

Personal Information Protection Policy

INTENT OF THE POLICY

To disclose the ways in which BC Hepatitis Network (BCHN) gathers, uses, discloses, and manages data with regards to an individual, and to ensure that the personal information about that individual is protected in compliance with applicable privacy legislation.

Purpose and Scope

The BCHN respects and upholds an individual's right to privacy and to the protection of their personal information. BCHN is committed to ensuring compliance with BC's [Personal Information Protection Act \(PIPA\)](#).

In some instances, although not a public sector body, BCHN will also need to be compliant with the [Freedom of Information and Protection of Privacy Act](#) (FIPPA) when contracting services out to a public body (e.g. PHSA). The requirements for which will be set out in the contract by the public body.

This policy applies to individuals who are employed, as well as to the Directors, contractors, volunteers, participants in evaluation and programs.

Furthermore, BCHN acknowledges that individual research projects have different requirements around collecting personal information, which is managed according to that project's approved study protocols and subsequent ethics approvals. BCHN will comply with the restrictions and requirements laid out in study protocols and ethics approvals, as directed by Research Ethics Boards.

Definitions

"Personal information" for the purposes of this policy means information about an individual. Examples are name, address, gender, education, financial, medical, date of birth, photographs, employment history. It does not include aggregate information which cannot be associated with a specific individual and does not include the name, title, business address/email/ telephone number of an individual.

"Employee" for the purposes of this policy is any individual employed to work with BCHN, and includes persons working in a volunteer capacity, or as contractors.

"Director" for the purposes of this policy is a person elected or appointed as a Director to the Board of BCHN.

“BCHN Member Representative” for the purposes of this policy is a representative of any BCHN member, stakeholder or ally, acting in an individual, not corporate, capacity. This includes individuals attending events and training.

“Evaluation or Program participant” for the purposes of this policy is a person who is engaged in an evaluation or program with which BCHN is directly involved, and whose data BCHN is managing.

“Third party” for the purposes of this policy is an individual of an organization or agency other than BCHN, BCHN members or member representatives, employee, or program participant who is acting in an individual, not corporate, capacity.

OUR RESPONSIBILITIES

Section 1: Accountability

BCHN is accountable for all personal information under its control, and for compliance with BC’s Personal Information Protection Act (PIPA) which sets out rules for how organizations collect, use and disclose personal information.

The Privacy Officer is the first point of contact within BCHN when privacy issues arise and is responsible for the organization’s compliance with this policy. At BCHN, the position of Administrative Assistant shall be the designated Privacy Officer. Other individuals within BCHN may be delegated to act on behalf of the Privacy Officer, or to take responsibility for the day-to-day collection and processing of personal information.

Section 2: Purposes for Collection, Use, and Disclosure

BCHN collects and uses personal information about **employees** (including volunteers and contractors) for the following purposes:

1. *To administer compensation and benefits programs*
For example, we collect and use personal information to administer automatic payroll deposits and to provide benefits. We also collect medical and other information for the purposes of approving leaves of absence.
2. *To comply with legal and regulatory requirements*
For example, we may collect personal information in response to a court order or to satisfy government reporting requirements.
3. *To otherwise establish, manage or terminate the employment relationship and to plan and manage BCHN’s workload and activities*
For example, we collect and use personal information to check references, make employee hiring decisions, to measure and reward performance, and to assess our ability to meet the organization’s objectives. We also collect personal/family contacts in case of an emergency.

BCHN collects and uses personal information about **Directors** for the following purposes:

1. *To communicate with Directors*
For example, we collect Director's phone numbers and e-mail addresses so that we may contact them regarding Board meeting arrangements and related board duties.
2. *To comply with legal and regulatory requirements*
For example, we collect personal information to satisfy reporting requirements for government agencies (e.g. the BC Registrar of Companies and the Canada Revenue Agency – Charities).
3. *To provide for insurance coverage for Directors*
For example, we collect personal information required to provide for a directors and officers (D&O) liability insurance.

BCHN collects and uses personal information about individuals who are **BCHN members** for the following purposes:

1. *To communicate with them on membership matters*
For example, providing information about programs and services available to them, registering them for BCHN's events, invoicing, and sharing news of interest to the sector.
2. *To enable members to communicate with each other*
For example, maintaining contact information in the register of members, which is only available to BCHN members.

BCHN collects and uses personal information about individuals who are **Evaluation or Program participants** for the following purposes:

1. *To further the goals of Evaluation and Programs*
2. *To communicate with them on all matters to do with the Evaluation and Programs.*
3. *To administer compensation.*
4. *For reporting to funders*
For example, to provide data for our ongoing reporting and evaluation requirements to funders.

BCHN collects and uses personal information about **Third Parties** for the following purposes:

5. *To communicate with them on sector related matters*
For example, providing information about programs and services available to them, registering them for BCHN's events, invoicing, and sharing news of interest to the sector (e.g. eNews).
Expressed or implied permission will be obtained from individuals.
6. *To receive payment for products and services*

The only circumstances under which personal information may be *disclosed* to third parties is for the fulfillment of any purposes identified above, as required by law, or with consent. Where personal information is disclosed to a third party for the fulfillment of any purposes identified above, BCHN will make all reasonable efforts to ensure that the third party has appropriate security procedures in place for the protection of the personal information transferred to it.

Section 3: Consent

The acceptance of employment and benefits by an employee is viewed as ***implied consent*** for BCHN to collect, use, and disclose personal information about an employee for the purposes identified above.

BCHN views the purposes identified in this policy as reasonable and necessary to manage the organization and the employment relationship. An employee may choose, however, to withhold or withdraw consent for the collection, use, and disclosure of personal information, subject to legal and contractual restrictions and reasonable notice, where the provision of this information is optional, such as in the case of consent for the use of a photograph for publications or the website. In this case BCHN will seek express consent. The acceptance of a paid contract, or signed volunteer agreement applied likewise.

The acceptance of an appointment as a Director is viewed as implied consent for BCHN to collect, use, and disclose personal information for the purposes identified above. A Director may choose, however, to withhold or withdraw consent for the collection, use, and disclosure of personal information, subject to legal and contractual restrictions and reasonable notice, where the provision of this information is optional, such as in the case of consent for the use of a photograph for publications or the website. In this case BCHN will seek express consent.

The application for membership with BCHN is viewed as implied consent for BCHN to collect, use, and disclose any personal information for the purposes identified above – only for the individual signing the application. An individual who is representing the member may choose however, to withhold or withdraw consent for the collection, use, and disclosure of personal information, subject to legal and contractual restrictions and reasonable notice, where the provision of this information is optional, such as in the case of consent for the use of a photograph for publications or the website. In this case BCHN will seek express consent.

Any third party signing up for BCHN's services (e.g. eNews) or registering for an event will be giving implied consent for BCHN to collect, use, and disclose any personal information for the purposes identified above. An individual who is representing the third party may choose however, to withhold or withdraw consent for the collection, use, and disclosure of personal information, subject to legal and contractual restrictions and reasonable notice, where the provision of this information is optional, such as in the case of consent for the use of a photograph for publications or the website. In this case BCHN will seek express consent.

Individuals (as outlined in Section 3) may withdraw consent at any time by giving BCHN reasonable notice, unless withdrawing consent would frustrate the performance of a legal obligation (such as a contract between the individual and BCHN). The likely consequence of withdrawing consent would be BCHN being unable to provide the individual with services that require the collection of personal information.

Section 4: Limiting Collection

BCHN collects personal information only for the purposes identified above.

Section 5: Limiting Use, Disclosure, and Retention

BCHN does not use or disclose personal information for any purpose other than those for which it was collected, except as required by law, or with consent.

Personal information is retained only as long as is necessary and reasonable for the fulfillment of the purposes for which it was collected, or for legal or business purposes. BCHN will securely destroy or anonymize personal information, within two years of the fulfillment of purpose.

Section 6: Accuracy

BCHN will make all reasonable efforts to ensure that personal information is as accurate, complete, and current as required for the purposes for which it was collected. In some cases, BCHN relies on employees and Directors to ensure that certain information about them, such as their home address and phone number, or emergency contact information, is current, complete, and accurate. Individuals may request that BCHN correct any errors or omissions in their personal information (see Section 9).

Section 7: Safeguards

BCHN will make all reasonable efforts to ensure that personal information is protected against such risks as loss, theft, unauthorized access, disclosure, copying, use, modification, or destruction. Safeguards include the following administrative, physical and technical security controls.

- Administrative security controls – BCHN staff are trained to follow operational procedures to ensure proper handling of personal information. This includes the signing of confidentiality agreements by all employees, volunteers, Directors, and contractors.
- Physical security controls - BCHN does not keep paper copies of personal information. All personal information is stored on secure online environments.
- Technological security controls – BCHN protects personal information held in local computer and mobile systems and online environments (e.g. Office 365, Google docs, Trello) by ensuring password protection and encryption.

If personal information is disclosed to a third party, BCHN will make all reasonable efforts to ensure that the third party has appropriate security procedures in place for the protection of the personal information transferred to it.

If there is a suspected privacy breach, contact the privacy officer immediately at Coralie Seys at coralie@bchep.org.

Section 8: Openness Concerning Policies and Practices

BCHN will make available specific information about its policies and practices regarding the management of personal information. To contact us to obtain further information regarding our policies and practices, please refer to Section 11 below.

Section 9: Access

All employees, members and Directors have the right to access their personal information under the control of BCHN. Upon proof of identity, the privacy officer will assist all employees, individual members, and Directors with their access requests. Access requests should be submitted in writing to the Executive Director. In certain exceptional situations, further to privacy legislation, BCHN may not be able to provide access to certain personal information that it holds about an employee, member, or a Director. Examples of where BCHN may not provide access include, but are not limited to, the following:

- Where provision may reveal personal information about another individual;
- Where the information is subject to solicitor-client privilege; or
- Where the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law.

If access cannot be provided, BCHN will notify the individual making the request, in writing, of the reasons for the refusal.

BCHN will provide requested personal information within 30 business days after it is requested, unless a time extension is granted under PIPA.

Where access has been provided and where the information is demonstrated to be inaccurate or incomplete, BCHN will amend the information as required. Where appropriate, BCHN will transmit the amended information to third parties having access to the information in question.

Section 10: Revisions to This Privacy Policy

The development of BCHN's policies and procedures for the protection of personal information is an ongoing process. Due to changes in technology and legal requirements, we may revise this policy from time to time. Please ensure that you refer to the current version of BCHN's Protection of Personal Information Policy. The current version can be found on the BCHN website.

Section 11: Concerns or Questions Regarding BCHN's Compliance

Employees, members, third party individuals, and Directors may direct their general questions regarding privacy at BCHN, as well as any questions or concerns regarding BCHN's compliance with this policy, to the Privacy Officer, Administrative Coordinator Coralie Seys at coralie@bchep.org

BCHN will investigate all complaints received in writing. Proof of identity may be required. If a complaint is found to be justified, BCHN will take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. An individual will be informed, in writing, of the outcomes of the investigation regarding their complaint.

For general questions regarding privacy regulations or if an individual is not satisfied with how BCHN performs its duties under PIPA, or to seek a review of BCHN's response to an access or correction request, contact:

The Office of the Information and Privacy Commissioner of British Columbia

PO Box 9038,
Stn. Prov. Govt.,
Victoria, B.C.
V8W 9A4

or online at <https://www.oipc.bc.ca/>