



ROWING BRITISH COLUMBIA

PRIVACY POLICY

Policy Title	Privacy Policy
Effective Date	January 2022
Date Last Reviewed	March 2024
Scheduled Review Date	March 2027
Replaces and/or Amends	
Approved By and Date	Rowing BC Board of Directors, March 27, 2024
Appendices to the Policy	None

ARTICLE 1: GENERAL

1.1 Definitions – The following terms have these meanings in this Policy:

- a) “Acts” means the BC *Personal Information Protection Act* (“PIPA”) and the federal *Personal Information Protection and Electronic Document Act* (“PIPEDA”).
- b) “Business Contact Information” means information that would enable an individual at a place of business to be contacted and includes an individual’s name, position name or title, business telephone number, business address, business email, or business fax number.
- c) “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.
- d) “Individual” means an individual employed by or engaged in activities with Rowing BC including, but not limited to, an athlete, athlete’s parent, coach, Rowing BC employee, contractor, umpire, official, volunteer, coordinator, donor, Rowing BC committee member, Rowing BC board member, and an individual affiliated with a Member Club (including a Member Club employee, officer, and board member).

- e) “Member Club” means a rowing club or other association that meets the material and application requirements of membership as set out in the Rowing BC bylaws.
 - f) “Organization” includes an association, a partnership, a person, an unincorporated association, a trust, a not for profit organization, a trade union and a corporation.
 - g) “Personal Information” means identifying information about an individual including but not limited to phone number, home address, age, gender, income, ethnic background, family status, health, and performance. Personal Information does not include Business Contact Information.
 - h) “Privacy Officer” means the individual designated responsible for ensuring that Rowing BC complies with this Policy and the Acts.
 - i) “Representative” means an individual employed by, or engaged in activities on behalf of, Rowing BC including, but not limited to, a coach, employee, contractor, umpire, official, volunteer, committee member, and board member of Rowing BC.
- 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 rights of privacy of Individuals with respect to their Personal Information and the need of Rowing BC to collect, use or disclose Personal Information.
- 1.3 Application – This Policy applies to all Individuals in connection with Personal Information that is collected, used, or disclosed by Rowing BC.
- 1.4 Primacy – To the extent that provisions in this Policy are inconsistent with PIPA, PIPA’s requirements and provisions shall govern.
- 1.5 Additional Obligations – In addition to fulfilling all requirements of the Acts, Rowing BC will also fulfill the additional requirements of this Policy. Rowing BC and its Representatives will not:
- a) disclose Personal Information to a third party during any business, transaction, or other interest unless such business, transaction, or other interest is consented to in accordance with this Policy;
 - b) knowingly place themselves in a position where they are under obligation to any organization to disclose Personal Information;
 - c) in the performance of their duties with Rowing BC, disclose Personal Information to family members, friends or colleagues outside of Rowing BC, or to organizations in which their family members, friends or colleagues outside of Rowing BC have an interest;
 - d) derive personal benefit from Personal Information that they have acquired during the course of fulfilling their duties with Rowing BC; or
 - 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.

ARTICLE 2: ACCOUNTABILITY

2.1 Privacy Officer – The Privacy Officer (or other designated individual) is responsible for implementing this Policy and the Acts, monitoring information collection and data security, handling Personal Information access requests and complaints, and ensuring that all staff receive appropriate training on privacy issues and their responsibilities.

The Privacy Officer (or other designated individual) may be contacted at the following address:

Rowing BC (attn: Privacy Officer)
Suite 100, 4636 Elk Lake Drive
Saanich, BC, V8Z 5M1
Telephone: (604) 273-4769
PrivacyOfficer@rowingbc.ca

2.2 Duties – The Privacy Officer will be responsible for:

- a) implementing procedures to protect Personal Information;
- b) establishing procedures to receive and respond to complaints and inquiries;
- c) recording all persons having access to Personal Information;
- d) ensuring any third party service providers abide by this Policy; and
- e) training and communicating to staff information about Rowing BC's Privacy Policy and practices.

2.3 Public Notification – Rowing BC will make available to the public:

- a) the contact information for the Privacy Officer;
- b) the position name or title of any Representatives to whom the Privacy Officer has delegated any of their duties; and
- c) the contact information for any Representatives identified in (b) above.

ARTICLE 3: COLLECTION

3.1 Notification of Purpose - Unless the purposes for collecting Personal Information are reasonably obvious and the Individual voluntarily provides Personal Information for those purposes, Rowing BC will communicate the purposes for which Personal Information is being collected, either orally or in writing, before or at the time of collection.

3.2 Purposes – Personal Information may be collected from Individuals and prospective Individuals and will only be used or disclosed for the following purposes.

Communications

- a) Communications in the form of e-news or a newsletter with content relating to Rowing BC programs, events, fundraising, activities, discipline, appeals, and other pertinent information.

- b) Articles, media relations and postings on Rowing BC's website, social media channels, displays or posters.
- c) Award nominations and biographies.
- d) Discipline results and long term suspension list.

Registration, Database Entry, Monitoring, and Training

- e) Program, event and activity registration.
- f) Coach selection and verification and confirmation of coaching certification and qualifications.
- g) Verification of officiating certification and qualifications.
- h) Determination of eligibility, age group, and appropriate level of play/competition.
- i) Performance monitoring and athlete selection.
- j) Verification of residency status.

Sales, Promotions and Merchandising

- k) Purchasing equipment, coaching manuals, resources and other products.
- l) Promotion and sale of merchandise.

General

- m) Travel arrangement and administration.
- n) Implementation of screening program.
- o) Medical emergency, emergency contacts, or reports relating to medical or emergency issues.
- p) Determination of membership demographics and program wants and needs.
- q) Video recording and photography at regattas or similar events that are open to the public for promotional use, marketing and advertising by Rowing BC.
- r) Payroll, honorariums, company insurance and health plans.

- 3.3 Purposes not identified – Rowing BC will seek and document consent from Individuals when Personal Information is used or disclosed for a purpose not previously identified.

ARTICLE 4: CONSENT

4.1 Consent - At the time of the collection of Personal Information and prior to the use or disclosure of the Personal Information, Rowing BC will seek an Individual's consent to collect, use, and disclose the Individual's Personal Information, except in the circumstances set out in Articles 4.6, 4.7, 4.8.

4.2 Implied consent - By providing personal information to Rowing BC, Individuals and prospective Individuals are implying their consent to the use of that Personal Information for the purposes identified in this Policy.

- 4.3 Requirement – Rowing BC will not, as a condition of a product or service, require Individuals to consent to the collection, use or disclosure of Personal Information beyond that required to fulfill the specified purpose.
- 4.4 Withdrawal – A Individual may withdraw consent in writing, at any time, subject to legal or contractual restrictions. Rowing BC will inform the Individual of the implications of withdrawing consent.
- 4.5 Legal Guardians – Consent cannot be obtained from Individuals who are minors, seriously ill, or mentally incapacitated, in which cases consent shall be obtained from a parent, legal guardian or person having full power of attorney.
- 4.6 Deemed Consent – A Individual is deemed to consent to the collection, use, disclosure of Personal Information for the purpose of the Individual’s enrollment and coverage under an insurance, pension, benefit or similar plan if the Individual is a beneficiary or has an interest as an insured under the plan.
- 4.7 Exception for Collection, Use or Disclosure – Rowing BC may collect, use, or disclose Personal Information, without consent, if:
- a) such collection, use or disclosure complies with the following criteria:
 - i) Rowing BC provides the Individual with notice that it intends to collect, use or disclose the Individual’s Personal Information;
 - ii) Rowing BC gives the Individual a reasonable opportunity to decline the collection, use or disclosure of their Personal Information and the Individual does not decline; and
 - iii) the collection, use or disclosure is reasonable having regard to the sensitivity of the Personal Information in the circumstances.
 - b) the Personal Information is collected by observation at a regatta or similar event at which the Individual voluntarily appears and that is open to the public;
 - c) the collection is necessary to determine the Individual’s suitability to receive an honour or award,
 - d) the collection is necessary to determine the Individual’s suitability to be selected for an athletic purpose;
 - e) the information is collected from or on behalf of another organization:
 - i) the Individual consented to the use of the Personal Information by the other organization, and
 - ii) the Personal Information is used by Rowing BC solely for the purposes for which the information was previously collected and assists Rowing BC to carry out work on behalf of the other organization; or
 - f) otherwise authorized or required by law.

- 4.8 Employee Information Exception – Rowing BC may use, collect or disclose Employee Personal Information without consent if it is reasonable for the purposes of establishing, managing or terminating an employment relationship between Rowing BC and an employee.
- 4.9 Employee Notification – Rowing BC must notify an employee if their Employee Personal Information will be collected, used or disclosed, and the purposes, before it can collect, use or disclose employee personal information without the consent of the employee.

ARTICLE 5: ACCURACY AND RETENTION

- 5.1 Accuracy - Rowing BC will take reasonable measures to ensure that an Individual's Personal Information is accurate, complete, and up-to-date where it may be used to make a decision about that Individual or disclosed to another organization.
- 5.2 Amendment – An Individual may request correction to their Personal Information in order to ensure its accuracy and completeness. A request to correct Personal Information must be made in writing to the Privacy Officer and provide sufficient detail to identify the Personal Information and the correction sought.
- 5.3 Retention - Rowing BC will retain Personal information as long as reasonably necessary to fulfill the purposes identified in this Policy or other business or legal purpose.
- 5.4 Theft - To protect Personal Information against loss or theft, unauthorized access, disclosure, copying, use, or modification, Rowing BC will implement and follow security safeguards appropriate to the sensitivity of the Personal Information.
- 5.5 Decisions - Rowing BC will retain Personal Information that has been used to make a decision about an Individual for a minimum of one year from the date that the decision is made. After one year, Rowing BC will securely destroy or anonymize the Individual's Personal Information once it is no longer necessary to fulfill the purposes identified in this Policy or any other business or legal purpose.

ARTICLE 6: OPENNESS

- 6.1 Information – The following information will be made available to any Individual upon request:
- a) the name or title and the address of Rowing BC's Privacy Officer, to whom complaints or inquiries can be forwarded;

- b) the means of gaining access to that Individual's Personal Information held by Rowing BC;
- c) a description of the type of Personal Information held by Rowing BC, including a general account of its use;
- d) a copy of any information that explains Rowing BC's policies, standards, or codes; and
- e) the names of any third parties to whom Personal Information is made available.

ARTICLE 7: ACCESS

- 7.1 Access - Upon written request, and with assistance from Rowing BC, an Individual will be informed of the existence, use and disclosure of their Personal Information and will be given access to that information. As well, an Individual 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 Response - Requested information will be disclosed to the Individual within 30 days of receipt of the written request at no cost to the Individual, or at nominal cost incurred by Rowing BC, unless there are reasonable grounds to extend the time limit.
- 7.3 Denial - An Individual may be denied access to their Personal Information if:
- a) This information is prohibitively costly to provide and the Individual has not agreed in writing to pay the cost of providing that information;
 - b) The information contains references to other individuals or Individuals;
 - c) The information cannot be disclosed for legal, security or commercial proprietary purposes;
 - d) The information is subject to solicitor-client or litigation privilege. This section does not apply to employee personal information.
- 7.4 Reasons - Upon refusal, Rowing BC will inform the Individual of the reasons for the refusal and the associated provisions of the Acts.
- 7.5 Identity - Sufficient information will be required to confirm an individual's identity prior to providing that Individual an account of the existence, use, and disclosure of personal information.

ARTICLE 8: CHALLENGING COMPLIANCE

- 8.1 Challenges - A Representative will be able to challenge compliance with this Policy and the Acts to Rowing BC's Privacy Officer by submitting a written complaint to the Privacy Officer. The complaint must:

- a) Identify the acts, omissions, or policies at issue;
- b) Include a description of the reason for the complaint with sufficient particularity that the Privacy Officer can address the complaint;
- c) Include the identity and contact information of all interested and affected parties known to the complainant; and
- d) If the complaint concerns a specific act or omission, it must be made within 30 days of that act or omission.

8.2 Procedures – Upon receipt of a complaint under s. 8.1, the Privacy Officer will:

- a) record the date the complaint is received;
- b) acknowledge receipt of the complaint by way of telephone conversation, or barring that, a written reply, and clarify the nature of the complaint within seven days of receipt of the complaint;
- c) attempt to informally resolve the complaint in a neutral, unbiased manner;
- d) if unresolved, appoint an investigator using Rowing BC's personnel or an independent investigator, at the Privacy Officer's sole discretion, who will:
 - i) have the skills necessary to conduct a fair and impartial investigation;
 - ii) have unfettered access to all relevant files and personnel; and
 - iii) submit a written report to Rowing BC upon completion of the investigation and within 60 days of receipt of the complaint.
- e) notify the complainant the outcome of the investigation and any relevant steps taken to address the complaint, including any amendments to policies and procedures.

8.3 If unsatisfied with Rowing BC's compliance with this Policy or PIPA, an Individual may contact the British Columbia Information and Privacy Commissioner at www.oipc.bc.ca.