

SUBJECT: Privacy Policy	POLICY NO: SL – 6	LAST REVIEWED: 05 March 2018
APPROVED BY: Council	MANAGED BY: Council	NEXT REVIEW: 12 Months Post Approval

SUMMARY

Policy Statement

The British Columbia Institute of Technology Student Association (“BCITSA”) is committed to the protection of Personal Information.

This Privacy Policy is developed in conformity with and subject to the applicable requirements of the *Personal Information Protection Act, SBC 2003, c 63* (“PIPA”). However, any Personal Information collected, used and disclosed by BCIT to BCITSA pursuant to the BCIT Agreement, is to be dealt with in accordance with the relevant provisions of the *Freedom of Information and Protection of Privacy Act, RSBC 1996, c 165* (“FIPPA” collectively with PIPA, the “Acts”).

Purpose of This Policy

The purpose of this Policy is to:

- Outline BCITSA’s commitment to protect the confidentiality and privacy of the Personal Information of BCIT Students, Members and other individuals whose Personal Information is controlled by BCITSA (“Non-Members”, and collectively with BCIT Students and Members, the “Parties”).
- Conform with applicable privacy and confidentiality legislation.

Application of This Policy

This Policy applies to all Personal Information that BCITSA has in its control relating to students, Members and Non-Members. Furthermore, this Privacy Policy applies to any third parties collecting, using or disclosing Personal Information on behalf of BCITSA.

Related Documents and Legislation

Legislation

- *Personal Information Protection Act, SBC 2003, c 63.*
- *Freedom of Information and Protection of Privacy Act, RSBC 1996, c 165.*
- *Societies Act, SBC 2015, c 18.*

Amendment History

- Created 05 March 2018

DEFINITIONS

BCIT Agreement

The BCIT Agreement is the agreement to disclose BCIT Student information between the BCITSA and BCIT dated June 16, 2017, as may be amended from time to time.

BCIT Student

A BCIT Student is an individual who is enrolled as a student at BCIT.

Contact Information

Contact Information is information that enables an individual to be contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number. This information shall normally be publicly available, such as information in a public registry or in a telephone book.

For the purpose of this Policy, Contact Information will not be considered as Personal Information, and as such will not be considered under this Policy.

Member

A Member is a Member as defined in the Bylaws of BCITSA.

Non-Member

A Non-Member is any individual who is not considered a Member as per this Policy and the Bylaws of BCITSA.

Personal Information

Personal Information is all information about an identifiable individual, but does not include Contact Information. For greater certainty, this comprises of the information identified in section 1.1.a of this Policy.

Privacy Officer

The Privacy Officer is an individual that is designated to serve as the primary contact for all inquiries related to this Policy and Personal Information. For greater clarity, the Privacy Officer is additionally responsible for:

- Assuring privacy protection in new, existing, or revised BCITSA processes
- Responding to privacy complaints
- Ensuring that Personal Information repositories (paper and electronic) are reviewed periodically for legislative compliance
- Training and advising Executives, employees, and contractors regarding this Policy

Service Provider

A Service Provider is any third party to whom Personal Information is disclosed by BCITSA in order to provide services to the Parties.

DUTIES AND RESPONSIBILITIES

Executive Director

The Executive Director is responsible for the interpretation and enforcement of this Policy.

In addition, in situations where BCITSA receives Personal Information from another organization or group, the Executive Director is responsible for developing, establishing, and authorizing an Information Sharing Agreement between BCITSA and a representative of that organization or group, and for maintaining the records of these agreements.

Marketing and Communications Manager

The Marketing and Communications Manager is the primary public contact for external inquiries related to the Policy, and assists the Executive Director in their duties under this Policy. The Marketing and Communications Manager also acts as the Privacy Officer for BCITSA, and is ultimately responsible for Student Records Management and Privacy issues.

Executives, Employees, and Contractors

Executives, employees, and contractors are responsible for the following:

- Understanding and complying with the BC *Personal Information Protection Act* and the BC *Freedom of Information and Protection of Privacy Act* in the delivery of services and programs.
- Providing adequate security to prevent unauthorized access, collection, use, disclosure, or improper disposal of BCITSA Internal Use, Personal, or Contact Information.
- Obtaining permission from the Marketing and Communications Manager to collect Personal Information.

POLICY

1. Privacy Policy

1.1. Collection of Personal Information By BCITSA

- a. BCITSA collects the following Personal Information:
 - i. Information provided from BCIT pursuant to the BCIT Agreement, which includes BCIT Students' first names, last names, BCIT email addresses and residential addresses.
 - ii. Information provided, directly or indirectly, by a BCIT Student, Member or Non-Member by which they may be personally identified, including but not limited to names, dates of birth, telephone numbers, e-mail addresses, social media contact information and program of study enrolled at BCIT.
 - iii. Any other information that is voluntarily provided by a BCIT Student, Member or Non-Member to BCITSA and defined as personal or personally identifiable information under applicable law.

1.2. Methods of Collecting Personal Information

- a. BCITSA collects Personal Information in a variety of ways, including but not limited to:
 - i. Information voluntarily or directly provided by a BCIT Student, Member or Non-Member.
 - ii. Information provided from BCIT pursuant to the BCIT Agreement.

1.3. How BCITSA uses Personal Information

- a.** BCITSA uses Personal Information for a variety of purposes, including but are not limited to:
 - i.** Understanding and responding to the needs of the Parties.
 - ii.** Providing BCIT Students and Members with newsletter emails.
 - iii.** Providing notices pursuant to the Bylaws of BCITSA.
 - iv.** Providing information and marketing materials to the Parties by way of email updates.
 - v.** Communicating information regarding petitions relating to the BCITSA.
 - vi.** For any of BCITSA's services, activities or events that may arise from time to time.
 - vii.** Meeting BCITSA's legal and regulatory requirements, and contractual obligations.

1.4. Disclosure of Personal Information to Third Parties

- a.** BCITSA may disclose Personal Information to third parties in the following situations:
 - i.** In connection with the purposes identified in section 1.3.a of this Policy.
 - ii.** When the collection, use or disclosure of Personal Information is permitted or required by law;
 - iii.** When BCITSA requires legal advice from legal counsel; and
 - iv.** To investigate an anticipated breach of an agreement or a contravention of law.
- b.** If Personal Information is disclosed to third parties for the fulfillment of the purposes in section 1.3.a of this Policy, the third parties are prohibited from using the Personal Information for any reason other than to provide assistance to BCITSA or otherwise as required by law. Further, BCITSA requires such third parties to comply with the requirements of the Acts and to comply with this Privacy Policy with regard to any Personal Information which it receives from BCITSA.
- c.** Notwithstanding section 1.4.a of this Policy, without the prior written consent of BCIT, no Personal Information provided by BCIT to BCITSA pursuant to the BCIT Agreement shall be disclosed to any third party, except to the Service Provider.

1.5. Consent

- a.** When an individual provides Personal Information to BCITSA through application forms or other documents relating to any of BCITSA's services, activities or events, such individual is expressly consenting to the collection, use and disclosure of their Personal Information in accordance with this Privacy Policy.
- b.** Except where required or permitted by applicable law, BCITSA will obtain consent to collect, use or disclose Personal Information.
- c.** Consent may be provided orally, in writing, electronically or it can be implied where the purpose for collecting, using or disclosing the Personal Information would be considered obvious to a reasonable individual and an individual voluntarily provides information for that purpose.
- d.** Consent may also be implied for specified purposes where BCITSA:
 - i.** Has provided notice to an individual that Personal Information will be collected, used or disclosed; and
 - ii.** Has given an individual a reasonable opportunity to decline or opt-out within a reasonable time to having their Personal Information collected, used or disclosed.

1.6. Limiting Collection, Use and Disclosure

- a.** BCITSA will limit the collection of Personal Information to that which is reasonably necessary for the purposes identified in this Privacy Policy.
- b.** Except as set out in this Policy, BCITSA will not use or disclose Personal Information for any purpose other than those for which it was collected. Where additional use or disclosure is necessary, BCITSA will notify the applicable BCIT Students, Members or Non-Members prior to or at the time of the additional use or disclosure, unless such notice is not required by law.
- c.** Personal Information will only be disclosed to designated individuals within BCITSA to fulfill the purposes identified in section 1.3.a of this Policy.
- d.** BCITSA will not sell or rent Personal Information to third parties.

1.7. Withdrawal of Consent

- a.** Subject to legal or contractual restrictions and reasonable notice, any individual may withdraw consent for BCITSA to use their Personal Information. A decision to withdraw consent may restrict or prevent BCITSA from providing certain services or result in other consequences. BCITSA will advise such individuals of any potential consequences known at the time of withdrawal.
 - i.** For greater certainty, any decision to withdraw consent will not be construed as limiting BCITSA's authority to communicate with such individual for the purpose of fulfilling an obligation under any statute or regulation, or any provision of the Bylaws of the BCITSA.
- b.** If at any time any individual wishes to withdraw consent to the collection, use and disclosure of their Personal Information for the purposes set out in this Privacy Policy, such individual may do so by contacting the Privacy Officer in accordance with the contact information included in section 1.13.b of this Policy.

1.8. Retention

- a.** Personal Information will be retained only as long as reasonably necessary to fulfill the legal or business purposes for which it was collected or is to be used or disclosed, or otherwise as required or permitted by law.
- b.** Personal Information provided from BCIT pursuant to the BCIT Agreement is stored in Canada on a server provided by the Service Provider. Any Personal Information stored with our Service Provider is further subject to agreements made between BCITSA and the Service Provider, as well as the privacy policy of the Service Provider, a link to which shall be posted on the BCITSA website.

1.9. Accuracy

- a.** BCITSA will make all reasonable efforts to ensure that Personal Information under its control is accurate, complete and current as required for the purposes for which it was collected or is to be used or disclosed.

- b.** Individuals may request that BCITSA correct any of their Personal Information in BCITSA's control. If BCITSA is satisfied that the request is reasonable, BCITSA will correct the Personal Information as soon as reasonably possible and will notify anyone to whom such Personal Information have been disclosed to in the past year. If no correction is made pursuant to the request, BCITSA will annotate the Personal Information under BCITSA's control with the correction that was requested but not made.

1.10. Protection of Personal Information

- a.** BCITSA protects Personal Information against loss or theft with appropriate security safeguards. Safeguards which BCITSA use include physical, administrative and electronic security measures. Further information is as follows:
 - i.** Data is sent from BCIT via Secure File Transfer Protocol (SFTP) which requires a login password, known only by an authorized employee. The files are also password protected. The SFTP program (WinSCP) is installed on a computer which is password protected and located in a secured office.
 - b.** Any employee who handles Personal Information as part of their job responsibilities are responsible for maintaining the confidentiality of all Personal Information to which they have access. BCITSA will ensure that such employees are informed and up to date about BCITSA's policies and procedures for protecting Personal Information.
 - c.** Personal Information is only made available to those who reasonably need such information to perform their job responsibilities.

1.11. Access to Personal Information

- a.** Individuals have the right to access their Personal Information in BCITSA's control. A request for access must be made in writing to the Privacy Officer either by mail or email at the addresses provided in section 1.13.b of this Policy.
- b.** Requests should have sufficient detail to allow BCITSA to identify the individual and the Personal Information that is being requested.

BCITSA reserves the right to refuse any requests where access is not or may not be permitted by the Acts or other applicable legislation.

1.12. Amendments to This Privacy Policy

- a. BCITSA reserves the right to modify this Privacy Policy at any time without notice, subject to *GOV-1 - Policy Framework*. The Privacy Policy approved by Council and distributed at any time or from time to time posted on the BCITSA's website shall be deemed to be the Privacy Policy then in effect.

1.13. Accountability

- a. BCITSA is accountable for Personal Information in its control. Our Privacy Officer is accountable for BCITSA's compliance with this Privacy Policy and the Acts. From time to time, other individuals within BCITSA may be delegated to act on behalf of the Privacy Officer.
- b. Individuals may access their Personal Information, make suggestions regarding this Privacy Policy or register a complaint about BCITSA's practices by contacting the Privacy Officer as follows:

BCITSA Marketing and Communications Manager (Privacy Officer)
Address: 3700 Willingdon Avenue, Burnaby, BC V5G 3H2
Phone: (604) 432-8973
Fax: (604) 434-3809
Email: privacy@bcitsa.ca

- c. If an individual is not satisfied with the response received from the Privacy Officer, a complaint may be filed to the Office of the Information and Privacy Commissioner in their respective province.