



## AOA Privacy Policy & Canada's Anti-Spam Legislation (CASL) Policy and Procedures

Approved: on April 6, 2020 by the AOA Board of Directors

### Privacy/Confidentiality

AOA is subject to the *Personal Information Protection Act (PIPA)* and the *Canada's Anti-Spam legislation (CASL)* which sets out principles of fair information practices that in turn form ground rules for the collection, use and disclosure of personal information. AOA's Privacy Policy and CASL policy can be found below:

### Privacy Policy

The AOA, as a non-profit organization registered under the *Societies Act*, is regulated by the [Personal Information Protection Act](#) (PIPA) of Alberta.

However, being a non-profit society, the AOA is only subject to the Act when it collects information as part of commercial activity. Although the collection of membership fees, organizing club activities, or mailing out a newsletter are not considered commercial activities, given the potential for grey areas (e.g. selling of O-gear, fees for training camps), the AOA will follow the rules as outlined in PIPA.

**Anyone who has access to personal information data is required to sign the Memorandum of Understanding for the AOA Privacy Policy which outlines the advised Security Processes.**

This policy is to fulfill the obligation under this act to:

- **develop and follow policies and practices that are reasonable for the organization to meet its obligations under this Act**
- **make information about the policies and practices available on request.**

AOA Privacy Policy Guidelines:

- All personal information will be collected and securely stored by the Executive Director.
- Only personal information necessary for providing membership or competitor services shall be collected. (For members, this includes first and last names, address or e-mail address, gender, and age or year of birth. At the site of competition, for safety reasons, the event director may request additional information e.g plate number of the vehicle the person arrived in, a cell phone number if available, or any self-disclosed medical conditions for emergency services).
- By the fact that the member or competitor provides this information, consent to collect this information is considered to be implied.

- This information will only be provided to others as necessary for the provision of member or competitor services, for safety purposes, to canvass for volunteers to help with the running of the association, to advertise association events or meetings, or to meet federal, provincial, or funding-agency reporting requirements.
- Member or competitor information will never be sold or given to anyone else.
- A member's name will be removed from mailing lists if they so request.
- Competitors must be informed that their names and results may be publicized (e.g. posting results on a website) unless they request otherwise.
- AOA will take reasonable security measures against unauthorized access, collection, use, disclosure, copying, modification, disposal or destruction of information.
- For members of the board, volunteers or employees, other information may be collected to perform background checks. Consent to perform background checks must be given by the applicant. This information will only be reviewed by the committee involved in the hiring or selection process.
- If any member or competitor submits a written request to see their information, the AOA will provide this information within 45 days if this information was acquired as the result of a commercial transaction (such as paying fees for a training camp).
- However, personal information collected as part of the membership process is not subject to PIPA and so the AOA is under no obligation to provide membership information collected.

Further information can be found at: <http://servicealberta.ca/pipa-overview.cfm>

Information regarding Non-profit organizations: [https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/r\\_o\\_p/02\\_05\\_d\\_19/](https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/r_o_p/02_05_d_19/)

## Canada's Anti-Spam Legislation (CASL) Policy

Canada's Anti-Spam legislation came into effect July 1, 2014 and applies to non-profits like AOA and its clubs. These new laws apply to commercial conduct. [Canada's anti-spam legislation](#) (CASL) protects consumers and businesses from the misuse of digital technology, including spam and other electronic threats.

1. **Consent:** AOA will have expressed or implied consent from all its contacts to receive a commercial electronic message from AOA. *Implied consent* is valid within 2 years of membership purchase or within 6 months of an inquiry. After these time periods, implied consent is no longer valid and express consent is required. *Express consent* means the contact has given you explicit oral or written permission to send them commercial electronic messages, and it must come from an opt-in mechanism as opposed to silence or inaction.
2. **Identification:** AOA will clearly identify itself as the organization sending the commercial electronic message, in the message.



3. Unsubscribe: AOA will include an unsubscribe mechanism on every commercial electronic message sent.

**Note that AOA will only contact people with commercial electronic messages regarding AOA, its affiliated clubs and orienteering related activities (e.g. event or service promotion) if consent (implied or expressed) has been received.**

For more information about complying with this legislation, go to [www.crtc.gc.ca/antispam](http://www.crtc.gc.ca/antispam)

For guidance on Implied Consent (from Canada's Anti-Spam Legislation): **AOA may rely on implied consent for sending CEMs (Commercial Electronic Messages) if** it is done under certain conditions, as set out in section 10(9) of CASL. This may include having an existing business relationship (EBR) based on a previous commercial transaction with the recipient; **or having an existing non-business relationship based on, for example, membership in your club**, or if the recipient participated as a volunteer for your organization; or where a person makes their email address publicly available by publishing it on a website. In the latter case, this conspicuous publication of their email address must not be accompanied by a statement indicating they do not want to receive CEMs at that address. If the statement is not present, in order to send a CEM, the message must relate to the recipient's business role, functions or duties in an official or business capacity. <http://www.crtc.gc.ca/eng/com500/guide.htm>

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## Memorandum of Understanding for the AOA Privacy Policy

### Between

Alberta Orienteering Association (AOA),

### and

\_\_\_\_\_ (name), \_\_\_\_\_ (title e.g. director, volunteer coordinator, program staff etc.) collectively known as “the parties”

The objective of this Memorandum of Understanding is to clarify the roles and responsibilities of the parties in protecting personal information collected for the purpose of carrying out AOA business.

AOA is subject to the *Personal Information Protection Act (PIPA)* and *Canada’s Anti-Spam legislation (CASL)* which sets out principles of fair information practices that in turn form ground rules for the collection, use and disclosure of personal information.

### Understanding of roles and expectations:

**AOA ensures** that best practices regarding personal information, collection and protection are followed as stated in the Privacy Policy and CASL Policy.

- AOA will ensure that access to personal information is limited to only those who need it.
- AOA will ensure that everyone who has access to personal information is aware of the Privacy Policy and **Security Practices** listed below.

**Staff, volunteers and directors ensure that they are aware** of the AOA Privacy Policy and CASL Policy and are required to **follow the AOA Security Practices** listed below.



## Protecting Personal Information for Non-Profit Organizations AOA Security Practices

**We only collect personal data which is absolutely necessary!**

- IF we keep records in paper files**
    - Locked file cabinets and desk drawers protect information in paper files.
    - Keys are only provided to staff who need access to the files to perform their work.
    - Paper files are cross-cut shredded (or otherwise destroyed) before being disposed of.
  - If we keep records in electronic form**
    - Computers are password protected.
    - Staff must log in to access personal information.
    - Personal information is accessible only to those who need it and are allowed.
    - Computers are physically secured, e.g. doors are locked when left alone.
    - Firewalls and anti-virus software are kept up-to-date, to protect against invasive malware.
    - Only secured Networks are used which have adequate encryption according to current encryption standards (this will protect personal information, along with any other confidential information of your organization). (Don't use public networks when working with personal data.)
  - We don't send or receive personal information by email**
    - We don't share email addresses unless consent is given by the person.
    - We only use secure email accounts which can be accessed by the user who owns it (no shared email accounts).
    - Any email which contains personal information data should be deleted as soon as possible when information is no longer needed.
    - We will only contact people with **commercial electronic messages** regarding AOA, its clubs and orienteering related activities if consent (implied or expressed) has been received, the sender is identified and has an "unsubscribe" mechanism.
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- Personal information stored on portable media devices (e.g. laptops or flash drives)**
- Personal information is stored on portable devices, external drives, flash drives, only when necessary and only as much as is necessary for the task.
- Portable media devices must be password protected.
- Our volunteers/employees sometimes take files containing personal information home to work on**
- Our policy is to only take home records if necessary and with approval.
- Staff must make sure the records are kept separate and are not accessible to other household members.
- Staff must return or destroy the data after use at home (shredder for paper records or permanently delete files).
- Our staff members are aware of their obligation to protect privacy**
- Our board members, employees and volunteers (who have access to personal information data) receive information about their obligation to protect personal information.
- If we accept credit or debit cards for payment**
- Point of sale is done by a secure third-party provider and we do not have access to credit card information.
- We post membership, team lists, team schedules, etc. on our website**
- Consent is obtained to post names, photographs, and other personal information on our website.
- We do not give out any information to third parties.** (The only exception is to provide necessary information to government agencies and Orienteering Canada for the provision of member or participant services, for safety purposes, or to meet federal, provincial, or funding agency reporting requirements.)
- We securely dispose of all personal information once it is no longer required** (shredder for paper records or permanent deletion of files from electronic devices and cloud storages.) AOA staff (Executive Director) is responsible to do a monthly scan and delete non-essential personal information data from devices.
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Name:  
Position:  
E-mail:  
Date:

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(Signature)

AOA representative:  
Position:  
E-mail:  
Date:

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(Signature)

**Government of Alberta** ■  
<https://www.alberta.ca/personal-information-for-non-profits-and-other-organizations.aspx>