



# Privacy Policy

## 1. POLICY STATEMENT

This Policy describes how Pickleball Canada collects, uses, retains, safeguards, discloses and disposes of personal information, and affirms Pickleball Canada’s commitment to collecting, using and disclosing personal information responsibly.

## 2. CONTEXT/BACKGROUND

This Policy is based on the standards required by PIPEDA, and Pickleball Canada’s interpretation of these responsibilities. Privacy of personal information is governed by the Personal Information Protection and Electronics Documents Act (“PIPEDA”) and applicable provincial legislation governing personal information.

## 3. COMING INTO FORCE

This policy comes into force September 15, 2020.

## 4. DEFINITIONS

The following terms have these meanings in this Policy:

- a) “Commercial Activity” – any particular transaction, act or conduct that is of a commercial character.
- b) “Personal Information” – any information about an individual that relates to the person’s personal characteristics including, but not limited to: gender, age, income, home address, home phone number, ethnic background, family status, health history, and health conditions
- c) “Stakeholder” – Individuals employed by, or engaged in activities on behalf of, Pickleball Canada including: coaches, staff members, contract personnel, volunteers, managers, administrators, committee members, and directors and officers of Pickleball Canada
- d) “Individual” - All categories of membership defined in Pickleball Canada’s Bylaws as well as all individuals employed by, or engaged in activities with, Pickleball Canada including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, and directors and officers of Pickleball Canada.

## 5. OBLIGATIONS

Pickleball Canada is obligated to abide by PIPEDA in all matters involving the collection, use, and disclosure of Personal Information.

In addition to fulfilling the legal obligations required by PIPEDA, Pickleball Canada Stakeholders will not:

- Publish, communicate, divulge, or disclose to any unauthorized person, firm, corporation, or third party any Personal Information without the express written consent of the Individual
- Knowingly place themselves in a position where they are under obligation to any organization to disclose Personal Information
- Disclose Personal Information to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest
- Derive personal benefit from Personal Information that they have acquired during the course of fulfilling their duties with Pickleball Canada



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- Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, the disclosure of Personal Information.

### 6. ACCOUNTABILITY

The Pickleball Canada Privacy Officer is responsible for the implementation of this policy and monitoring information collection and data security, and ensuring that all staff receives appropriate training on privacy issues and their responsibilities. The Privacy Officer also handles personal information access requests and complaints.

The Privacy Officer will:

- Implement procedures to protect personal information;
- Establish procedures to receive and respond to complaints and inquiries;
- Record all persons having access to personal information;
- Ensure any third party providers abide by this policy; and
- Train and communicate to staff information about Pickleball Canada's privacy policies and practices.

The Privacy Officer may be reached by contacting Pickleball Canada's main phone number.

### 7. PURPOSES OF PERSONAL INFORMATION COLLECTION

Pickleball Canada may collect personal information from individuals and prospective individuals for purposes that include, but are not limited to:

#### (a) Communications

- i) Sending communications in the form of e-news or a newsletter with content related to Pickleball Canada programs, events, fundraising, activities, discipline, appeals, and other pertinent information
- ii) Publishing articles, media relations and postings on Pickleball Canada website, displays or posters
- iii) Award nominations, biographies, and media relations
- iv) Communication within and between Stakeholders and Individuals
- v) Discipline results and long term suspension list
- vi) Checking residency status

#### (b) Registration, Database Entry and Monitoring

- i) Registration of programs, events and activities
- ii) Database entry at the Coaching Association of Canada and to determine level of coaching certification coaching qualifications and coach selection.
- iii) Database entry to determine level of officiating certification and qualifications
- iv) Determination of eligibility, age group and appropriate level of play/competition
- v) Player Registration, outfitting uniforms, and various components of athlete and team selection
- vi) Technical monitoring, officials training, educational purposes, sport promotion, and media publications



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### (c) Sales, Promotions and Merchandising

- i) Purchasing equipment, coaching manuals, resources and other products
- ii) Promotion and sale of merchandise

### (d) General

- i) Travel arrangement and administration
- ii) Implementation of Pickleball Canada's screening program
- iii) Medical emergency, emergency contacts or reports relating to medical or emergency issues
- iv) Determination of membership demographics and program wants and needs
- v) Managing insurance claims and insurance investigations
- vi) Video recording and photography for personal use, and not commercial gain, by spectators, parents and friends
- vii) Video recording and photography for promotional use, marketing and advertising by Pickleball Canada
- viii) Payroll, honorariums, company insurance and health plans

## 8. CONSENT

8.1 Implied Consent - By providing Personal Information to Pickleball Canada, Individuals are implying their consent to the use of that Personal Information for the purposes identified in the Purposes of Personal Information Collection section of this Policy.

8.2 Without Consent - At the time of the collection of Personal Information and prior to the use or disclose of the Personal Information, Pickleball Canada will obtain consent from Individuals by lawful means. Pickleball Canada may collect Personal Information without consent when it is reasonable to do so and permitted by law.

8.3 Determining Written or Implied Consent - In determining whether to obtain written or implied consent, Pickleball Canada will take into account the sensitivity of the Personal Information, as well the Individuals' reasonable expectations. Individuals may consent to the collection and specified use of Personal Information in the following ways:

- Completing and/or signing an application form
- Checking a check box, or selecting an option (such as 'Yes' or 'I agree')
- Providing written consent either physically or electronically
- Consenting orally in person
- Consenting orally over the phone

8.4 Consent not a Condition of Service - Pickleball Canada will not, as a condition of providing a product or service, require Members to consent to the use, collection, or disclosure of Personal Information beyond what is required to fulfill the specified purpose of the product or service.



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8.5 Withdrawal of Consent - An Individual may withdraw consent in writing, at any time, subject to legal or contractual restrictions. Pickleball Canada will inform the Individual of the implications of withdrawing consent.

8.6 Legal Guardians - Pickleball Canada will not obtain consent from Individuals who are minors, seriously ill, or mentally incapacitated. Consent from these individuals will be obtained from a parent, legal guardian, or a person having power of attorney.

8.7 When Consent not Needed - Pickleball Canada is not required to obtain consent for the collection of Personal Information, and may use Personal Information without the Individual's knowledge or consent, only if:

- i) It is clearly in the Individual's interests and the opportunity for obtaining consent is not available in a timely way
- ii) Knowledge and consent would compromise the availability or accuracy of the Personal Information and collection is required to investigate a breach of an agreement or a contravention of a federal or provincial law
- iii) An emergency threatens a Individual's life, health, or security
- iv) The information is publicly available as specified in PIPEDA
- v) If the information is for journalistic, artistic or literary purposes

8.8 Disclosure without consent - Pickleball Canada may disclose Personal Information without the Individual's knowledge or consent only:

- i) To a lawyer representing Pickleball Canada
- ii) To collect a debt that the Individual owes to Pickleball Canada
- iii) To comply with a subpoena, a warrant, or an order made by a court or other body with appropriate jurisdiction
- iv) To a government institution that has requested the information and identified its lawful authority, if that government institution indicates that disclosure is for one of the following purposes: enforcing or carrying out an investigation, gathering intelligence relating to any federal, provincial, or foreign law, national security or the conduct of international affairs, or administering any federal or provincial law
- v) To an investigative body named in PIPEDA or a government institution, if Pickleball Canada believes the Personal Information concerns a breach of an agreement, contravenes a federal, provincial, or foreign law, or if Pickleball Canada suspects the Personal Information relates to national security or the conduct of international affairs
- vi) To an investigative body for purposes related to the investigation of a breach of an agreement or a contravention of a federal or provincial law
- vii) In an emergency threatening an Individual's life, health, or security (Pickleball Canada will inform the Individual of the disclosure)
- viii) To an archival institution
- ix) 20 years after the individual's death or 100 years after the record was created
- x) If it is publicly available as specified in PIPEDA
- xi) If otherwise required by law



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### 9. ACCURACY, RETENTION AND CONFIDENTIALITY

9.1 Accuracy - In order to minimize the possibility that inappropriate Personal Information may be used to make a decision about a Member, Personal Information will be accurate, complete, and as up-to-date as is necessary for the purposes for which it will be used.

9.2 Retention - Personal Information will be retained as long as reasonably necessary to enable participation in Pickleball Canada programs, events, and activities, and in order to maintain historical records as may be required by law or by governing organizations.

Personal Information that has been used to make a decision about an Individual will be maintained for a minimum of one year in order to allow the individual the opportunity to access the Personal Information after the decision has been made.

9.3 Destruction of Information – After the retention period has ended, documents will be destroyed by way of shredding and electronic files will be deleted in their entirety.

9.4 Importance of Confidentiality- Pickleball Canada’s Stakeholders will be made aware of the importance of maintaining the confidentiality of Personal Information and are required to comply with **Pickleball Canada’s Confidentiality Policy**.

9.5 Protection of Information - Personal Information will be protected against loss or theft, unauthorized access, disclosure, copying, use, or modification by security safeguards appropriate to the sensitivity of the Personal Information.

9.6 Information Available - Pickleball Canada will make the following information available to Individuals:

- i) This Privacy Policy
- ii) Any additional documentation that further explains Pickleball Canada’s Privacy Policy
- iii) The name or title, and the address, of the person who is accountable for Pickleball Canada’s Privacy Policy
- iv) The means of gaining access to Personal Information held by Pickleball Canada
- v) A description of the type of Personal Information held by Pickleball Canada, including a general account of its use
- vi) Identification of any third parties to which Personal Information is made available.

### 10. ACCESS TO INFORMATION

Upon written request, and with assistance from Pickleball Canada after confirming the Individual’s identity, Individuals may be informed of the existence, use, and disclosure of their Personal Information and will be given access to that Personal Information. Individuals are also entitled to be informed of the source of the Personal Information, and provided with an account of third parties to which the Personal Information has been disclosed.

Unless there are reasonable grounds to extend the time limit, requested Personal Information will be disclosed to the Individual, at no cost to the Individual, within thirty (30) days of receipt of the written request.



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Individuals may be denied access to their Personal Information if the information:

- Is prohibitively costly to provide
- Contains references to other individuals

### 11. COMPLAINTS

Upon receipt of a complaint, Pickleball Canada will:

- i) Record the date the complaint is received
- ii) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
- iii) Acknowledge receipt of the complaint by way of telephone conversation and clarify the nature of the complaint within seven (7) days of receipt of the complaint
- iv) Appoint an investigator using Pickleball Canada's 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 file and personnel
- v) Upon completion of the investigation and within thirty (30) days of receipt of the complaint, the investigator will submit a written report to Pickleball Canada
- vi) Notify the complainant the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures

Pickleball Canada will not dismiss, suspend, demote, discipline, harass, or otherwise disadvantage any Pickleball Canada Individual or Stakeholder who makes a complaint under this policy.

### 12. IP ADDRESS

Pickleball Canada does not collect, use or disclose personal information such as an IP Addresses.

### 13. APPLICABLE LAW

The Pickleball Canada website is created and controlled by Pickleball Canada in the province of Ontario. As such, the laws of the province of Ontario shall govern website disclaimers, terms and conditions.

### 14. IMPLEMENTATION

Pickleball Canada will communicate this policy to its Board, employees, relevant volunteers affiliated organizations and its general membership.

### 15. RESULTS

The Privacy of Individuals is protected and disclosure of personal information is in accordance with PIPEDA and applicable provincial legislation governing personal information.

Date: \_\_\_\_\_