

## PRIVACY POLICY

### I. PERSONAL INFORMATION PROTECTION ACT

#### A. Introduction

The *Personal Information Protection Act* (PIPA) applies to all private sector organizations in British Columbia, including businesses, non-profit organizations and unions. *PIPA* contains rules designed to protect personal information that is collected, used, and disclosed by organizations/businesses in the course of their activities.

#### B. Purpose

As indicated in section 2 of the Act, the purpose of PIPA is to:

"govern the collection, use and disclosure of personal information by organizations in a manner that recognizes both the right of individuals to protect their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances."

### II. BC CANCER FOUNDATION PRIVACY PRINCIPLES

The BC Cancer Foundation complies with the BC Personal Information Protection Act (PIPA) and other applicable privacy legislation, and embraces ethical guidelines established by the Association of Fundraising Professionals (AFP), and Imagine Canada.

The BC Cancer Foundation is committed to ensuring that all personal information is gathered in accordance with PIPA and it is accurate, kept confidential, and safeguarded. To make certain that it meets this commitment, the Foundation follows the ten privacy principles that form the basis of PIPA, and that have been established to govern the collection, use, and disclosure of personal information.

#### 1. Accountability

BC Cancer Foundation is responsible for all personal information under its custody or control, including information which it may transfer to third parties for processing.

The Privacy Officer is accountable for BC Cancer Foundation's overall compliance with this policy and acts as BC Cancer Foundation's arbitrator on information privacy and security matters. Individual managers also have a responsibility to oversee compliance with this policy for employees under their areas of responsibility.

In addition, each person who has an association with BC Cancer Foundation has an individual responsibility to ensure that personal information is protected at all

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times in accordance with this policy. Each individual receives information regarding the Foundation's privacy policies and is expected to take personal responsibility for compliance with the privacy policies:

### **2. Collection of Personal Information**

Before, or at the time of collection, the Foundation will identify the purposes for which personal information is collected, used, disclosed and retained. The Foundation collects personal information for the following purposes:

- To process donations, and comply with Canada Revenue Agency requirements for gift processing;
- To thank and publicly recognize donors
- To manage our business, to protect our company assets;
- To administer the volunteer network;
- To keep our donors informed about the programs, services and activities of BC Cancer and the Foundation, including the use of their financial support; and
- To promote opportunities for donors and potential donors to support our mission.
- To build and maintain relationships

Individuals collecting personal information on behalf of the Foundation will be able to identify the purposes for which the information is being collected. If personal information is to be used for a purpose not previously identified, the Foundation will identify this purpose prior to use and provide individuals with an opportunity to opt-out of this activity.

The Foundation may acquire personal information through the purchase of mailing lists of prospective donors from other organizations. In such cases, the organization providing the list would be expected to obtain the required consent before disclosing personal information to the Foundation.

### **3. Use and Disclosure of Personal Information**

Personal information will be used and disclosed in accordance with the purposes for which it was collected.

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Personal information can be used or disclosed without the knowledge and consent of the individual:

- If the information is considered by law to be in the public domain;
- or in the investigation of a breach of an agreement or a contravention of a federal or provincial law;
- or in the case of an emergency where the life, health or security of an individual is threatened;
- or to comply with a subpoena, warrant or court order;
- or as may otherwise be required or authorized by law.

A donor may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Donors may contact the Foundation for more information regarding the implications of withdrawing consent. If consent is withdrawn, the Foundation will comply with this request; however, individuals will be made aware that implementation of their request may take a few months.

### **4. Limiting Principles**

The collection, use and disclosure of personal information will be limited to that which is necessary to meet the intended purposes identified by the Foundation.

- The Foundation will not collect, use or disclose personal information indiscriminately. Both the amount and type of information collected will be limited to the minimum amount necessary to satisfy the intended purpose for the information.
- As much as possible, personal information will be collected directly from the individual.
- The Foundation will retain personal information only as long as necessary for the fulfillment of those purposes and for legal or business purposes.
- Only Foundation employees, authorized agents or volunteers with a need to know for Foundation business purposes, or whose duties reasonably so require, are granted access to personal information about donors and prospective donors.

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### 5. Accuracy

Personal information will be as accurate, complete and up-to-date as is necessary for the identified purposes for which it is to be used.

- The Foundation will use its best efforts to ensure that information will 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.
- The Foundation will update personal information about its donors and prospective donors as and when necessary to fulfill the identified purposes or upon notification by the individual.

### 6. Safeguards

The Foundation will protect personal information by security safeguards appropriate to the sensitivity of the information.

The Foundation will protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use modification or destruction through appropriate security measures and will protect the information regardless of the format in which it is held. Care will be exercised in the disposal and destruction of personal information to prevent unauthorized parties from gaining access to it.

The Foundation will protect personal information disclosed to third parties for processing through contractual agreements which require that personal information is treated in compliance with PIPA and this Policy. Examples of third parties include mailing services and data analysis providers.

All Foundation employees, agents or volunteers with access to personal information will be made aware of the importance of maintaining the confidentiality of personal information, and will be required to respect the confidentiality of that information by signing a confidentiality agreement, participating in privacy training.

- Methods of protection include:
  1. *Physical* measures: for example, locked filing cabinet and restricted access to offices.
  2. *Organizational* measures: for example, limited access on a “need-to-know” basis
  3. *Technological* measures: for example the use of passwords, encryption and audits.

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### **7. Openness**

The Foundation will make available directly to individuals specific information about its policies and practices related to the management of personal information. This information will also be made available publicly in multiple formats.

The Foundation will make information about its policies and practices easy to understand, including provision of:

- The name or title and address of the Privacy Officer who is accountable for the Foundation's compliance with its Privacy Policy and to whom inquiries or complaints can be directed;
- The available means of gaining access to personal information held by BC Cancer Foundation;
- A description of the type of personal information held by BC Cancer Foundation, including a general account of its use.
- The types of information made available to third parties.

### **8. Individual Access**

Upon request the Foundation will inform an individual of the existence, use and disclosure of his or her personal information and will give the individual access to that information. The individual will be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

- Upon request, the Foundation will afford individuals a reasonable opportunity to review the personal information it holds. Personal information will be provided in an understandable form within a reasonable time.
- In certain situations, the Foundation may not be able to provide access to all the personal information it holds about an individual and exceptions to the access requirement will be limited and specific. These exceptions may include:
  - information containing certain references to other individuals;
  - information that cannot be disclosed for legal, security, or commercial proprietary reasons; and
  - information subject to solicitor-client or litigation privilege.

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- The Foundation will correct or amend any personal information if its accuracy and completeness is challenged and found to be deficient. Any unresolved differences as to accuracy or completeness will be noted in the individual's file.
- In order to safeguard personal information, an individual may be required to provide sufficient identification information to permit the Foundation to account for the existence, use and disclosure of personal information and to authorize access to the individual's file. Any such information received will be used only for this purpose.

### **9. Challenging Compliance**

The Foundation will maintain procedures for addressing and responding to all inquiries or complaints from individuals about its handling of personal information and will inform its donors about the existence of these procedures.

An individual will be able to challenge compliance with this policy with the Privacy Officer who will ensure the issue is properly discussed, documented and addressed as quickly as possible.

Any person accountable for compliance with the Foundation's privacy policy may seek external advice where appropriate in order to provide a final response to individual complaints. The Foundation will investigate all complaints concerning compliance with its privacy policy, and, if a complaint is found to be justified, appropriate measures will be taken, including amending policies and procedures where required. The individual will be informed of the outcome of the investigation regarding his or her complaint.

### **10. Online Privacy & Security**

#### **Credit Cards**

Credit card transactions are processed through Level 1 PCI DSS (Payment Card Industry Data Security Standard) service providers and payment gateways. The Foundation's credit card processing service providers and payment gateways are reviewed annually, or whenever a provider is changed.

#### **CASL**

The Canadian Anti-Spam Legislation, or CASL, places a variety of parameters on electronic messages that qualify as Commercial Electronic Messages, or CEM's. As a registered charity, the vast majority of electronic messages generated by the Foundation do not qualify as CEM's, however the Foundation has chosen to fully comply with the legislation to be consistent with corporate best practices. As such, we ensure our communications are consistent with the provisions outlined below:

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Express consent – When sending to those who have given express consent to receive email communications from the Foundation, we must identify the sender and include an option to unsubscribe;

Implied consent – When sending to those who have given implied consent by making a transaction or who have a relationship with the Foundation as a donor or volunteer, the Foundation may send communications for up to two years from the date of the last transaction, or the end of the relationship, as long as an option to unsubscribe is included;

Easy access to unsubscribe – Every electronic publication we send our supporters has an unsubscribe feature. Recipients may ‘opt out’ from receiving e-communications or update specific subscriptions at any time by utilizing the unsubscribe feature in any of these emails.

### **Our Website**

The Foundation may collect certain types of information electronically when you interact with our Sites, emails, social media accounts, online advertising, or through technologies such as cookies, web beacons, single pixel gifs and analytics engines.

“Cookies” are bits of information sent from a website that speed up access to web pages and allow a server to recognize that subsequent requests to a site have come from the same user. “Web beacons” and “single pixel gifs” are two of various techniques used on web pages and email to unobtrusively allow checking that a user has accessed some content for the purpose of web analytics.

### **III. POLICY VIOLATIONS**

Any individual, including Foundation employees and volunteers, who fails to comply with this policy will be subject to disciplinary actions, up to and including termination of employment or volunteer relationship. Examples of violations of this policy include, but are not limited to:

- Accessing information that is not required for job purposes
- Misusing, disclosing without proper authorization, or altering donor information
- Disclosing to another one’s password for accessing electronic records.