



## RUGBY ONTARIO PRIVACY POLICY

### 1. Purpose

To govern the collection, use, protection, disclosure and disposal of personal information by Rugby Ontario in a manner that complies with the Personal Information Protection and Electronic Documents Act (PIPEDA).

### 2. Application

This Policy applies to all Registered Participants, Rugby Organizations, Rugby Ontario employees and contractors, volunteers and other decision makers within Rugby Ontario.

### 3. Definition

Personal information is any information about an identifiable individual other than business information (e.g. an employee's name, title, address and telephone number) which is not protected under PIPEDA.

### 4. Accountability

4.1 The Chief Executive Officer is responsible for appointing a suitably qualified individual to be Rugby Ontario's Privacy Officer.

4.2 The Privacy Officer is responsible for:

- a) Establishing procedures to protect personal information; and to receive and respond to complaints, inquiries and information requests in a timely and effective manner;
- b) Ensuring that Rugby Ontario employees understand and can competently implement their responsibilities under this Policy; and
- c) Providing explanatory information on this Policy and related procedures to all individuals to which this Policy applies, as identified in paragraph 2 above, and the public.
- d) Conducting an annual review of the Policy's application and recommending changes to ensure the protection of personal information and compliance with PIPEDA.

4.3 Except as provided in PIPEDA, the Board of Directors of Rugby Ontario will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

## 5. Personal Information Requests (with reasons)

Personal information that may be collected by Rugby Ontario from registered participants, Rugby Organizations and volunteers include, but are not limited to, the following:

- a) Name, address, phone number, cell phone number, first language, fax number and e-mail address - to receive information from Rugby Ontario.
- b) Nationality – to provide Sport Canada with requested information.
- c) NCCP number, education, resumes and experience for database entry at the Coaching Association of Canada - to determine level of certification and coaching qualifications.
- d) Credit card information - to register, for events or to purchase equipment, publications and other resources.
- e) Date of birth - to determine age group division for players.
- f) Banking information, social insurance number, criminal records check, resume, and beneficiaries – to meet Rugby Ontario’s payroll, insurance and health plan requirements.
- g) Health information including provincial health card numbers, allergies, emergency contact and past medical history - to use in the case of a medical emergency.
- h) Passport and frequent flyer numbers – to meet travel requirements.
- i) Athlete information including height, weight, mass and body fat index, dietary supplements taken, uniform size, shoe size, feedback from coaches and trainers, performance results and biography information – to use for talent identification, monitoring physical response to training, award selection, required registration forms, outfitting uniforms, media relations, publishing results and components of selection.
- j) Athlete whereabouts information including sport/discipline, training times and venues, training camp dates and locations, travel plans, competition schedule, and disability, if applicable - to meet Canadian Centre for Ethics in Sport inquiries for out-of-competition doping testing.
- k) Marketing information including attitudinal and demographic data - to determine membership demographic structure, and program wants and needs.

If a purpose has not been identified above, Rugby Ontario will seek the prior consent of individuals to use personal information for a reason not already consented to.

## 6. Consent

**6.1** Rugby Ontario will obtain consent by lawful means and without deception from individuals at the time of collection prior to the use or disclosure of this information. If, for any reason, consent was not obtained upon receipt of the information, consent will



be obtained prior to its use or disclosure.

**6.2** Rugby Ontario will not require an individual to consent to the collection, use or disclosure of information beyond that required to fulfill the specified purpose. However, by providing requested information to Rugby Ontario, individuals are consenting to its use and disclosure.

**6.3** Consent may be written, oral or implied. In determining the form of consent to use, Rugby Ontario will take into account the sensitivity of the information, as well as the individual's reasonable expectations. Individuals may consent to the collection and specified used of personal information by:

- a) Completing and signing an application form;
- b) Checking a check-off box;
- c) Providing written consent either physically or electronically; or
- d) Consenting orally in person or over the phone.

**6.4** An individual may withdraw consent to the collection, use or disclosure of personal information at any time, subject to legal or contractual restrictions, provided that the individual gives notice of no greater than five (5) business days of such withdrawal to the Rugby Ontario Office. The Privacy Officer will notify the individual of the implications of such withdrawal.

**6.5** Consent will not be obtained from individuals who are minors, seriously ill or mentally incapacitated. Such consent will be obtained from a parent, legal guardian or person having power of attorney.

**6.6** Rugby Ontario may only **collect** personal information without consent where reasonable to do so or where permitted by law, as indicated below:

- a) It is clearly in the individual's interests and consent is not available in a timely way;
- b) Knowledge and consent would compromise the availability or accuracy of the information, and collection is required to investigate a breach of an agreement or contravention of a federal or provincial law; or
- c) The information is for journalistic, artistic or literary purposes; or publicly available as specified in PIPEDA.

**6.7** Rugby Ontario may only **use and disclose** personal information without the individual's

knowledge or consent if:

- a) There are reasonable grounds to believe that the information could be useful when investigating a contravention of a federal, provincial or foreign law;
- b) An emergency threatens an individual's life, health or security;

- c) It is used for statistical or scholarly study or research;
- d) It is publicly available as specified in PIPEDA;
- e) The use is clearly in the individual's interest and consent is not available in a timely way; or
- f) Knowledge and consent would compromise the availability or accuracy of the information and collection was required to investigate a breach of an agreement or contravention of a federal or provincial law.

## **7. Limiting Use, Disclosure and Retention**

**7.1** Personal information will not be used or disclosed for purposes other than those for which it was collected except:

- a) With the consent of the individual;
- b) Where a government agency has asserted its legal authority to obtain the information;
- c) Where Rugby Ontario has reasonable grounds to believe that the information could be useful in investigating an unlawful activity;
- d) To comply with a subpoena, warrant or order made by a court; or otherwise as permitted by applicable law

**7.2** Personal information will be retained for certain periods of time in accordance with the following:

- a) Registration data and other information on athletes, including parental/family information and information collected by coaches, will be retained for a period of three (3) years after an individual has left the program in case the individual chooses to return.
- b) Registration data and other information on coaches and officials will be retained for a period of three (3) years after an individual has left Rugby Ontario in case an individual chooses to return or requires confirmation of his credentials.
- c) Notwithstanding the above, information on the personal health and whereabouts of individuals will be destroyed immediately after they leave a program of Rugby Ontario; and personal information that is used to make a decision about an individual will be maintained for a minimum of one (1) year to allow the individual access to the information after the decision has been made.
- d) Credit Card information will be destroyed immediately upon completion of a financial transaction.
- e) Staff information will be retained for a period of seven (7) years in accordance with Canada Customs and Revenue Agency requirements.
- f) Marketing information will be immediately destroyed upon its compilation and analysis;
- g) As otherwise may be stipulated in federal or provincial legislation.

**7.3** Documents will be destroyed by way of shredding, and electronic files will be deleted in their entirety. When hardware is discarded, Rugby Ontario will ensure that the hard drive is physically destroyed.

**7.4** Information which has been consented to be disclosed to a third party will be protected by a third party agreement to limit its use and disclosure.

## **8. Accuracy**

**8.1** Personal information will be accurate, complete and up to date as is necessary for the purposes for which it is to be used in order to minimize the possibility that inappropriate information may be used to make a decision about the individual.

**8.2** Personal information will only be updated if it is necessary to fulfill the purposes for which the information was collected unless the personal information is used on an ongoing basis.

**8.3** Personal information disclosed to a third party will be accurate and up-to-date.

## **9. Safeguards**

**9.1** Personal information will be protected by security appropriate to the sensitivity of the information against loss or theft, unauthorized access, disclosure, copying, use or modification; the more sensitive the information, the higher the level of security.

**9.2** Methods of protection and safeguards include, but are not limited to, locked filing cabinets, restricted access to offices, security clearances, need-to-know access and technological measures including the use of passwords, encryption and firewalls.

**9.3** Employees and contractors will be made aware of the importance of using safeguards to protect the confidentiality of personal information collected by Rugby Ontario.

**9.4** Computers containing sensitive information will not be left unattended without password protection in open office areas.

**9.5** Paper copies of sensitive information will be transmitted using sealed and correctly addressed envelopes or boxes.

## **10. Individual Access**

**10.1** Upon written request, and with assistance from Rugby Ontario, an individual will be informed of the existence, use, and disclosure of his or her 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 any third party to whom the information has been disclosed.

**10.2** An individual will be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

**10.3** An individual may be denied access to his or her personal information and provided a written explanation as to why if the information:

- a) Is prohibitively costly to provide;
- b) Contains references to other individuals;
- c) Cannot be disclosed for legal, security, or commercial proprietary reasons; or
- d) Is subject to solicitor-client or litigation privilege.

**10.4** If it is determined that disclosure of personal information should be refused, Rugby Ontario will inform the individual of:

- a) The reasons for the refusal and the provisions of the Act on which the refusal is based;
- b) The name, position title, business address and business telephone number of the Privacy Officer who can answer the applicant's questions; and
- c) The right to ask for a review within 20 business days of being notified of the refusal.

**10.5** Confirmation of an individual's identity may be required prior to complying with the information request.

**10.6** Requested information will be disclosed within 20 business days of receipt of the request at minimal expense for copying or no cost to the individual, unless there are reasonable grounds to extend the time limit. The requested information will be provided in a form that is generally understandable.

## **11. Challenging Compliance**

**11.1** An individual will be able to challenge Rugby Ontario's compliance with this Policy and PIPEDA by submitting a challenge in writing to the Privacy Officer.

**11.2** Upon receipt of a complaint Rugby Ontario will:

- a) Record the date that the complaint is received;
- b) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
- c) Acknowledge receipt of the complaint by way of telephone conversation and clarify the nature of the complaint within three (3) business days of receipt of the complaint;



- d) Appoint an investigator using Rugby Ontario personnel or an independent investigator, who will have the skills necessary to conduct a fair and impartial investigation and will have unfettered access to all files and personnel, within 10 business days of receiving the complaint.
- e) Upon completion of the investigation and within 20 business days of receipt of the complaint, the investigator will submit a written report to Rugby Ontario.
- f) Notify the complainant of the outcome and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures within 30 business days of receiving the complaint.

**11.3** An individual may appeal a decision of Rugby Ontario in accordance with its Appeal policy.

## **12. Openness**

The information available to the public will be posted on Rugby Ontario's website and includes:

- a) The name, e-mail address and telephone number or the Privacy Officer;
- b) The forms that may be used to access or amend personal information;
- c) The type of personal information collected by Rugby Ontario, including a general statement of its approved uses; and
- d) This Policy and its related procedures.

**Approved by the Rugby Ontario Board of Directors February 9, 2020**