

Human Resources Policy & Procedure Manual

Section:	Human Resources	Policy Number:	HR.4.52
Subject:	Privacy Policy	Date of Issue:	January 10, 2023
Issued to:	All Staff	Effective Date:	January 10, 2023
Issued by:	Human Resources	Revision Date:	
		Approved by:	Board of Directors

Policy Statement: Siloam Mission is committed to safeguarding personal information entrusted to us by our donors, volunteers, community members and other stakeholders. This policy outlines the principles and practices in protecting personal information in accordance with Personal Information Protection and Electronic Documents Act (PIPEDA) imposed by the federal government of Canada and other applicable laws.

The scope and application of this policy set around the ten (10) principles of fair information practices which form the foundational rules for collection, use and disclosure of personal information, as well as providing access to personal information. This policy recognizes the obligation that any collection, use, or disclosure of personal information must only be for the purposes that a person would consider are appropriate and that this standard of appropriateness of purpose continue to apply independent from the provision of Schedule 1 of the Act.

Scope: This policy applies to Siloam Mission and to any person providing services on our behalf. Any identified stakeholder, donor, volunteer or community member may request a copy of this policy.

Policy:

4.52.1 Governing Principles

52.1.1 To comply with the principle of accountability, the Director of Human Resources has been designated to be the Privacy Officer and to be responsible for the organization's compliance. The Privacy Officer has the management support and the authority to intervene on privacy issues relation to any of the organization's operations. The contact information is provided at the end of this policy and will be posted internally and externally.

52.1.2 What is personal information?
Under PIPEDA, personal information includes any factual or subjective information, recorded or not, about an identifiable individual. This information in any form, such as age, name, ID numbers, income, ethnic origin, or blood type; credit records, loan records, medical records, existence of dispute between a consumer and a merchant, intentions (for example, to acquire goods or services, or change jobs.)

52.1.3 Siloam Mission collects, uses and discloses personal information for the following purposes:

- Determining eligibility for employment or volunteer work, including verifying qualifications and references;

- Establishing training and development requirements;
- Evaluating performance and managing performance issues if they arise;
- Administering pay and benefits;
- Processing employee work-related claims (e.g. worker's compensation, insurance claims, benefits etc.)
- Complying with requirements of funding, donor relationship, sponsorship and advertising
- Complying with applicable laws (e.g. Canadian Income Tax Act, Manitoba Employment Standards, etc.)

52.1.4 Siloam Mission will only collect, use and disclose the amount and type of personal information that is reasonable to meet the above purposes. The following are the information the organization may collect, use and disclose:

- Siloam Mission may collect personal information related to donors and sponsors such as name, address, phone number, fax number, email address and credit card information.
- For Employees, Volunteers and Community Members the following types of personal information collected are:
 - Contact information such as name, address and phone number;
 - Criminal record checks including vulnerable sectors check;
 - Employment or volunteer information such as resume (including educational background, work history and references) reference information and interview assessments, letters of offer and acceptance of employment, policy acknowledgement forms, background verification information, job performance evaluations, emergency contacts etc.;
 - Benefit information such as forms relating to applications or changes to health and insurance benefits including medical and dental care, life insurance, short and long-term disability, etc.;
 - Financial information such as pay cheque deposit information, tax related information including Social Insurance Number;
 - Other personal information required for the purposes of employment and volunteer relationship.

52.1.5 Siloam Mission will notify employees, volunteers, community members and other stakeholders affected by this policy of the purpose and any change for which personal information are collected, used and disclosed either orally or in writing. The consent will be obtained before or at the time the information is collected.

4.52.2. Obtaining Informed Consent

52.2.1 Consent will be obtained from the individual whose personal information is collected, used or disclosed. For an individual who is a minor, seriously ill, or mentally incapacitated, consent may be obtained from a legal guardian or person having power of attorney.

52.2.2 Siloam Mission will inform the individual from whom the consent is being obtained, the organization's information management practices and privacy policies.

52.2.3 The consent may be obtained in person, by phone, by mail or online.

- 52.2.4 When personal information is considered sensitive, express or opt in consent is required. The individual will be asked to sign a consent form.
- 52.2.5 Any individual covered by this policy may withdraw consent to the use and disclosure of personal information at any time, unless the personal information is needed by the organization to fulfill legal obligations.
- 52.2.6 **Exceptions** to the consent principle:
- Personal information **may be collected** without the individual's knowledge or consent only:
 - If it is clear in the individual's interest and consent is not available in a timely manner;
 - If knowledge and consent would compromise the availability or accuracy of the information and collection is required to investigate a breach of an agreement or contravention of a federal or provincial law;
 - If it is publicly available as specified in the regulations.
 - Personal information **may not be used** without the individual's knowledge or consent only:
 - The organization has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial or foreign law and the information is used for that investigation;
 - For an emergency that threatens an individual's life, health or security;
 - For statistical or scholarly study or research (the organization must notify the Privacy Commissioner of Canada before using the information.
 - The knowledge and consent would compromise the availability or accuracy of the information and collection was required to investigate a breach of an agreement or contravention of a federal or provincial law.
- 52.2.7 Personal information **may be disclosed** without the individual's knowledge or consent only:
- To a lawyer representing Siloam Mission;
 - To collect a debt the individual owes to the organization;
 - To comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;
 - To the financial Transactions and Reports Analysis Centre of Canada (FINTRAC) as required by the Proceeds of Crime (money laundering) and Terrorist Financing Act;
 - To a government institution that has requested the information, identified its lawful authority to obtain the information and indicates that disclosure is for the purpose of enforcing, carrying out an investigation, or gathering intelligence relating to any federal, provincial or foreign law; or suspects that the information related to national security, the defense of Canada or the conduct of international affairs; or is for the purpose of administering any federal or provincial law;
 - To investigate body named in the Regulations of the Act or government institution on Siloam Mission's initiative when the organization has reasonable grounds to believe that the information concerns a breach of

an agreement, or a contravention of a federal, provincial or foreign law; or suspects the information related to national security, the defense of Canada or the conduct of international affairs;

- If made by an investigative body for the purposes related to the investigation of an agreement or contraventions of a federal or provincial law;
- In an emergency threatening an individual's life, health or security (the organization must inform the individual of the disclosure);
- For statistical or scholarly study or research (the organization must notify the Privacy Commissioner of Canada before using the information);
- To an archival institution;
- 20 years after the individual's death or 100 years after the record was created;
- If it is publicly available as specified in the regulations; and
- If required by law.

4.52.3 Limiting Collection of Personal Information

52.3.1 Siloam Mission will collect information only based on the purpose and required information stated herein.

52.3.2 Siloam Mission will ensure that relevant staff members are trained in collecting, using, disclosing and disposing personal information.

4.52.4 Limiting Use, Disclosure and Retention of Personal Information

52.4.1 What information do we provide for employment or volunteer references?

It is a policy of the organization not to disclose personal information about the employee or volunteer when the service or employment has ended without consent. When an organization requests a reference, the following may be provided:

- Confirmation that the individual was an employee or volunteer which includes the position, start and end date of employment or volunteer service;
- General information about an individual's job duties and the information about the employee or volunteer's ability to perform job duties.

52.4.2 All personal information will be retained as long as reasonable to fulfil the purposes for which the information was collected or for legal or business purposes.

4.52.5 Accuracy of Personal Information

52.5.1 Siloam Mission will make every effort to ensure that personal information is accurate. All employees and volunteers are encouraged to notify relevant departments if there is a change to their personal information. A regular information update will be sent out to keep the records up to date.

4.52.6 Safety of Personal Information

- 52.6.1 All personal information is protected in a manner appropriate based on the sensitivity of information. Every reasonable effort shall be taken to prevent loss, misuse, disclosure or modification of personal information as well as unauthorized access to personal information.
- 52.6.2 All personal information papers for disposal are shredded and electronic records are permanently deleted.
- 52.6.3 Siloam Mission will notify the individual of a breach of personal information if it believes the breach would create a real risk of significant harm to the individual.

4.52.7 Access to Records Containing Personal Information

- 52.7.1 Individuals have the right to access their own personal information in the record that it is in custody under the control of Siloam Mission subject to some exception. Organizations are allowed under the Personal Information Protection Act to refuse to provide access to information that would reveal personal information about another individual.
- 52.7.2 If the request was refused in whole or part, Siloam Mission will provide reasons for the refusal. In some cases where exceptions to access apply only to a certain part, the access to the other information will be provided.
- 52.7.3 Request for access to personal information shall be made in writing to Siloam Mission's Privacy Officer.
- 52.7.4 Response to request for information will be provided within 30 days after the receipt of the request. The normal 30-day response time limit may be extended for a maximum of an additional 30 days according to specific criteria set out in Subsection 8(4) of the Act:
 - If responding to the request within the original 30 days would unreasonably interfere with the activities of the organization
 - If additional time is necessary to conduct consultations
 - If additional time is necessary to convert personal information to an alternate format
- 52.7.5 Verification questions will be asked to ensure correct identity of the requestor.
- 52.7.6 A reasonable amount may be charged based on the complexity of the request. The requestor will be notified of the approximate costs and will be asked if they still want to proceed before processing the request.

4.52.8 Questions and Complaints

- 52.8.1 All questions and complaints about collection, use, and disclosure of personal information by Siloam Mission about request for access to personal information may be directed to:

Director of Human Resources
Siloam Mission

300 Princess St
Winnipeg, MB
R3B 1M3

52.8.2 If a question or a complaint has not been satisfied, the person may contact the Privacy Commissioner:

Office of the Information & Privacy Commissioner
750 – 500 Portage Ave
Winnipeg, MB
R3C 3Z1
Telephone: 204-982-9130
Toll free: 1-800-665-0531
Website: <http://www.ombudsman.mb.ca>
Email: ombudsman@ombudsman.mb.ca