

# KELOWNA VISUAL AND PERFORMING ARTS CENTRE SOCIETY (the “Society”)

## Personal Information Protection Policy

This Personal Information Protection Policy (“**Policy**”), in compliance with the *Personal Information Protection Act* (“**PIPA**”), outlines the principles and procedures the Society will follow in protecting our stakeholders’, including our patrons’, members, employees’ and volunteers’ personal information. Our privacy commitment includes ensuring the accuracy, confidentiality, and security of personal information and allowing access to, and correction of, the personal information we collect.

### Scope

This Policy applies to the Society, its board of directors, employees and volunteers.

### Definitions

**Personal Information** – means information about an identifiable individual and includes employee personal information, but does not include contact information or work product information.

**Employee Personal Information** – means 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.

Employee Personal Information is subject to different treatment under PIPA and under this Policy.

**Employee** – includes a volunteer.

**Contact Information** – means information that would enable an individual to be contacted at a place of business and includes name, position or title, business telephone number, business address, business email or business fax number.

**Work Product Information** – means information prepared or collected by an individual or group of individuals as part of the individual’s or group’s responsibilities or activities related to the individual’s or group’s employment or business but does not include personal information about an individual who did not prepare or collect the personal information.

**Privacy Officer** – means the individual with the responsibility for ensuring that the Society complies with this Policy and PIPA.

### Policies and Procedures

#### 1. Collecting Personal Information

1.1 Unless the purposes for collecting personal information are obvious and the individual voluntarily provides his or her personal information for those purposes, the Society will communicate the purposes for which the

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personal information is being collected, either orally or in writing, before or at the time of collection.

- 1.2 We may collect personal information for a number of purposes, including:
- To verify identity;
  - To verify creditworthiness;
  - To identify preferences;
  - To deliver requested products and services
  - To enrol the patron or member in a program;
  - To send out association membership information;
  - To contact our patrons, donors and members for fundraising;
  - To ensure a high standard of service;
  - To meet regulatory requirements;
  - To assess suitability for tenancy; and
  - To collect and process rent payments.

## 2. Consent to Collect Personal Information

- 2.1 Except where authorized under PIPA to do so without consent, we will obtain an individual's consent to collect, use and disclose personal information.
- 2.2 Consent can be provided orally, in writing, electronically, or it can be implied where the purpose for collecting using or disclosing the personal information would be considered obvious and the patron or member provides personal information for that purpose.
- 2.3 Consent may also be implied where a patron or member is given notice and a reasonable opportunity to opt-out of his or her personal information being used for purposes such as mail-outs, the marketing of new services or products, fundraising and the patron or member does not opt-out.
- 2.4 Subject to certain exceptions (e.g., the personal information is necessary to provide the service or product, or the withdrawal of consent would frustrate the performance of a legal obligation), individuals can withhold or withdraw their consent for the Society to use their personal information in certain ways. An individual's decision to withhold or withdraw their consent to certain uses of personal information may restrict our ability to provide a particular service or product. If so, we will explain the situation to assist the individual in making the decision.
- 2.5 In limited circumstances, the Society may collect, use or disclose personal information without knowledge or consent in accordance with *PIPA*, which includes in the following circumstances:
- the collection, use or disclosure of personal information is permitted or required by law;

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- in an emergency that threatens an individual's life, health, or personal security;
- the personal information is available from a public source (e.g., a telephone directory);
- when we require legal advice from a lawyer;
- for the purposes of collecting a debt;
- to protect ourselves from fraud; or
- to investigate an anticipated breach of an agreement or a contravention of law.

### **3. Using and Disclosing Personal Information**

- 3.1 We will only use or disclose personal information where necessary to fulfill the purposes identified at the time of collection or for a purpose reasonably related to those purposes, such as:
- to conduct surveys in order to enhance the provision of our services; and
  - to contact our patrons, donors and members directly about products, services and fundraising activities that may be of interest.
- 3.2 We will not use or disclose personal information for any additional purpose unless we obtain consent to do so.
- 3.3 We will not sell lists of personal information to third parties unless we have consent to do so.

### **4. Collecting, Using and Disclosing Employee Personal Information**

- 4.1 In the case of Employee Personal Information, subject to PIPA's notice requirements, Society may collect, use or disclose employee personal information without consent if it is reasonable for the purposes of establishing, managing or ending the employment relationship.

### **5. Retaining Personal Information**

- 5.1 If we use personal information to make a decision that directly affects the individual we will retain that personal information for at least one year so that the individual has a reasonable opportunity to request access to it.
- 5.2 Subject to policy 5.1, we will retain personal information only as long as necessary to fulfill the identified purposes or a legal or business purpose.

### **6. Ensuring Accuracy of Personal Information**

- 6.1 We will make reasonable efforts to ensure that personal information is accurate and complete.
- 6.2 Individuals may request correction to their personal information in order to ensure its accuracy and completeness. A request to correct personal

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information must be made in writing and provide sufficient detail to identify the personal information and the correction being sought. A request to correct personal information should be forwarded to our Privacy Officer.

- 6.3 If the personal information is demonstrated to be inaccurate or incomplete, we will correct the information as required and send the corrected information to any organization to which we disclosed the personal information in the previous year. If the correction is not made, we will note the correction request on the file.

### **7. Securing Personal Information**

- 7.1 We are committed to making reasonable and appropriate efforts to ensure the security of personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification, disposal or similar risks.
- 7.2 We will follow appropriate security measures to ensure that personal information is appropriately protected, which may include:
- the use of locked filing cabinets;
  - physically securing offices where personal information is held;
  - the use of user IDs, passwords, encryption, firewalls;
  - restricting employee access to personal information as appropriate (i.e., only those that need to know will have access; and
  - contractually requiring any service providers to provide comparable security measures.
- 7.3 We will use appropriate security measures when destroying personal information such as shredding documents, and deleting electronically stored information.
- 7.4 We will continually review and update our security policies and controls as technology changes to ensure ongoing personal information security.

### **8. Providing Access to Personal Information**

- 8.1 Individuals have a right to access their personal information, subject to limited exceptions set out in PIPA.
- 8.2 A request to access personal information must be made in writing and provide sufficient detail to identify the personal information being sought. A request to access personal information should be forwarded to our Privacy Officer.
- 8.3 If requested, we will also advise the individual how we use their personal information and to whom it has been disclosed if applicable.

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- 8.4 We will make the requested information available within 30 business days (as defined in PIPA), or provide written notice of an extension where additional time is needed to fulfill the request.
- 8.5 A minimal fee may be charged for providing access to personal information. Where a fee may apply, we will inform the individual of the cost and request further direction from the individual on whether or not we should proceed with all or part of the request. We will not charge a fee respecting a request by an individual for his or her Employee Personal Information.
- 8.6 If a request is refused in full or in part, we will notify the individual in writing, providing the reasons for refusal and the recourse available.

### **9. Questions and Complaints: The Role of the Privacy Officer or designated individual**

- 9.1 The Privacy Officer is responsible for ensuring the Society's compliance with this Policy and *PIPA*.
- 9.2 Please direct any complaints, concerns or questions regarding our compliance in writing to the Privacy Officer. If the Privacy Officer is unable to resolve the concern, you may also write to the Information and Privacy Commissioner of British Columbia.

Contact information for the Society's Privacy Officer:

Patrick LeBlanc, General Manager  
Rotary Centre for the Arts  
421 Cawston Avenue, Kelowna BC V1Y 6Z1  
Phone: 250-717-5304 ext.109 Fax: 250-717-5314  
[GM@rotarycentreforthearts.com](mailto:GM@rotarycentreforthearts.com)  
[www.RotaryCentrefortheArts.com](http://www.RotaryCentrefortheArts.com)

### **10. Review**

- 10.1 This Policy will be reviewed by the Board of Directors every two years.

Last Updated April 2016