

Policy C-1 - Privacy

Creation: November 2015

Revised: February 2021

Approved: February 10, 2021

Review: 2023

Responsibility: ED's & Executive Committee

Policy Statement:

The Foundation of Administrative Justice(FOAJ) provides a broad range of services. We have a longstanding policy of protecting the privacy of our clients, Board of Directors, contractors, staff, and those involved with FOAJ. Our relationship is based upon trust and maintaining privacy.

This policy is a formal statement of principles and guidelines that we have adopted for the protection of personal information (PI). Our objective in developing this policy is to promote responsible practices in the management of PI in accordance with the provisions of the Personal Information Protection Act, ("PIPA" (AB)) and other similar legislation. This policy is organized according to the principles of the Canadian Standard's Associations Model Code, which forms the basis of that law.

- 1. Privacy Policy** FOAJ recognizes the importance of privacy and the sensitivity of PI. We understand that we have an obligation to keep confidential all PI we receive .
- 2. Your Privacy Rights** From January 1, 2004, all organizations engaged in commercial activities must comply with the PI Protection and Electronic Documents Act and the Canadian Standards Association Model Code for the Protection of PI which it incorporates. These obligations extend to FOAJ. The Act gives you rights concerning the privacy of your PI. FOAJ is responsible for the PI we collect and hold. To ensure this accountability, we have trained our staff about our policies and practices.

Why Does the Foundation of Administrative Justice Need PI? FOAJ provides educational services and related products to administrative tribunals, boards, agencies, commissions, committees and other similar organizations. We require some PI to continue the relationship; provide services. maintain client lists; and produce marketing materials and inform of developments in the community.

- 3. What PI do we collect?** PI is any information that identifies you, or by which your identity could be deduced. PI that we collect includes, but is not necessarily limited to, the following:
 - your name, home address, phone numbers and your e-mail address;
 - your business name and contact information;
 - credit card information; or
 - banking information.

- 4. How do we collect your PI?** We collect information only by lawful and fair means and not in an unreasonably intrusive way. Wherever possible we collect your PI directly from you at the start of the relationship and through ongoing contact.

We may obtain information about you from other sources, for example:

- from a government agency or registry;
- from your company or employer.

- 5. Consent** In most cases, we shall ask you to specifically consent, if we collect, use, or disclose your PI. Normally, we ask for your consent in writing but in some circumstances, we may accept your oral consent. Sometimes, your consent may be implied through your conduct with us.

- 6. Disclosure of your PI** Under certain circumstances, FOAJ will disclose your PI:

- when we are required or authorized by law to do so, for example, if a court issues a subpoena;
- when you have consented to the disclosure;
- to establish or collect fees;
- if we engage a third party to provide administrative services to us (such as an accounting service, mailing service or archival file storage) and the third party will be bound by our Privacy Policy;
- if we retain agents or consultants to assist us in completing research relating to our products and services;
- if the information is already publicly known.

In these instances, we will only disclose such PI as is required.

Updating Your Information Since we use your PI to provide our services to you, it is important that the information be up to date. If during your relationship any of your PI changes, please inform us so that we can make any changes.

- 7. Is My PI Secure?** FOAJ takes all reasonable precautions to ensure that your PI is kept safe from loss, unauthorized access, modification, or disclosure. Among the steps taken to protect your information are:

- premises security;
- employee training in the storage, safeguarding and use of PI;
- restricted file access to PI;
- deploying technological safeguards such as security software and firewalls to prevent hacking or unauthorized computer access; and
- internal password and security procedures.

If we use the services of any third parties to process or store PI, we will enter into an agreement which requires them to protect this PI in a manner acceptable to us. In entering into these agreements, we do not transfer any interest in this PI to them. This is done to

ensure that the PI delivered to third parties is maintained at a level equivalent to that provided for under this Privacy Policy.

- 8. Access to Your PI** You may ask for access to any PI we hold about you. Summary information is available on request. More detailed requests which require archive or other retrieval costs may be subject to a reasonable fee. We also reserve the right to confirm the identity of the person seeking access to PI before complying with any access requests. Please submit your access request in writing or e-mail info@foaj.ca.
- 9. Correcting Errors** If FOAJ holds information about you and you can establish that it is not accurate, complete and up-to-date, and we will take reasonable steps to correct it.
- 10. Can I be Denied Access to My PI?** In most cases, a client of FOAJ will have access to their PI. However, there may be rare occasions when your rights to access your PI are denied, for example the PIPEDA indicates that:
- your rights to access your PI are not absolute;
 - denial of access is required or authorized by law;
 - when granting you access would have an unreasonable impact on other people's privacy;
 - when to do so would prejudice negotiations with you;
 - to protect the Foundation of Administrative Justice's rights and property; or
 - where the request is frivolous or vexatious.

If we deny your request for access to, or refuse a request to correct information, we will endeavor to explain why.

- 11. Can I request anonymity?** Whenever it is legal and practicable, we may offer the opportunity to deal with general inquiries without providing your name (for example, by accessing general information on our website).
- 12. Credit Bureaus** On occasion we may request information about you from the files of consumer agencies or file complaints with those agencies, such as where a member has failed to pay a debt owed to us.
- 13. Communicating with Us by E-Mail and/or Fax** You should be aware that e-mail and fax are not a 100% secure medium, and you should be aware of this when contacting us to send personal or confidential information or requesting us to respond to you by e-mail.
- 14. Changes to this Privacy Policy** Since FOAJ regularly reviews all its policies and procedures, we may change our Privacy Policy from time to time.



15. Requests for Information Access and/or Corrections If you have any questions, or wish to access your PI, please write to our Executive Directors at:

Foundation of Administrative Justice
34 St. Business Centre
3438 B 78 Avenue
Edmonton AB T6B 2X9
780.466.0601
Email: info@FOAJ.ca
Website: www.FOAJ.ca

16. Employment Inquiries If you apply to FOAJ for a job, we need to consider your PI, as part of our review process. We normally retain information from candidates after a decision has been made unless you ask us not to retain the information. If we offer you a job, which you accept, the information will be retained in accordance with our privacy procedures for employee records.

17. Web Site Our website may contain links to other sites, which are not governed by this Privacy Policy. On our website, like most other commercial websites, we may monitor traffic patterns, site usage and related site information to optimize our web service. We may provide aggregated information to third parties, but these statistics do not include any identifiable PI.