

PRIVACY POLICY AND PROCEDURES

Principles for the collection use and disclosure of personal information

VANCOUVER AQUARIUM MARINE SCIENCE CENTRE

Privacy Policy and Procedures

About this policy

Over time new policies will need to be written and old ones revised. While we reserve the right to make these changes without notice, we will do our best to let you know about any changes affecting how we handle your personal information as soon as possible.

We have attempted to be as comprehensive as possible in preparing this Policy. However, this Policy is only intended to provide principles to ensure organizational compliance with the Personal Information Protection Act.

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Purpose

This policy describes the collection, use and disclosure of personal information by the Vancouver Aquarium Marine Science Centre (the Aquarium) and the Vancouver Aquarium Conservation Foundation (the Foundation).

This publication, (the Policy):

- provides the principles for the management of personal information held by the Aquarium/Foundation in accordance with the Personal Information Protection Act (the Act);
 - makes individuals in our organization aware of how personal information should be protected;
 - provides procedures for an individual's access to and correction of personal information; and
 - establishes a process for responding to inquiries and complaints.
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1. Accountability

The Aquarium/Foundation is responsible for personal information in its control and will designate an individual or individuals who are accountable for the organization's compliance with the Act.

1.1

Accountability for the Aquarium/Foundation's compliance with the principles contained in this Privacy Policy rests with senior management and the person or persons designated by the President as Privacy Officer, even though other individuals may be responsible for the day-to-day collection and processing of personal information.

1.2

The President of the Aquarium/Foundation has designated a Privacy Officer to oversee the organization's compliance with the principles in this policy:

Privacy Officer

Vancouver Aquarium Marine Science Centre
PO Box 3232 Vancouver BC V6B 3X8
Telephone: 604 659 3589
Facsimile: 604 659 3515
Email: privacy@vanaqua.org

1.3

The Privacy Officer may form a Privacy Committee to assist in ensuring accountability for the organization's compliance with the principles contained in this policy.

1.4

The Aquarium/Foundation is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. The Aquarium/Foundation will use contractual or other means to provide a comparable level of protection while a third party is processing the information.

1.5

The Aquarium/Foundation will implement procedures in the form of a Privacy Operations Guide to give effect to the principles, including:

- implementing procedures to protect personal information;
- establishing procedures to receive and respond to inquiries and complaints; and
- training and communicating to staff the requirements of the Privacy Policy and Procedures.

2. Identifying Purposes

The Aquarium/Foundation will identify the purposes for which personal information is collected at or before the time the information is collected.

2.1

The Aquarium/Foundation collects personal information for the following purposes:

- to provide service(s) and/or products;
- to maintain communications and commercial relations;
- to promote conservation initiatives;
- to meet legal and regulatory requirements;
- to establish, maintain and terminate employee relationships; and
- to administer and manage its business operations.

Personal information may also be used for other purposes, subject to obtaining prior consent for such use.

2.2

To establish reasonable limits on the uses of personal information, the Aquarium/Foundation will clearly define and document purposes before personal data is collected, requesting only the information necessary to fulfill the identified purposes.

2.3

A description of the purposes for which the information is being collected will be provided: orally, electronically or in writing prior to or at the time of collection of the personal information.

2.4

When personal information that has been collected is to be used or disclosed for a purpose not previously identified, the new purpose will be identified prior to such use or disclosure.

2.5

Persons collecting personal information will be able to explain the purposes for which the information is being collected, or they will be able to direct the inquiry to a designated person within the organization who can explain the purposes.

3. Consent

Subject to the Act the knowledge and consent of the individual are required for the collection, use or disclosure of personal information.

3.1

Ordinarily individuals must provide consent to the collection, use or disclosure of their personal information. However, personal information may be collected, used and/or disclosed without consent in circumstances prescribed by the Act, such as when:

- the collection is clearly in the interests of the individual and consent cannot be obtained in a timely way;
- the collection is necessary for the medical treatment of the individual and the individual is unable to give consent;
- it is reasonable to expect that the collection of information, with consent of the individual, would compromise the availability or the accuracy of the personal information and the collection is reasonable for an investigation or a proceeding;
- the personal information is available to the public from select sources;
- the collection is necessary to determine the individual's suitability to receive an honor, award or similar benefit;
- the collection is required or authorized by law; or
- the personal information is necessary to facilitate the collection of a debt owed to the organization.

3.3

The Aquarium/Foundation may collect personal information about an individual from or on behalf of another organization if:

the individual previously consented to the collection, use and disclosure of the personal information by the other organization; and

the personal information is disclosed to or collected by the organization solely for the purposes for which the information was previously collected; and to assist the organization to carry out work on behalf of another organization.

3.4

The Act specifically regulates the collection, use and disclosure of employee information, distinct from other personal information. The Aquarium/Foundation may collect, use or disclose employee personal information without consent, provided:

- the collection, use or disclosure is reasonably required to establish, manage or terminate an employment relationship; and
- the employee is notified beforehand and/or in the case of the sale of a business or its assets, after the transaction has taken place.

In every other case, the employee's personal information is subject to the ordinary provisions of this policy (including those circumstances under which the information can be collected, used or disclosed without consent).

3.5

The Aquarium/Foundation will generally seek individuals' consent for the use or disclosure of the information at the time of collection. In certain circumstances, consent with respect to use or disclosure may be sought after the information has been collected but before use (for example, when the Aquarium/Foundation wants to use information for a purpose not previously identified).

3.6

Reasonable effort will be made to ensure that the individual is advised of the purposes for which the information will be used. To make the consent meaningful, the purposes will be stated in a manner such that the individual can reasonably understand how the information will be used or disclosed.

3.7

The Aquarium/Foundation will not, as a condition of supplying a product or service, require an individual to consent to the collection, use or disclosure of personal information beyond what is necessary to provide the product or service.

3.8

The form of consent sought by the Aquarium/Foundation may vary, depending upon the circumstances, type and sensitivity of information disclosed. In determining the form of consent to use, the Aquarium/Foundation will take into consideration the sensitivity of the information and the reasonable expectations of the individual.

3.9

If credit, criminal or reference checks are performed, the consent of the individual must be obtained, and the implications, if any, of refusing to provide consent explained.

3.10

An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. The individual will be informed of the implications of such withdrawal. In order to withdraw consent, an individual must provide notice to the Privacy Officer in writing.

4. Limiting Collection

The collection of personal information shall be limited to that which is necessary for the purposes identified by the Aquarium/Foundation. Information shall be collected by fair and lawful means.

4.1

Personal information is collected from its customers and employees for the purposes described in section 2.

4.2

Personal information may also be collected from such third parties as credit bureaus, employers, law enforcement, personal references or other third parties that represent that they have the right to disclose the information.

5. Limiting Use, Disclosure and Retention

Personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

5.1

If the Aquarium/Foundation makes a decision that directly affects an individual, the organization will retain that information for at least one year after using it.

5.2

The Aquarium/Foundation will destroy its documents containing personal information, or remove the means by which the personal information can be associated with particular individuals, as soon as it is reasonable to assume that:

- the purpose for which that personal information was collected is no longer being served by retention of the personal information; and
- retention is no longer necessary for legal or business purposes.

5.4

The Aquarium/Foundation may disclose personal information to:

- companies providing third party administration services (such as benefits providers);
- organizations that are partners in the Aquarium/Foundation's conservation initiatives, upon receiving the consent of the individual;
- emergency services in an emergency situation; or
- any other third party, upon receiving the consent of the individual, or as authorized by law.

6. Accuracy

Personal information will be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

6.1

The extent to which personal information will be accurate, complete and up-to-date will depend upon the use of the information taking into account the interests of the individual.

6.2

In order to ensure the accuracy of personal information used by the Aquarium/Foundation, information shall be updated, as correct information is known.

6.3

Individuals may contact the Aquarium/Foundation in writing at any time to update their personal information. Requests from the individual will be accepted without exception to correct inaccurate or incomplete information, or for the deletion of unnecessary information.

6.4

Personal information that is used on an ongoing basis, including information that is disclosed to third parties should generally be accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out.

7. Safeguards

Security safeguards will be used that are appropriate to the sensitivity of the personal information.

7.1

The Aquarium/Foundation protects all personal information regardless of the format in which it is held. The methods of protection include:

- physical measures, such as locked filing cabinets and restricted access to offices;
- organizational measures, such as limiting access on a “need to know” basis; and
- technological measures, such as the use of passwords and encryption.

7.2

The Aquarium/Foundation makes their employees aware of the importance of maintaining the confidentiality of personal information. Employees of the Aquarium/Foundation are prohibited from disclosing or using of the information for any purposes other than the stated business purposes.

7.3

Care will be taken in the disposal or destruction of personal information to prevent unauthorized parties from gaining access to the information.

8. Openness

Specific information about the Aquarium/Foundation’s policies and procedures relating to the management of personal information will be readily available to those individuals who seek it.

8.1

Policies and procedures with respect to the management of personal information will be made easily comprehensible and accessible by providing, upon request:

- the name, title, and address of the Privacy Officer accountable for the Aquarium/Foundation’s policies and procedures and to whom complaints or inquiries can be forwarded;
- the means of gaining access to personal information held by the Aquarium/Foundation; and
- a description of the type of information held by the Aquarium/Foundation including a general account of its use.

9. Individual Access

Upon request, the Aquarium/Foundation will inform an individual of the existence, use, and disclosure of his/ her personal information held by the Aquarium/Foundation and the individual will be given access to that information. An individual will be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

9.1

The Aquarium/Foundation will provide, upon request and in a timely manner, an individual's personal information that is in its control. The reason for collection, use and extent of disclosure of the information will also be provided.

9.2

The Aquarium/Foundation will allow the individual access to his/her personal information once the individual has provided the Privacy Officer with a written request.

9.3

The Aquarium/Foundation will respond to an application for individual access to personal information within a reasonable time. The requested information will be provided or made available in a form that is generally understandable.

9.4

In accordance with the Act, the Aquarium/Foundation will not be able to provide the individual access to his or her personal information. Such instances include where:

- the personal information is protected by solicitor-client privilege;
- the information was collected or created by a mediator or arbitrator in the conduct of mediation or arbitration pursuant to a collective agreement, and enactment, or a Court Order;
- disclosure would reveal confidential information that would reasonably harm the organization's competitive position;
- the personal information was collected without consent for an investigation and the investigation and associated proceedings have not been completed;
- harm would result to another individual; or
- the disclosure would reveal personal information about another individual without consent (includes the identity of an individual who provided personal information about the individual seeking access).

9.5

If an exception to disclosure would otherwise apply because of the existence of another individual's personal information, reasonable efforts will be made to sever that information and allow access to the document.

9.6

If an individual successfully demonstrates an inaccuracy or incompleteness of personal information, the Aquarium/Foundation will correct the personal information as soon as reasonably possible. Where appropriate the amended information will be transmitted to third parties having access to the information. Depending on the nature of the information challenged, amendment involves the correction, deletion or addition of information.

10. Challenging Compliance

An individual will be able to address a challenge concerning the Aquarium/Foundation's compliance with the above principles to the appointed Privacy Officer.

10.1

The Aquarium/Foundation will maintain procedures to receive and respond to complaints or inquiries about its policies and practices relating to the handling of personal information. Procedures will be easily accessible and simple to use.

10.2

The Aquarium/Foundation will inform individuals who make inquiries or lodge complaints of the existence of relevant complaint procedures.

10.3

The Aquarium/Foundation will investigate all complaints. If a complaint is found to be justified, the Aquarium/Foundation will take appropriate measures, including amending its policies and practices if necessary.