triathlon Canada's interpretation of these responsibilities.
- 1.2 Purpose** – 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 Representatives with respect to their personal information and the need of Triathlon Canada to collect, use or disclose personal information.
- 1.3 Definitions** – The following terms have these meanings in this Policy:
- a. *Act* – Personal Information Protection Act
 - b. *Organization* – includes an association, a partnership, a person, an unincorporated association, a trust, a not for profit organization, a trade union and a corporation.
 - c. *Personal Information* – any information about an identifiable individual.
 - d. *Employee Personal Information* – personal information about an individual that is collected, used or disclosed solely for the purposes reasonably required to establish, manage or terminate an employment relationship between the organization and that individual, but does not include personal information that is not about an individual's employment.
 - e. *Personal Health Information* – any health information about an identifiable individual.
 - f. *Representatives* - Prospective members and all categories of membership defined in the Triathlon Canada Bylaws, as well as all individuals employed by, or engaged in activities with, Triathlon Canada and its Provincial Sport Organizations including, but not limited to, athletes, coaches, coordinators, judges, officials, volunteers, managers, administrators, committee members, and directors and officers.
- 1.4 Application** – This Policy applies to all Representatives in connection with personal information that is collected, used, or disclosed by Triathlon Canada.
- 1.5 Additional Obligations** – In addition to fulfilling all requirements of the Act, Triathlon Canada will also fulfill the additional requirements of this Policy. Triathlon Canada and Triathlon Canada Representatives will not:
- a. Disclose personal information to a third party during any business or transaction unless such business, transaction or other interest is properly consented to in accordance with this Policy;
 - b. Knowingly place itself in a position where they are under obligation to any organization to disclose personal information;

- c. In the performance of their official duties, disclose personal information to family members, friends or colleagues, or to organizations in which their family members, friends or colleagues have an interest;
- d. Derive personal benefit from personal information that they have acquired during the course of fulfilling their duties with Triathlon Canada; and
- e. Accept any gift or favor that could be construed as being given in anticipation of, or in recognition for, the disclosure of personal information.

1.6 Ruling on Policy – Except as provided in the *Act*, the Board of Directors of Triathlon Canada will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

2. ACCOUNTABILITY

2.1 Privacy Officer – The Privacy Officer is responsible for the implementation of this Policy and 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:

Triathlon Canada
Suite 121 - 1925 Blanshard Street
Victoria, British Columbia V8T 4J2
Telephone: +1.250.412.1795
Fax: +1.250.412.1794
Email: info@triathloncanada.com

2.2 Duties – The Privacy Officer will:

- a. Implement procedures to protect personal information
- b. Establish procedures to receive and respond to complaints and inquiries
- c. Record all persons having access to personal information
- d. Ensure any third-party providers abide by this policy
- e. Train and communicate to staff information about Triathlon Canada's privacy policy and practices

3. IDENTIFYING PURPOSES

3.1 Purpose – Personal information may be collected from Representatives and prospective Representatives and will only be used to for purposes that include, but are not limited to:

3.1.1 Communications

- a. Sending communications in the form of e-news or a newsletter with content related to Triathlon Canada programs, events, fundraising, activities, discipline, appeals, and other pertinent information

- b. Publishing articles, media relations and postings on Triathlon Canada website, displays or posters
- c. Award nominations, biographies, and media relations
- d. Communication within and between Representatives
- e. Discipline results and long-term suspension list
- f. Checking residency status

3.1.2 Registration, Database Entry and Monitoring

- g. Registration of programs, events and activities
- h. Database entry at the Coaching Association of Canada and to determine level of coaching certification coaching qualifications and coach selection
- i. Database entry to determine level of officiating certification and qualifications
- j. Determination of eligibility, age group and appropriate level of play/competition
- k. Player Registration, outfitting uniforms, and various components of athlete and team selection
- l. Technical monitoring, officials training, educational purposes, sport promotion, and media publications

3.1.3 Sales, Promotions and Merchandising

- m. Purchasing equipment, coaching manuals, resources and other products
- n. Promotion and sale of merchandise

3.1.4 General

- o. Travel arrangement and administration
- p. Implementation of Triathlon Canada screening program
- q. Medical emergency, emergency contacts or reports relating to medical or emergency issues
- r. Determination of membership demographics and program wants and needs
- s. Managing insurance claims and insurance investigations
- t. Video recording and photography for personal use, and not commercial gain, by spectators, parents and friends
- u. Video recording and photography for promotional use, marketing and advertising by Triathlon Canada
- v. Payroll, honorariums, company insurance and health plans

3.2 Purposes not identified – Triathlon Canada will seek consent from Representatives when personal information is used for a commercial purpose not previously identified. This consent will be documented as to when and how it was received.

4. CONSENT

4.1 Consent - By providing Personal Information to Triathlon Canada, Representatives and prospective Representatives are implying their consent to the use of that Personal Information for the purposes identified in Article 3 **Identifying Purposes** section of this Policy.

- 4.2 Consent for disclosure (subject to sections 4.7, 4.8 & 4.9) - At the time of the collection of Personal Information and prior to the use or disclose of the Personal Information, Triathlon Canada will obtain consent from Representatives by lawful means. Triathlon Canada may collect Personal Information without consent when it is reasonable to do so and permitted by law.
- 4.3 Consent - In determining whether to obtain written or implied consent, Triathlon Canada will take into account the sensitivity of the Personal Information, as well the Representatives' reasonable expectations. Representatives may consent to the collection and specified use of Personal Information in the following ways:
- a. Completing and/or signing an application form
 - b. Checking a check box, or selecting an option (such as 'Yes' or 'I agree')
 - c. Providing written consent either physically or electronically
 - d. Consenting orally in person
 - e. Consenting orally over the phone
- 4.4 Requirement - Triathlon Canada will not, as a condition of a product or service, require Representatives to consent to the collection, use or disclosure of Personal Information beyond that required to fulfill the specified purpose.
- 4.5 Withdrawal - A Representative may withdraw consent in writing, at any time, subject to legal or contractual restrictions. Triathlon Canada will inform the Representative of the implications of withdrawing consent.
- 4.6 Legal Guardians - Consent may not be obtained from Representatives who are minors, seriously ill, or mentally incapacitated and therefore will be obtained from a parent, legal guardian or person having power of attorney.
- 4.7 Deemed Consent - A Representative is deemed to consent to the collection, use, disclosure of personal information for the purpose of his or her enrollment and coverage under an insurance, pension, benefit or similar plan if he or she is a beneficiary or has an interest as an insured under the plan.
- 4.8 Exception for Collection, Use or Disclosure - Triathlon Canada may collect, use, or disclose personal information, without consent, for specified purposes if:
- a. Triathlon Canada provides the Representative with notice that it intends to collect, use or disclose the Representative's personal information for specified purposes;
 - b. Triathlon Canada gives the Representative a reasonable opportunity to decline the collection, use or disclosure of their personal information and the Representative does not decline;
 - c. The personal information is collected by observation at a performance, sports meet or similar event at which the Representative voluntarily appears and that is open to the public;
 - d. The collection is necessary to determine the Representative's suitability to receive an honor, award or to be selected for an athletic or artistic purpose;

- e. The information is collected from or on behalf of another organization without consent of the Representative to whom the information relates if:
 - i. The Representative consented to the use of the personal information by the other organization, and
 - ii. The personal information is used by Triathlon Canada solely for the purposes for which the information was previously collected and assists that organization to carry out work on behalf of the other organization.
 - f. If otherwise required by law.
- 4.9 Employee Information Exception** – Triathlon Canada may use, collect or disclose employee personal information if it is reasonable for the purposes of establishing, managing or terminating an employment relationship between Triathlon Canada and the employee.
- 4.10 Employee Notification** - Triathlon Canada must notify an employee if their employee information is being collected, used or disclosed before the third-party organization can collect, use or disclose the employee personal information without the consent of the employee.

5. ACCURACY AND RETENTION

- 5.1 Accuracy** - In order to minimize the possibility that inappropriate Personal Information may be used to make a decision about a Representative, Personal Information will be accurate, complete, and as up-to-date as is necessary for the purposes for which it will be used.
- 5.2 Retention** - Personal Information will be retained as long as reasonably necessary to enable participation in Triathlon Canada programs, events, and activities, and in order to maintain historical records as may be required by law or by governing organizations.
- 5.3 Theft** - Personal Information will be protected against loss or theft, unauthorized access, disclosure, copying, use, or modification by security safeguards appropriate to the sensitivity of the Personal Information.
- 5.4 Decisions** - Personal Information that has been used to make a decision about a Representative will be maintained for a minimum of one year in order to allow the Representative the opportunity to access the Personal Information after the decision has been made.

6. OPENNESS

- 6.1 Information** – Information made available will include:
- a. The name or title, and the address, of the person who is accountable for Triathlon Canada’s privacy policies and practices and to whom complaints or inquiries can be forwarded;
 - b. The means of gaining access to personal information held by Triathlon Canada;
 - c. A description of the type of personal information held by Triathlon Canada, including a general account of its use;

- d. A copy of any information that explains Triathlon Canada's policies, standards, or codes; and
- e. Third parties in which personal information is made available.

7. ACCESS

- 7.1 Access - Upon written request, and with assistance from Triathlon Canada, a Representative 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, a Representative 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.
- 7.2 Amendment – A Representative may challenge the accuracy and completeness of the Personal Information and have it amended as appropriate.
- 7.3 Response - Requested information will be disclosed to the Representative within 30 days of receipt of the written request at no cost to the Representative, or at nominal costs relating to photocopying expenses, unless there are reasonable grounds to extend the time limit.
- 7.4 Costs - Costs may only be levied if a Representative is informed in writing in advance of the approximate cost and has agreed to proceed with the request.
- 7.5 Denial - A Representative 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 or Representatives;
 - c. The information cannot be disclosed for legal, security or commercial proprietary purposes;
 - d. The information is subject to solicitor-client or litigation privilege.
- 7.6 Reasons - Upon refusal, *Triathlon Canada will* inform the Representative of the reasons for the refusal and the associated provisions of *PIPA*.
- 7.7 Identity – Sufficient information will be required to confirm an individual's identity prior to providing that Representative an account of the existence, use, and disclosure of Personal Information.

8. CHALLENGING COMPLIANCE

- 8.1 Challenges – A Representative will be able to challenge compliance with this Policy and the *Act* to the designated individual accountable for compliance.
- 8.2 Procedures – Upon receipt of a complaint, Triathlon Canada 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 seven days of receipt of the complaint
- d. Appoint an investigator using Triathlon Canada's personnel or an independent investigator, who will have the skills necessary to conduct a fair and impartial investigation and will have unfettered access to all file and personnel
- e. Upon completion of the investigation and within thirty days of receipt of the complaint, the investigator will submit a written report to Triathlon Canada
- f. Notify the complainant the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures