

PERSONAL INFORMATION PROTECTION POLICY (PIPA)

1. GENERAL REQUIREMENTS

- 1) The Grandin Manor Board of Directors (hereinafter referred to as “the Corporation”) may collect, use and disclose Personal Information about individuals with whom it does business, including Owners, when five conditions have been met:
 - i. the information is required to carry out the business of the Corporation,
 - ii. the information is needed for an identified purpose,
 - iii. that purpose has been explained to the individual,
 - iv. the individual has given Consent to the collection, use or disclosure of the information, and
 - v. the individual understands that Consent may be withdrawn at anytime and understands the consequences of that withdrawal of Consent.
- 2) The Corporation may make Consent a requirement only if denial or withdrawal of Consent would prevent the Corporation from carrying out the purpose for which consent is required.
- 3) The Corporation shall adopt a system for recording, for each Owner File:
 - i. each use of Personal Information within the Corporation,
 - ii. each disclosure of Personal Information to those outside the Corporation, and
 - iii. the date of each use or disclosure, by or to whom the information was used/disclosed and the reason for the use/disclosure.

2. STORAGE & RETENTION OF INFORMATION

- 1) The Corporation shall adopt reasonable safeguards wherever Personal Information is stored to prevent unauthorized use. These safeguards shall include physical, technological and administrative means and shall apply to data on-site, off-site, that is held by outside contractors, and during travel.
- 2) Access to Personal Information will be restricted to those individuals who provided the information and the persons who need the information for the purpose for which it was gathered.
- 3) The Corporation shall keep Personal Information only for as long as needed to achieve the purpose for which it was collected. The Corporation shall also retain information for the purpose and period specified in its legal obligations.

3. ACCESS TO INFORMATION

- 1) Individuals may apply to have access to their own Personal Information in the custody or under the control of the Corporation. The applicant may ask for a copy of the record or to examine the record.
- 2) The request shall be in writing and must contain enough information so that the Corporation can find the information with a reasonable effort. The applicant is not required to state the reason for the request.
- 3) The Corporation shall respond within 45 days or may apply to the provincial Privacy Commissioner in extraordinary circumstances to extend the time period for responding to the request as defined in the Personal Information Protection Act.
- 4) The Corporation shall provide access to an individual's Owner File and other Personal Information the Corporation has in its custody or under its control, except:
 - i. when the information is protected by legal privilege,
 - ii. when disclosure would give away confidential business information,
 - iii. when the information was collected for an investigation or legal proceeding,
 - iv. when disclosure might result in that type of information no longer being supplied,
 - v. when a mediator or arbitrator collected the information,
 - vi. when the information could reasonably be expected to jeopardize the life or security of another individual,
 - vii. when the information would show Personal Information about another individual, or
 - viii. when the information would identify the person who gave an opinion about the individual.
- 5) The Corporation shall remove materials listed in 3. (4) from the Owner File and show only the remaining materials.
- 6) The Corporation shall tell the Owner:
 - i. if it has a record,
 - ii. if it is giving access to all or part of the record,
 - iii. where, when and how access will be given,
 - iv. the reasons for refusing and the section(s) of the Act that allow or require you to refuse access, and
 - v. that they may ask the provincial Privacy Commissioner to review the Corporation's decision to refuse access.
- 7) The Corporation may charge a reasonable fee to cover out-of-pocket expenses but not a handling or administrative fee.

4. CORRECTION OF INFORMATION

- 1) An individual may make a request to the Corporation to correct Personal Information that the Corporation has collected. The request shall be in writing.
- 2) The Corporation shall make a determination whether it should correct the information. If it decides to correct it, it shall do so as soon as possible. If the Corporation makes a determination not to make the correction, it must annotate the information with the correction that was requested but not made.
- 3) The Corporation shall not change or correct an opinion.
- 4) The Corporation shall also send the corrected information to all organizations to which it disclosed the wrong information.
- 5) The Corporation shall correct an individual's Personal Information when it receives notice of correction from another organization, subject to confirmation by the individual.
- 6) The Corporation shall not charge a fee for correction of Personal Information.

5. DESTRUCTION OF INFORMATION

- 1) The Corporation shall review its files on an annual basis and will destroy or erase any Personal Information no longer needed for the purpose for which it was collected.
- 2) The Corporation shall ensure that reasonable safeguards are applied when destroying Personal Information to prevent unauthorized use or access.

6. COMPLAINTS PROCESS

- 1) If an individual is dissatisfied with the Corporation's handling of his or her Personal Information, he or she may make a formal complaint to the Information and Privacy Commissioner of Alberta.

7. PRIVACY OFFICER

- 1) The Corporation shall perform the duties of a Privacy Officer, namely:
 - i. review privacy bylaws, policies and practices,
 - ii. handle complaints,
 - iii. provide information on the Corporation's Bylaws, Policies and Practices pertaining to privacy to individuals, and
 - iv. ensure access to and procedure for handling corrections to Owner Files.

8. EXEMPTIONS

- 1) Consent is not required if the Personal Information:
 - i. is for family or home use (e.g., Christmas card mailing lists),
 - ii. is publicly available (e.g., phone book),
 - iii. is to decide whether the individual is suitable for an honour, award or other similar benefit,
 - iv. is necessary to respond to an emergency,
 - v. is necessary in order to collect a debt owed to the Corporation,
 - vi. falls under another Act,
 - vii. is already contained in court files, or
 - viii. is for an investigation or legal proceeding,
 - ix. cannot be obtained in a timely way and the use is in the interests of the individual,
 - x. is in the best interests of the individual and consent cannot be obtained, in a timely way or the individual would not reasonably be expected to hold back consent,
 - xi. is needed to contact next of kin of an injured, ill or deceased individual, or
 - xii. if the disclosure is to the surviving spouse or adult partner or adult relative of an individual who has died, and if the disclosure is reasonable.

References:

Personal Information Protection Act, S.A. 2003, c. P-6.5; Current as of May 1, 2010.

Personal Information Protection Act Regulation (A.R. 366/2003); With amendments up to and including Alberta Regulation 51/2010.

A Guide for Businesses and Organizations on the Personal Information Protection Act, Revised November 2008.

POLICY HISTORY:	
Initial Policy Approved by Grandin Manor Management Board	March 8, 2006
Review of March 8, 2006 Policy; Draft Prepared for Circulation to Board for Review	January 25, 2012
Draft Review:	Jan 25 – Feb 9/12
Grandin Manor Board of Directors Approval	February 9, 2012