

Forest Heights Community Association (FHCA)
Privacy Policy

SCOPE AND APPLICATION

This Privacy Policy contains ten principles that are observed by FHCA regarding the collection, use and disclosure of personal information. Each principle must be read in conjunction with the accompanying commentary. The commentary in the Policy has been tailored to reflect personal information issues specific to FHCA. The scope and application of the Policy are as follows:

- ❑ The Policy applies to personal information about FHCA's members and other individuals that is collected, used or disclosed by FHCA.
- ❑ The Policy does not apply to information about FHCA's employees. Such information is protected by other FHCA policies and practices.
- ❑ This Policy is subject to change and may be supplemented or modified by additional terms applicable between FHCA and an individual.

Principle 1 – Accountability

FHCA is responsible for personal information under its control and shall designate one or more persons who are accountable for FHCA's compliance with the following:

- 1.1 FHCA shall designate a Chief Privacy Officer to be accountable for compliance with the Policy. The Chief Privacy Officer is entitled to delegate the responsibility for administration of this Policy and related policies and practices to other members of FHCA with the approval of the Board.
- 1.2 FHCA is responsible for personal information in its possession or under its control. FHCA shall use appropriate means to protect personal information while information is being processed by a third party on behalf of FHCA (see Principle 7).
- 1.3 FHCA shall implement policies and procedures to give effect to the Policy, including implementing procedures to protect personal information, to receive and respond to inquiries or complaints and to oversee FHCA's compliance with this Policy.

Principle 2 – Identifying Purposes for Collection of Personal Information

FHCA shall identify and document the purposes for which personal information is collected at or 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.

Principle 2 – Identifying Purposes for Collection of Personal Information cont'd

- 2.1 FHCA collects personal information for the following purposes:
- a) to establish and maintain a responsible relationship with members;
 - b) to register FHCA participants at FHCA events;
 - c) for purposes identified to individuals or purposes obvious to individuals, in respect of particular collections of personal information;
 - d) to meet legal and regulatory requirements;
 - e) to manage and develop FHCA's operations.

Further references to "identified purposes" mean the purposes identified in this Purpose.

- 2.2 FHCA shall, as appropriate, specify orally, electronically or in writing the identified purposes to the individual at or before the time personal information is collected. Upon request, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person within FHCA who shall explain the purposes.

Principle 3 – Consent

The knowledge and consent of an individual are generally required for the collection, use or disclosure of personal information. In certain circumstances personal information can be collected, used, or disclosed without the knowledge and consent of the individual, such as in the case of an emergency where the life, health, or security of an individual is threatened. FHCA may disclose personal information without knowledge or consent to a lawyer or other advisor representing FHCA, to collect a debt, to comply with a subpoena, warrant, or other court order, or as may be otherwise required or authorized by law.

- 3.1 In obtaining consent, FHCA shall use reasonable efforts to ensure that an individual is advised of the identified purposes for which personal information will be used or disclosed.
- 3.2 Generally, FHCA shall seek consent to use and disclose personal information at the same time it collects the information. However, FHCA may seek consent to use and disclose personal information after it has been collected, but before it is used or disclosed for a new purpose.
- 3.3 FHCA will require individuals to consent to the collection, use or disclosure of personal information as a condition of the supply of a product or service only if such collection, use or disclosure is reasonably required to fulfill the identified purposes.

Principle 3 – Consent cont'd

- 3.4 In determining the appropriate form of consent, FHCA shall take into account the sensitivity of the personal information and the reasonable expectations of the individual.
- 3.5 Where consent is required for a particular use or disclosure, an individual may withdraw consent at any time before such particular use or disclosure has been made, subject to legal or contractual restrictions and reasonable notice. Individuals may contact FHCA for more information regarding the implications of withdrawing consent in particular instances.

Principle 4 – Limiting Collection of Personal Information

FHCA shall limit the collection of personal information to that which is necessary for the purposes identified by FHCA and as permitted by law.

- 4.1 FHCA collects personal information primarily from the individual to whom the information relates.

Principle 5 – Limiting Use, Disclosure and Retention of Person Information

FHCA shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. FHCA shall retain personal information only as long as necessary for the fulfillment of those purposes or as required or permitted by law.

- 5.1 FHCA may disclose an individual's personal information to:
- a) a person who in the reasonable judgement of FHCA is seeking the information as an agent of the individual;
 - b) a company or individual employed by FHCA to perform functions on its behalf, such as but not limited to research or data processing;
 - c) a public authority or agent of a public authority, if in the reasonable judgement of FHCA, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the information
 - d) a third party or parties, where the individual consents to such disclosure or disclosure is required or permitted by law.
- 5.2 Only FHCA employees with a business need to know, or whose duties reasonably so require, are granted access to personal information about individuals.

Principle 5 – Limiting Use, Disclosure and Retention of Person Information cont'd

- 5.3 Depending on the circumstances, where personal information has been used to make a decision about an individual, FHCA shall retain, for a reasonable period of time, either the actual information or the rationale for making the decision.
- 5.4 FHCA shall maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction which apply to personal information that is no longer necessary or relevant for the identified purposes or required or permitted by law to be retained. Such information shall be destroyed, erased or made anonymous.

Principle 6 – Accuracy

FHCA shall take steps to ensure that personal information is as accurate, complete and up-to-date as is appropriate for its purposes

- 6.1 Personal information used by FHCA 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.
- 6.2 FHCA shall update personal information about individuals as and when reasonably necessary to fulfill the identified purposes or as reasonably requested by the individual.

Principle 7 – Security Safeguards

FHCA shall protect personal information by security safeguards appropriate to the sensitivity of the information.

- 7.1 FHCA shall establish appropriate safeguards to protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction. Employees shall be made aware of the importance of maintaining the confidentiality of personal information.
- 7.2 FHCA shall establish appropriate safeguards to protect personal information disclosed to third parties, for example by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.

Principle 8 – Openness

FHCA shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.

- 8.1 Copies of the Policy will be made available upon request.
- 8.2 FHCA shall make information about its policies and procedures easy to understand, including:
 - a) the title and addresses of the person or persons accountable for FHCA's compliance with the Policy and to whom inquiries or complaints can be forwarded
 - b) the means of gaining access to personal information held by FHCA; and
 - c) a description of the type of personal information held by FHCA, including a general account of its use.

Principle 9 – Individual Access

Upon request, FHCA shall inform an individual of the existence, use and disclosure of his or her personal information, at a minimal or no cost to the individual. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

- 9.1 In certain situations, FHCA may not be able to provide access to all the personal information that it holds about an individual. For example, FHCA may not provide access to information if doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of an individual. Also, FHCA may not provide access to information if disclosure would reveal confidential information, if the information is protected by solicitor-client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a law. If access to personal information cannot be provided, FHCA, may upon request, provide the reasons for denying access.
- 9.2 In order to safeguard personal information, an individual may be required to provide sufficient identification information to permit FHCA to authorize access to the individual's file.
- 9.3 Individuals can seek access to their personal information by contacting a designated representative at FHCA.
- 9.4 FHCA will endeavour to respond to all requests within 30 days of receiving a written request complete with sufficient information to permit FHCA to investigate and provide an account of the existence, use and disclosure of personal information.

Principle 10 – Handling Inquiries and Challenges

An individual shall be able to address a challenge concerning compliance with the above principles to the designated person accountable for FHCA's compliance with the Policy.

- 10.1 FHCA shall maintain procedures for addressing and responding to all inquiries or complaints from individuals about FHCA's handling of personal information.
- 10.2 The person accountable for compliance with this Policy may seek external advice where appropriate before providing a final response to individual complaints.