



# Oak Bay Orcas Terms of Use & Privacy Policy

The Oak Bay Orcas Summer Swim Club (“Oak Bay Orcas”) is committed to protecting your information.

To serve our Club Registrants and carry out Club business, our Club:

- collects personal and non-personal information from Club Registrants; and,
- makes information available to Club members that is strictly available to Registrants and not the general public.

Club Registrants who access the protected area of the Oak Bay Orcas website by using their email and password agree to:

- abide by this Policy; and,
- will not copy, print, transfer or otherwise disseminate information accessible after sign in without the express written authorization of the President of the Oak Bay Orcas.

A Club Registrant who becomes aware of a breach of this Policy by any individual should immediately notify in writing the President of the Oak Bay Orcas at [president@oakbayorcas.ca](mailto:president@oakbayorcas.ca).

## Personal Information

The Oak Bay Orcas collect, use, retain and disclose the personal information of members as part of our registration process and ongoing activities. Personal information is information about an identifiable individual, such as their name, age, home address, phone number, medical information and contact information.

Our Club respects your privacy and is committed to safeguarding your personal information. British Columbia’s *Personal Information Protection Act* (PIPA) sets out how BC businesses and not-for-profit organizations, such as the Oak Bay Orcas, may collect, use and disclose personal information.

This Policy sets out the principles and practices that our Club follows in protecting your personal information. Our commitment to you includes ensuring the accuracy, confidentiality and security of your personal information and enabling you to request access to, and correction of, your personal information.

This Policy will be periodically reviewed to ensure that it is current and may be amended in response to legislative amendments or changes in our Club's practices or procedures.

## **Collecting Personal Information**

1. The Oak Bay Orcas collects personal information from prospective and current Registrants for the purposes of verifying identity, registering Club members, distributing information, and fulfilling administrative and competitive functions. As the personal information collected is required for these purposes and is being provided voluntarily, consent of the Registrants is implied. Notwithstanding this, our Club may request express written consent of Registrants when providing personal information. Upon request, our Club will advise of the purposes for which personal information is being collected.
2. Our Club will collect from Registrants only the personal information that is necessary for the purposes noted within this Privacy Policy.

## **Consent**

3. Where necessary, our Club will obtain a Registrant's consent to collect, use or disclose personal information. Consent may be obtained orally, in writing, or electronically. Consent may also be implied.
4. Where the Club Registrant in question is a minor, consent may be provided by a parent or guardian.
5. Consent is implied where either:
  - a. the purpose of the collection, use or disclosure of the personal information would be considered obvious and the Club Registrant voluntarily provides personal information to our Club for that purpose; or,
  - b. a Registrant is given notice and a reasonable opportunity to opt-out of his or her personal information being used for a specific purpose, and the member does not opt-out.
6. A Club Registrant may withhold or withdraw their consent for the Oak Bay Orcas to use their personal information in certain ways. However, a decision to this effect may restrict the Club's ability to provide the services offered. In those circumstances, the Club will explain the situation to the Registrant to assist them in making their decision.
7. The Oak Bay Orcas may collect, use or disclose personal information without a Club Registrant's knowledge or consent in the following limited circumstances:

- a. when the collection, use or disclosure of personal information is permitted or required by law including in order to meet any regulatory requirements;
- b. in an emergency that threatens an individual's life, health, or personal security and consent cannot be obtained in a timely way;
- c. when the personal information is available from a public source (e.g. a telephone directory);
- d. when legal advice is required from a lawyer;
- e. to protect the Oak Bay Orcas from fraud; and,
- f. to investigate an anticipated breach of an agreement or a contravention of the law.

### **Using and Disclosing Personal Information**

8. The Oak Bay Orcas may disclose personal information to its agents or affiliated organizations in order to provide the services they offer to Club Registrants.
9. The Oak Bay Orcas will only use or disclose personal information for the purposes identified in this Privacy Policy or for a purpose reasonably related to those purposes including:
  - a. Oak Bay Orcas fundraising matters;
  - b. surveys in order to enhance the provision of our services; and,
  - c. information as to products or services related to swimming that may be of interest.
10. The Oak Bay Orcas will not use or disclose personal information for a purpose unrelated to the provision of services that they provide, unless consent is obtained to do so.
11. The Oak Bay Orcas will not sell member lists or personal information to other parties.

### **Retaining Personal Information**

12. If the Oak Bay Orcas uses personal information to make a decision that directly affects a Club Registrant, it will retain that personal information for at least one year so that the individual has a reasonable opportunity to request access to it.

13. Subject to paragraph 12, the Oak Bay Orcas will retain personal information while an individual continues to be a Club Registrant, and for as long as necessary to fulfill the identified purposes or to serve a legal or business purpose.

### **Ensuring Accuracy of Personal Information**

14. The Oak Bay Orcas will make reasonable efforts to ensure that personal information is accurate and complete where that information may be used to make a decision about a Club Registrant or disclosed to another organization.
15. Club Registrants may request correction of their personal information in the possession of the Oak Bay Orcas. A request to correct personal information must be in writing and provide sufficient detail to identify the personal information and the correction being sought. A request to correct personal information should be forwarded to the President of the Oak Bay Orcas.
16. If the Club Registrant demonstrates that the personal information is inaccurate or incomplete, the Oak Bay Orcas will correct the information as required and send out the corrected information to any organization to which we disclosed the personal information in the previous year. If the correction is not made, we will note the Club Registrant's correction request in the file.

### **Securing Personal Information**

17. The Oak Bay Orcas is committed to ensuring security of personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks.
18. The Oak Bay Orcas will use appropriate security measures when collecting, using, disclosing and destroying personal information.
19. The Oak Bay Orcas will regularly review and update our security policies and controls as technology changes to ensure ongoing personal information security.
20. It is the responsibility of each Registrant to immediately advise the President of the Oak Bay Orcas by way of email ([president@oakbayorcas.ca](mailto:president@oakbayorcas.ca)) if the Registrant becomes aware of unauthorized access, collection, use, disclosure, copying, modification or disposal of personal information.

### **Providing Access to Personal Information**

21. Club Registrants have a right to access their personal information, subject to limited exceptions.

22. A request to access personal information must be made in writing and provide sufficient detail to identify the personal information being sought. A request to access personal information should be forwarded to the President of the Oak Bay Orcas.
23. Upon request, the Oak Bay Orcas will also advise Club Registrants how their personal information is used and to whom it has been disclosed if applicable.
24. The Oak Bay Orcas will make the requested information available within 30 business days, or provide written notice of an extension where additional time is required to respond to the request.
25. A minimal fee may be charged for providing access to personal information. Where a fee may apply, the Oak Bay Orcas will inform the Club Registrant of the cost and request further direction on whether or not to proceed with the request.
26. If a request is refused in full or in part, the Oak Bay Orcas will give notice to the individual in writing, providing the reasons for refusal and resources available to the Club Registrant.
27. Club Registrants who access the protected area of the Oak Bay Orcas website by using their email and password agree to:
  - a. abide by this Privacy Policy; and,
  - b. will not copy, print, transfer or otherwise disseminate information accessible after sign in without the express written authorization of the President of the Oak Bay Orcas.

**Questions and Complaints: The Role of the Oak Bay Orcas Board and President**

28. The Board of the Oak Bay Orcas is responsible for adopting practices in compliance with this Privacy Policy and PIPA.
29. A Club Registrant who becomes aware of a breach of this Privacy Policy by any individual is to immediately notify in writing the President of the Oak Bay Orcas at [president@oakbayorcas.ca](mailto:president@oakbayorcas.ca).
30. Any complaints, concerns or questions regarding the Oak Bay Orcas compliance, should be directed in writing to the President of the Oak Bay Orcas at [president@oakbayorcas.ca](mailto:president@oakbayorcas.ca) . If the President is unable to resolve the concern, the individual may also write to the Information and Privacy Commissioner of British Columbia.

Adoption Date: September 21, 2020	Approved By: Oak Bay Orcas Board of Directors
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