

Board Policy Standards

Policy Type: Association Ethics

Policy Title: Privacy and Personal Information Protection

Policy Objective: To ensure the accuracy, confidentiality, and security of personal information and allow Pool & Hot Tub Council of Canada (PHTCC/Association) Members and customers to request access to, and correction of, their personal information.

Policy Statement: The PHTCC will inform its Members and customers of why and how it collects, uses and discloses their personal information and obtains their consent where required. The PHTCC only handles their personal information in a manner that a reasonable person would consider appropriate under the circumstances. The Association operates in strict compliance with the Personal Information Protection and Electronic Documents Act (PIPEDA) and Canada's Anti-Spam Legislation.

Policy Application:

1) Collecting Personal Information –

Unless the purposes for collecting personal information are obvious and the Member or customer voluntarily provides his or her personal information for those purposes, the PHTCC will communicate the purposes for which personal information is being collected, either orally or in writing, before or at the time of collection. The PHTCC will only collect Member and customer information that is necessary to fulfill the following purposes:

- To verify identity;
- To identify preferences;
- To process an application for membership;
- To deliver requested products and services;
- To guarantee a travel or hotel reservation;
- To process a magazine or news bulletin subscription;
- To enrol the client in a program;
- To send out Association membership information;
- To contact PHTCC Members and customers for sponsorship contributions;
- To ensure a high standard of service to PHTCC Members and customers;
- To meet regulatory requirements.

2) Consent

The PHTCC will obtain Member and customer consent to collect, use or disclose personal information (except where, as noted below, the Association is authorized to do so without consent). Consent can be provided orally, in writing, electronically, through an authorized representative, or it can be implied where the purpose for collecting using or disclosing the personal information would be considered obvious and the Member or customer voluntarily provides personal information for that purpose. Consent may also be implied where a Member or customer is given notice and a reasonable opportunity to opt-out of his or her personal information being used for mail-outs, the marketing of new services or products, or for the solicitation of sponsorships, and the Member or customer does not opt-out.

The PHTCC may collect, use or disclose personal information without the Member's or customer's knowledge or consent in the following limited circumstances:

- When the collection, use or disclosure of personal information is permitted or required by law;
- In an emergency that threatens an individual's life, health, or personal security;
- When the personal information is available from a public source (e.g., a telephone directory);
- When the PHTCC requires legal advice from a lawyer;
- To protect the PHTCC from fraud;
- To investigate an anticipated breach of an agreement or a contravention of law.

3. Using and Disclosing Personal Information

The PHTCC will only use or disclose Member or customer personal information where necessary to fulfill the purposes identified at the time of collection, or for a purpose reasonably related to conducting customer or member surveys to enhance the provision of services, or to contact clients and members directly about products and services that may be of interest.

The PHTCC will not use or disclose Member or customer personal information for any additional purpose unless consent has been obtained.

The PHTCC will not sell Member or customer lists or personal information to other parties.

4. Retaining Personal Information

If the PHTCC uses Member or customer personal information to make a decision that directly affects the Member or customer, it will retain that personal information for at least one year so that the Member or customer has a reasonable opportunity to request access to it.

The PHTCC will retain Member or customer personal information only as long as necessary to fulfill the identified purposes or a legal or business purpose.

5. Ensuring Accuracy of Personal Information

The PHTCC will make reasonable efforts to ensure that Member or customer personal information is accurate and complete where it may be used to make a decision about the Member or customer or disclosed to another organization.

6. Securing Personal Information

The PHTCC is committed to ensuring the security of Member and customer personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks. The following security measures will be followed to ensure that Member and customer personal information is appropriately protected:

- physically securing offices where personal information is held;
- the use of user IDs, passwords, encryption, firewalls on computers;
- restricting employee access to personal information as appropriate.

The PHTCC will use appropriate security measures when destroying Member and customer personal information such as shredding documents, and deleting electronically stored information.

7. Providing Members and Customers Access to Personal Information

PHTCC Members and customers have a right to access their own personal information, subject to limited exceptions. A request to access personal information must be made in writing and provide sufficient detail to identify the personal information being sought.

8. Questions and Complaints: The Role of the Privacy Officer

As the designated Privacy Officer, the Executive Director is responsible for ensuring PHTCC compliance with this policy, the PIPEDA, and Canada's Anti-Spam Legislation. Members and customers should direct any complaints, concerns or questions regarding the PHTCC's compliance in writing to the Privacy Officer. If the Privacy Officer is unable to resolve the concern, the Member or customer may also write to the Office of the Privacy Commissioner of Canada. Contact information for PHTCC Privacy Officer:

Executive Director, PHTCC, 5 MacDougall Drive, Brampton, Ontario, Canada L6S 3P3

Associated Documents

PHTCC Code of Ethics

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