

Privacy Policy and Protocol

Policy Statement

The Local Community Food Centre takes the privacy of its participants, volunteers, staff and donors very seriously and is committed to protecting information pertaining to individuals.

Purpose and Scope

This privacy policy has been developed to comply with Canada's *Personal Information Protection and Electronic Documents Act* ("PIPEDA"). PIPEDA sets out rules for the collection, use and disclosure of personal information in the course of commercial activity as defined in the Act.

The ten principles of PIPEDA that form the basis of this Privacy Policy are as follows:

1. Accountability: Organizations are accountable for the personal information they collect, use, retain and disclose in the course of their commercial activities, including, but not limited to, the appointment of a Chief Privacy Officer.
2. Identifying Purposes: Organizations are to explain the purposes for which the information is being used at the time of collection and can only be used for those purposes.
3. Consent: Organizations must obtain an individual's express or implied consent when they collect, use, or disclose the individual's personal information;
4. Limiting Collection: The collection of personal information must be limited to only the amount and type that is reasonably necessary for the identified purposes.
5. Limiting Use, Disclosure and Retention: Personal information must be used for only the identified purposes, and must not be disclosed to third parties unless the Individual consents to the alternative use or disclosure.
6. Accuracy: Organizations are required to keep personal information in active files accurate and up-to-date.
7. Safeguards: Organizations are to use physical, organizational, and technological safeguards to protect personal information from unauthorized access or disclosure.

8. Openness: Organizations must inform their participants and train their employees about their privacy policies and procedures.
9. Individual Access: An individual has a right to access personal information held by an organization and to challenge its accuracy if need be.
10. Provide Recourse: Organizations are to inform participants and employees of how to bring a request for access, or complaint, to the Chief Privacy Officer, and respond promptly to a request or complaint by the individual.

Application

This Privacy Policy applies to The Local Community Food Centre's Board of Directors, and employees.

The Local Community Food Centre ensures that all third party service providers sign confidentiality agreements prior to any transfer of an individual's personal information in the course of providing services.

Responsibilities

For the purposes of this policy, the Executive Director assumes the responsibilities of Chief Privacy Officer.

Definitions

Personal Information: means any information about an identifiable individual. It includes, without limitation, information relating to identity, nationality, age, gender, address, telephone number, e-mail address, Social Insurance Number, date of birth, marital status, education, employment health history, assets, liabilities, payment records, credit records, loan records, income and information relating to personal circumstances as well as certain personal opinions or views of an Individual.

Business Information: means business name, business address and business telephone number, name of owner, officer and director, job titles, business registration numbers (GST, RST, and source deductions), financial status. Although business information is not subject to *PIPEDA*, confidentiality of business information will be treated with the same security measures by The Local Community Food Centre as is required for individual personal information under *PIPEDA*.

Participant: means any individual that takes part in The Local Community Food Centre's programs or activities.

Individual: means anyone associated in any way with The Local Community Food Centre.

File: means the information collected in the course of processing an application or registration, as well as information collected/updated to maintain service.

Expressed Consent: means the individual signs the application, or other forms containing personal information, authorizing The Local Community Food Centre to collect, use, and disclose the individual's personal information for the purposes set out in the application and/or forms.

Implied Consent: means The Local Community Food Centre may assume that the individual consents to the information being used, retained, and disclosed for the original purposes, unless notified by the individual.

Third Party: means a person or company that provides services to The Local Community Food Centre in support of the programs, benefits, and other services offered by The Local Community Food Centre, such as other service providers or persons with whom the individual or participant does business, but does *not* include any Government office or department to whom The Local Community Food Centre reports in the delivery of such programs, benefits or services.

Purposes of Collecting Personal Information

Personal information is collected in order to evaluate programs, comply with applicable laws, and ensure the needs of individuals are met. The individual is the only source of information unless they consent to third party involvement.

Only that information which is required to meet the conditions listed above will be collected.

Consent

An individual's expressed, written consent will be obtained before or at the time of collecting personal information. The purposes for the collection, use or disclosure of the personal information will be provided to the individual at the time of seeking his or her consent. Once consent is obtained from the individual to use his or her information for those purposes, The Local Community Food Centre has the individual's implied consent to collect or receive any supplementary information that is necessary to fulfil the same purposes. Expressed consent will also be obtained if, or when, a new use is identified.

By signing the application and/or other forms, implied consent is granted by the individual to obtain and/or to verify information from third parties such work references in the process of assessing the suitability of a potential employee or volunteer.

An individual can choose not to provide some or all of the personal information at any time, but if The Local Community Food Centre is unable to collect sufficient information to validate an application, the individual may be turned down.

A Participant or an individual can withdraw consent for The Local Community Food Centre's use of personal information at any time prior to the application being approved, by making such request in writing. Expressed consent will be obtained from the individual prior to disclosing the individual's personal information to third parties in each instance there is a third party request for information.

This Privacy Policy does not cover statistical data from which the identity of individuals cannot be determined. The Local Community Food Centre retains the right to use and disclose statistical data as it determines appropriate.

Limiting Collection

Personal information collected will be limited to the purposes set out in this Privacy Policy, The Local Community Food Centre applications, and/or other forms.

Use of Personal Information

Personal information will be used for only those purposes to which the individual has consented with the following exceptions, as permitted under *PIPEDA*:

The Local Community Food Centre will use personal information *without* the individual's consent, where:

- the organization 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;
- an emergency exists that threatens an individual's life, health or security;
- the information is for statistical study or research;
- the information is publicly available;
- the use is clearly in the individual's interest, and consent is not available in a timely way;
- knowledge and consent would compromise the availability or accuracy of the information, and;
- collection is required to investigate a breach of an agreement.

Disclosure and Transfer of Personal Information

Personal information will be disclosed to only those Local Community Food Centre employees, members of The Local Community Food Centre committees, and the Board of Directors that need to know the information for the purposes of their work.

Personal information will be disclosed to third parties *only with* the individual's knowledge and consent.

PIPEDA permits The Local Community Food Centre to *disclose* personal information to third parties, *without* an individual's knowledge and consent, to:

- a lawyer representing The Local Community Food Centre;
- comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;
- a law enforcement agency in the process of a civil or criminal investigation;
- a government agency or department requesting the information; or,
- as required by law.

PIPEDA permits The Local Community Food Centre to *transfer* personal information to a third party, *without* the individual's knowledge or consent, if the transfer is simply for processing purposes and the third party only uses the information for the purposes for which it was transferred. The Local Community Food Centre will ensure by contractual or other means that the third party protects the information and uses it only for the purposes for which it was transferred.

Retention of Personal Information

Personal information will be retained in files as long as the file is active and for such periods of time as may be prescribed by applicable laws and regulations. Information contained in an inactive file will be retained for a period of (7) years.

Accuracy

The Local Community Food Centre endeavours to ensure that any personal information provided by the individual in his or her active file(s) is accurate, current and complete as is necessary to fulfill the purposes for which the information has been collected, used, retained and disclosed. Individuals are requested to notify The Local Community Food Centre of any change in personal or business information.

Information contained in inactive files is not updated.

Safeguards

The Local Community Food Centre will use physical, organizational, and technological measures to safeguard personal information for the purposes set out in this Privacy Policy.

Organizational Safeguards: Access to personal information will be limited to those who need it for the purposes of the day to day business of The Local Community Food Centre. Personal information provided to members of The Local Community Food Centre committee(s) will be limited to only that information required to carry out the mandate of that committee. Members of The Local Community Food Centre committee(s) and/or Board of Directors are not permitted to copy or retain any personal information on individuals or participants and must return for destruction all such information given to them to review once the purpose for being provided with this information has been fulfilled.

Employees and members of The Local Community Food Centre committee(s) and/or Board of Directors are required to sign an Oath of Confidentiality binding them to maintaining the confidentiality of all personal information to which they have access.

Physical Safeguards: Active files are stored in locked filing cabinets when not in use. Access to work areas where active files may be in use is restricted to The Local Community Food Centre employees only and authorized third parties.

All inactive files or personal information no longer required are shredded prior to disposal to prevent inadvertent disclosure to unauthorized persons.

Technological Safeguards: Personal information contained in The Local Community Food Centre's computers and electronic databases are password protected. Access to any of The Local Community Food Centre computers also is password protected. The Local Community Food Centre's internet router or server has firewall protection sufficient to protect personal and confidential business information against virus attacks and "sniffer" software arising from internet activity.

Openness

The Local Community Food Centre will endeavour to make its privacy policies and procedures known to the individual via this Privacy Policy. This document will also be available on The Local Community Food Centre's website: www.thelocalcfc.org

Individual Access

An Individual who wishes to review or verify what personal information is held by The Local Community Food Centre, or to whom the information has been disclosed (as permitted by the *Act*), may make the request for access, in writing, to the Executive Director. Upon verification of the individual's identity, the Executive Director will respond within 10 days.

If the individual finds that the information held by The Local Community Food Centre is inaccurate or incomplete, upon the individual providing documentary evidence to verify the correct information, The Local Community Food Centre will make the required changes to the individual's active file(s) promptly.

Complaints/Recourse

If an individual has a concern about The Local Community Food Centre's personal information handling practises, a complaint, in writing, may be directed to the Executive Director. Upon verification of the individual's identity, the Executive Director will act promptly to investigate the complaint and provide a written report of the investigation's findings to the individual.

Where the Executive Director makes a determination that the individual's complaint is well founded, the Executive Director will take the necessary steps to correct the offending information handling practise and/or revise The Local Community Food Centre's privacy policies and procedures.

Where the Executive Director determines that the individual's complaint is *not* well founded, the individual will be notified in writing.