

## **CBSA PRIVACY POLICY**

The CBSA Privacy Policy is a statement of principles and policies regarding the protection of personal information provided by the Canadian Business Strategy Association. The objective of The CBSA Privacy Policy is to promote responsible and transparent personal information management practices in a manner consistent with the provisions of the Personal Information Protection and Electronic Documents Act (Canada). CBSA will continue to review the CBSA Privacy Policy to make sure that it is relevant and remains current with changing industry standards, technologies and laws.

### **Scope and Application**

The ten principles that form the basis of the CBSA Privacy Policy are interrelated and CBSA will adhere to the ten principles as a whole. Each principle should be read in conjunction with the accompanying commentary. As permitted by the Personal Information Protection and Electronic Documents Act (Canada), commentary in the CBSA Privacy Policy has been drafted to reflect personal information issues specific to CBSA.

The scope and application of the CBSA Privacy Policy are as follows:

1. The CBSA Privacy Policy applies to personal information collected, used, or disclosed by CBSA in the course of commercial and professional activities.
2. The CBSA Privacy Policy applies to the management of personal information in any form whether oral, electronic or written.
3. The CBSA Privacy Policy does not impose any limits on the collection, use or disclosure of the following information by CBSA:
  - (i) Corporate member, non-member or employee's name, title, business address, or telephone number;
  - (ii) other information about an individual that is publicly available and is specified by regulation pursuant to the Personal Information Protection and Electronic Documents Act (Canada); or
  - (iii) As otherwise exempted by the CBSA Privacy Policy and/or applicable law.
4. The CBSA Privacy Policy will not typically apply to information regarding CBSA's volunteering members. However, such information may be protected by other CBSA policies and procedures or through contractual arrangements.
5. The application of the CBSA Privacy Policy is subject to the requirements and provisions of the Personal Information Protection and Electronic Documents Act (Canada), the regulations enacted there under, and other applicable legislation or regulation.

## **The CBSA Privacy Policy in Detail**

### **Principle 1: Accountability**

The Canadian Business Strategy Association is responsible for personal information under its control and will designate one or more persons who are accountable for CBSA's compliance with the following principles.

1.1 Responsibility for compliance with the provisions of the CBSA Privacy Policy rests with the CBSA Privacy Officer who can be reached at 547-7771 or via [info@theCBSA.org](mailto:info@theCBSA.org). Other individuals within CBSA may be delegated to act on behalf of the CBSA Privacy Officer or to take responsibility for the day-to-day collection and/or processing of personal information.

1.2 CBSA will make known, upon request, the title of the person or persons designated to oversee CBSA's compliance with the CBSA Privacy Policy.

1.3 CBSA is responsible for personal information in its possession or control. CBSA will use contractual or other means to provide a comparable level of protection while information is being processed or used by a third party.

1.4 CBSA implements policies and procedures to give effect to the CBSA Privacy Policy, including: implementing procedures to protect personal information and to oversee the CBSA's compliance with the CBSA Privacy Policy;

1. Implementing procedures to receive and respond to complaints or inquiries;
2. Training staff to understand and follow CBSA's policies and procedures;
3. Developing information materials to explain CBSA's policies and procedures; and
4. Reviewing on an annual basis the effectiveness of policies and procedures to facilitate compliance with the CBSA Privacy Policy and consideration of any revisions as deemed appropriate.

### **Principle 2: Identifying Purposes for Collection of Personal Information**

CBSA will identify the purposes for which personal information is collected at or before the time the information is collected.

2.1 CBSA collects personal information only for the following purposes:

1. To identify individuals;
2. To establish, maintain, communicate and renew membership in the CBSA;
3. To advertise, develop, enhance and provide marketing services and products;
4. To measure and improve the effectiveness of CBSA services, products and marketing endeavours;

5. To manage and develop CBSA's business operations, including personnel and employment matters;
6. To protect CBSA against error and fraud; and
7. To meet legal and regulatory requirements.

Further reference to "identified purposes" mean the purposes identified in this Principle.

2.2 Upon request, persons collecting personal information will explain these identified purposes or refer the individual to a designated person within CBSA who can explain the purposes.

2.3 When personal information that has been collected is to be used or disclosed for a purpose not previously identified, the new purpose will be identified prior to use. Unless otherwise permitted or required by law, the consent of the individual will be acquired before the information will be used or disclosed for the new purpose.

2.4 CBSA will document the purposes for which personal information is collected prior to the information being collected.

2.5 CBSA will make reasonable efforts to ensure that individuals are aware of the purposes for which personal information is collected, including any disclosures to third parties.

### **Principle 3: Obtaining Consent for Collection, Use or Disclosure of Personal Information**

The knowledge and consent of an individual are required for the collection, use, or disclosure of personal information, except where exempted in the CBSA Privacy Policy and/or applicable law. In certain circumstances personal information can be collected, used, or disclosed without the knowledge and consent of the individual.

3.1 In obtaining consent, CBSA will use reasonable efforts to ensure that, where not obvious, an individual is advised of the purposes for which personal information will be used or disclosed. The identified purposes will be stated in a manner that can be reasonably understood by the individual.

3.2 Generally, CBSA will seek consent to use and disclose personal information at the same time it collects the information. However, CBSA may seek consent to use and/or disclose personal information after it has been collected, but before it is used and/or disclosed for a new purpose.

3.3 CBSA may require individuals to consent to the collection, use and/or disclosure of personal information as a condition of the supply of a product or service only if such collection, use and/or disclosure are required to fulfill the explicitly specified and legitimate identified purposes.

3.4 In determining the appropriate form of consent, CBSA will take into account the sensitivity of the personal information and the reasonable expectations of the individual.

3.5 The purchase or use of products and/or CBSA services by a member or non-member, or the acceptance of employment or benefits by an employee, may constitute implied consent for CBSA to collect, use and disclose personal information for the identified purposes, including communicating with the individual.

3.6 An individual may withdraw consent at any time, subject to legal or contractual restrictions, provided that reasonable notice of withdrawal of consent is provided to CBSA and the withdrawal of consent is in writing and includes understanding by the individual that withdrawal of consent could mean that CBSA cannot provide the individual with a related product or service. Individuals may contact CBSA for more information regarding the implications of withdrawing consent.

3.7 CBSA may collect, use or disclose personal information without knowledge or consent if it is clearly in the interests of the individual and consent cannot be obtained in a timely way, such as when the individual is seriously ill or mentally incapacitated.

3.8 CBSA may collect, use or disclose personal information without knowledge or consent if seeking the consent of the individual might defeat the purpose of collecting, using or disclosing the information, such as in the investigation of a breach of an agreement or a contravention of a law.

3.9 CBSA may collect, use or disclose personal information without knowledge or consent in the case of an emergency where the life, health or security of an individual is threatened.

3.10 CBSA may use or disclose personal information without knowledge or consent to a lawyer representing CBSA, to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required or authorized by law.

#### **Principle 4: Limiting Collection of Personal Information**

CBSA will limit the collection of personal information to that which is necessary for the purposes identified by CBSA. CBSA will collect personal information by fair and lawful means.

4.1 CBSA collects personal information primarily from members, non-members and employees.

4.2 CBSA may also collect personal information from other sources including credit bureaus, employers or personal references, or other third parties who represent that they have the right to disclose the information.

#### **Principle 5: Limiting Use, Disclosure, and Retention of Personal Information**

CBSA will not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required or permitted by law. CBSA will retain personal information only as long as necessary for the fulfillment of those purposes.

5.1 CBSA may disclose an individual's personal information to:

- 1) A third party who in the reasonable judgment of CBSA is seeking the information as an agent of the individual;
- 2) A third party involved in supplying the individual with CBSA products or services;
- 3) A third party engaged by CBSA to perform functions on its behalf;
- 4) A third party engaged by CBSA for the development, enhancement, marketing or provision of any of CBSA's products or services;
- 5) A third party engaged by CBSA to collect the member's or non-member's account;
- 6) A credit reporting agency;
- 7) A public authority or agent of a public authority if, in the reasonable judgment of CBSA, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the information; or
- 8) A third party or parties, where the individual consents to such disclosure or disclosure is required or permitted by law.

5.2 In addition to the purposes identified in 5.1 of the CBSA Privacy Policy, CBSA may disclose personal information about an individual who is an employee:

1. For normal personnel and benefits administration, such as the initiation, management or termination of the employment relationship; or
2. in the context of providing references regarding current or former employees in response to requests from prospective employers.

5.3 Only CBSA employees with a business "need-to-know", or whose duties reasonably so require, are granted access to personal information about members and employees.

5.4 CBSA will keep personal information only as long as it remains necessary or relevant for the identified purposes or as required by law. Depending on the circumstances, where personal information has been used to make a decision about an individual, CBSA will retain, for a period of time that is reasonably sufficient to allow for access by the individual, either the actual information or the rationale for making the decision.

5.5 CBSA will maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction that apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information will be destroyed, erased or made anonymous.

#### **Principle 6: Accuracy of Personal Information**

Personal information will be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

6.1 Personal information used by CBSA will be sufficiently accurate, complete, and up-to date to minimize the possibility that inappropriate information may be used to make a decision about an individual.

6.2 CBSA will update personal information about individuals as necessary to fulfill the identified purposes or upon notification by the individual.

### **Principle 7: Security Safeguards**

CBSA will protect personal information by security safeguards appropriate to the sensitivity of the information.

7.1 CBSA will protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction, through appropriate security measures, regardless of the format in which it is held.

7.2 CBSA will protect personal information disclosed to third parties by contractual or other means to safeguard the confidentiality of the information and the purposes for which it is to be used.

7.3 All CBSA employees with access to personal information will be contractually required to respect the confidentiality of that information.

7.4 The nature of the safeguards will vary depending on the sensitivity, amount, distribution and format of the information, and the method of storage. More sensitive information will be safeguarded by a higher level of protection.

7.5 The methods of protection will include:

1. Physical measures, for example, locked filing cabinets and restricted access to offices;
2. Organizational measures, for example, controlling entry to data centers and limiting access to information on a "need-to-know" basis;
3. Technological measures, for example, the use of passwords and encryption; and
4. Investigative measures, in cases where CBSA has reasonable grounds to believe that personal information is being inappropriately collected, used or disclosed.

### **Principle 8: Openness Concerning Policies and Procedures**

CBSA will make readily available to individuals specific information about its policies and procedures relating to the management of personal information.

8.1 CBSA will make information about its policies and procedures easy to understand, including:

1. The title and address of the person or persons accountable for CBSA's compliance with the CBSA Privacy Policy and to whom inquiries and/or complaints can be forwarded;

2. The means of gaining access to personal information held by CBSA;
3. A description of the type of personal information held by CBSA, including a general account of its use; and
4. A description of what personal information is made available to third parties.

### **Principle 9: Access to Personal Information**

CBSA will inform an individual of the existence, use, and disclosure of his or her personal information upon request and will provide the individual access to that information except where inappropriate. An individual will be able to challenge the accurateness and completeness of the information and have it amended as appropriate.

9.1 Upon request, CBSA will afford individuals a reasonable opportunity to review personal information in the custody of CBSA. Personal information will be provided in understandable form within a reasonable time, and at minimal or no cost to the individual.

9.2 In certain situations, CBSA may not be able to provide access to all the personal information that it holds about an individual. For example, CBSA may not provide access to information if doing so would likely reveal personal information about a third party, such as another individual, or could reasonably be expected to threaten the life or security of another individual. Also, CBSA may not provide access to information if disclosure would reveal confidential commercial information, if the information is protected by solicitor: client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of the laws of Canada or a province.

9.3 Upon request, CBSA will provide an account of the use and disclosure of personal information and, where reasonably possible, will state the source of the information. In providing an account of disclosure, CBSA will provide a list of third parties to which it may have disclosed personal information about the individual when it is not possible to provide an actual list.

9.4 In order to safeguard personal information, an individual may be required to provide sufficient identification information to permit CBSA to account for the existence, use and disclosure of personal information and to authorize such access. Any such information will be used only for this purpose.

9.5 CBSA will promptly correct or complete any personal information found to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness will be noted by CBSA. Where appropriate, the Association will transmit to third parties having access to the personal information in question any amended information or the existence of any unresolved differences.

9.6 Individuals can obtain information or seek access to their personal information by contacting the CBSA Privacy Officer.

### **Principle 10: Challenging Compliance**

An individual will be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for CBSA's compliance with the CBSA Privacy Policy.

10.1 CBSA will maintain procedures for addressing and responding to all inquiries or complaints from individuals regarding the CBSA's handling of personal information.

10.2 CBSA will inform individuals about the existence of these procedures as well as the availability of complaint procedures.

10.3 The person or persons accountable for compliance with the CBSA Privacy Policy may seek external advice where appropriate before providing a final response to individual complaints.

10.4 CBSA will investigate all complaints concerning compliance with the CBSA Privacy Policy. If a complaint is found to be justified, the CBSA will take appropriate measures to resolve the complaint including, if necessary, amending its privacy policies and procedures. An individual will be informed of the outcome of the investigation regarding his or her complaint.

## **Website Privacy Policies**

### Usage Tracking

Our site may automatically record some general information about your visit which we use for statistical analysis to help make our site more useful to visitors. This information might include the:

1. Internet domain for your Internet service provider, such as 'company.com' or 'service.ca' and the IP address of the computer accessing the website, such as 'ppp-55';
2. Type of browser you are using, such as Internet Explorer or Netscape;
3. Type of operating system you are using, such as Windows or Macintosh;
4. date and time you visit our site and Web pages that you visit on our site, along with the address of the previous website you were visiting, if you linked to us from another website.

### Cookies

We also use "cookies" that identify you as a return visitor and which can help us tailor information to suit your individual preferences. A cookie is a piece of data that a website can send to your browser, which may then store the cookie on your hard drive. The goal is to save you time and provide you with a more meaningful visit and to measure website activity. Cookies do not contain any personally identifying information. Many browsers, however, allow you to disable cookie collection if you wish, or inform you when a cookie is being stored on your hard drive.



Periodically our site may allow the use of third party cookies or similar technologies to measure the effectiveness of our advertising campaigns. It is not the practice of the Canadian Business Strategy Association to provide any personally identifiable information to these third-parties.

### Online transactions

We protect the security of your transactions on our website by using The SSL (Secure Sockets Layer) Web server certificates that offer secure communications by encrypting all data going to and from the CBSA website. That has checked and verified the CBSA registration documents and the site's registered domain name.

### External Links

This policy discloses the privacy practices for our website. However, our site contains links to other sites. Once you link to another site, you are subject to the privacy and security policies of the new site. We encourage you to read the privacy policies of all websites you visit.

### Additional Information

For more information regarding the CBSA Privacy Policy, please contact the CBSA Privacy Officer at 647-547-7771 or via [info@theCBSA.org](mailto:info@theCBSA.org). Access requests, inquiries or complaints should be addressed in writing to:

#### **Canadian Business Strategy Association**

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Attention: Privacy Officer