



## SKATE CANADA PRIVACY CODE

**Effective Date: May 22, 2020**

### Introduction

Skate Canada is committed to protecting the privacy and confidentiality of the personal information and data of its employees, members and registrants, third party service providers, business partners, and other individuals who share their information with the organization.

The purpose of the Privacy Code (the “Code”) is to establish, in an era in which technology increasingly facilitates the circulation and exchange of information, rules to govern the collection, use and disclosure of confidential information and the need of Skate Canada to collect, use and disclose confidential information for purposes that a reasonable person would consider appropriate in the circumstances and in compliance with the *Personal Information and Protection and Electronics Act* (the “Act” / “PIPEDA”).

We update this Code on a regular basis to ensure individuals are aware of updates to our practices, streamline practices and to comply with laws. We encourage regular visits to our website for updates. We will post any Privacy Code changes on this page and, if the changes are significant, we will provide a more prominent notice.

### Definitions

Certain terms used herein may not be capitalized; however, for the purposes of this Code, the following terms herein have the ascribed meanings as set forth below. In addition, all references to the singular include the plural and vice versa.

**affiliate** means a section, a club or skating school who has an affiliation with Skate Canada

**Board, pursuant to the Bylaws**, means the board of directors of Skate Canada

**Bylaws** means the bylaws of Skate Canada as amended and which are, from time to time, in force and effect

**CEO** means Chief Executive Officer of Skate Canada, a Board appointed position



**club**, pursuant to the Bylaws, means a not-for-profit organization that is operating for the general purpose of providing Skate Canada programs and is managed by a volunteer board of directors

**code** means a set of standards adopted by an organization to establish minimum expectations. Codes are a set of principles that express the organization's values and culture. Codes enhance the organization's reputation and promote compliance with laws and regulations applicable to the organization

**Commissioner** means the Privacy Commissioner appointed under section 53 of the Privacy Act of Canada

**confidential business information** means non-public information. It is information about Skate Canada that has not been disclosed to the public. Confidential business information may include, but is not limited to, financial information projections, intellectual property, proprietary processes, proposed transactions, trade secrets, and information that might be useful to competitors or information about members, registrants, suppliers, or service providers. All information about, or received from, sponsors should be presumed to be confidential business information unless the contrary is clear

**confidential information** comprises individual's personal information, personal health information, confidential business information, and any other information about Skate Canada that has not been generally disclosed to the public. See also "personal information", "personal health information" and "confidential business information"

**director**, pursuant to the Bylaws, means an individual elected or appointed to serve on the Board

**electronic communication** means communication using channels including but not limited to email, the Internet, the intranet, instant messaging, text messaging, facsimile, voice communications, social media

**employee** means a person who is hired by Skate Canada on a permanent full-time or short-term on-going basis, or on a temporary / contract basis for a defined period of time. Employees may also include certain independent contractors who, while not technically employees within the meaning of applicable labour or tax laws, have been identified as being applicable in this Policy



**individual** means a person, and includes employees, contractors, directors, member of a standing committee of the Board, member of an operating committee or working group of Skate Canada, members, registrants, parents (and guardians), third-party service providers, and for the purposes of this Policy, sections and anyone else associated with Skate Canada but does not include such legal persons as corporations

**law** means any applicable legislation, statutes, regulations, policies, rules and codes of conduct established by government, legal or regulatory authority, or by any self-regulatory industry association by which Skate Canada is or has agreed to be bound

**member**, pursuant to the Bylaws, means each entity that meets the requirements of any of the three Member classes

**organization** collectively means Skate Canada, unless otherwise noted

**personal information** means information about an identifiable individual employee, member of the Board of Skate Canada, member of a standing committee of the Board, member of an operating committee or working group of Skate Canada, member of Skate Canada, registrant, and/or third-party service provider. This may include, without limitation, the individual's name, residential address, home and/or cellular telephone number(s), email or other electronic address, social media account name, fax number, date of birth, gender, government issued identification number (e.g., Social Insurance Number, passport number), health information, criminal record, payroll/employee identification, employment history, personal references, salary/compensation history, financial status, pension contributions, employee benefit information, emergency contact information, credit card and direct deposit banking information. Personal information also includes information that may relate to the work performance of the individual (performance appraisals), absenteeism, and training history/evaluations. For all individuals including sections, personal information includes any injury claim reports, allegations, investigations or findings of wrongdoing, misconduct or discipline stemming from a complaint through the Ombudsperson process, and/or a complaint of misconduct, incident of injury report and/or general dispute through the Safe Sport process. For registrants, in addition to the information outlined above, personal information also includes but is not limited to information related to test results and program information for skaters, and qualifications for officials. For event volunteers, in addition to the information outlined above, personal information may also include information related to training, education, work experience, volunteer experience and qualifications, and expense information. In general, personal information includes any



information that could be used to commit identity theft or other forms of fraud. All information about or received from individual employees, members of Skate Canada, registrants, members of the Board of Skate Canada, members of a standing committee of the Board, members of an operating committee or working group of Skate Canada, and/or third-party service provider should be presumed to be personal information unless the contrary is clear

By virtue of applicable privacy legislation, personal information does not include job title, job description or business contact information, such as the information disclosed on a business card, with the exception of an individual's business email address which is considered personal information

This information can be in any form including but not limited to paper, electronic, electronic communications, video or voice recording

***personal health information*** means information about an identifiable individual, as applicable, that relates to the physical or mental health of the individual, the provision of health care to the individual, the individual's entitlement to payment for health care, the individual's entitlement to payment for an insurance claim for an injury, the individual's health card number, the identity of providers of health care to the individual or the identity of substitute decision-makers on behalf of the individual

***policies and procedures*** mean all applicable manuals, guidelines, handbooks, job aids forms, policies, procedures, codes, and standards as implemented by Skate Canada, including those that relate to how Skate Canada wishes to manage its business in accordance with its business strategy and risk appetite

***Privacy Officer*** means a Board appointed position accountable for overseeing privacy governance, all activities related to the implementation of, and adherence to, the organization's privacy policies and to ensure operational procedures are in compliance with relevant privacy laws

***registrant, pursuant to the Bylaws***, means (i) an individual who is registered by a club or skating school with Skate Canada and who is subject to all applicable rules, regulations and policies of Skate Canada but who is not a member; and (ii) an individual who is engaged in any activity provided, sponsored, supported, sanctioned or recognized by Skate Canada and registered directly with Skate Canada but who is not a member



**section**, pursuant to the Bylaws, means the 10 geographic jurisdictions as defined in the Bylaws

**skater**, pursuant to the Bylaws, means (i) a person who is registered at a club or skating school with Skate Canada and who is subject to all applicable rules, regulations and policies of Skate Canada but who is not a member; and (ii) a person who is engaged in any activity provided, sponsored, supported, sanctioned or recognized by Skate Canada and registered directly with Skate Canada but who is not a member

**skating school**, pursuant to the Bylaws, means an organization other than a club that is operating for the general purpose of providing Skate Canada skating programs

**social media** means interactive digital-media technologies that facilitate the creation and sharing of information, ideas and other forms of expression via virtual communities and networks

**third-party service provider** means an individual or corporate entity having a business relationship of any kind with Skate Canada (such as, sponsors, partners, event volunteers, etc.)

**we, us, our** means Skate Canada, unless noted otherwise

### To Whom Does the Code Apply

This Code applies to Skate Canada in respect of confidential information that Skate Canada collects, uses or discloses from individual(s) for the operation of its business and/or in the course of its organizational activities.

When a person registers with a club or skating school, they will also be registered with Skate Canada. This means that Skate Canada may collect, use, disclose and maintain their confidential information for certain purposes described in this Privacy Code and as required to establish, register, administer, and maintain their relationship with us. This applies to registrants, coaches and/or in connection with their affiliation with a skating club or skating school. Their confidential information may also be exchanged with Skate Canada affiliates which includes their local skating club or school or provincial association or section.



## Guiding Principles

All individuals at one time or another may receive personal, privileged and/or confidential information which may concern other individuals. Individuals are obligated to ensure that confidential information to which they may have access remains confidential, is only used for the purposes for which it was collected is not disclosed without authorization or used for personal gain. Any individual who discloses confidential information, contrary to this Code will be subject to disciplinary measures.

Individuals are required to follow the *10 principles* as outlined below, designed to comply with PIPEDA, regarding the collection, use and disclosure of confidential information as set out in this Code.

### 1. Accountability

- 1.1. Skate Canada is accountable to those whose confidential information comes under its custody for ensuring that their information is protected in a manner consistent with this policy. Accountability for Skate Canada's compliance with this Code rests with the Privacy Officer, or delegate.
- 1.2. Skate Canada is responsible for confidential information in its possession or custody, including information that has been transferred to or is accessed by a third-party service provider for processing. Skate Canada uses contractual or other means to provide a comparable level of protection while a third party is processing the information.
- 1.3. Skate Canada has implemented policies and procedures to give effect to the principles of the Act, including:
  - 1.3.1. procedures to protect confidential information;
  - 1.3.2. procedures to receive and respond to inquiries and complaints; and
  - 1.3.3. training staff and communicating information to staff about Skate Canada's policies and procedures.

### 2. Identifying Purposes

- 2.1. Skate Canada will identify the purpose for which it collects, uses, and discloses confidential information prior to collecting the information. Skate Canada only collects, uses or discloses confidential information for purposes consistent with meeting its mandate and core functions.
- 2.2. Skate Canada collects, uses or discloses confidential information for the following purposes, including but not limited to:



*Non-commercial activity:*

- a. For registration and delivery of Skate Canada programs, services, events and activities
- b. For technical monitoring, coaches training, officials training, sport promotion and media publications
- c. To determine eligibility, age group and appropriate level of competition
- d. To determinate registrant and membership demographics and program wants and needs
- e. To comply with all laws, including regulatory and ISU obligations
- f. To comply with obligations with respect to Skate Canada's Safe Sport program
- g. To comply with obligations with respect to third-party service provider requirements who assist Skate Canada in servicing employees, directors of the Board, members of the standing committees of the Board, members, or registrants, and for this Policy sections (for example, employee benefit third-party provider(s), third-party insurance provider(s), etc.)
- h. To communicate with you
  - sending communications in the form of e-news or a newsletter with content related to Skate Canada programs, events, fundraising activities, incidents of injury, complaints of misconduct, general disputes, discipline, appeals and other pertinent information
  - publishing articles, media relations and postings on the website, displays or posters
  - awareness nominations, biographies, and media relations
  - regarding immediate temporary suspension of membership or registration pending the outcome of the investigation and disciplinary process
  - discipline results and long-term suspension list
  - checking residency status
- i. To inform governing bodies (e.g., sections, ISU)) of a registrant and/or members registration and/or participation with Skate Canada
- j. To inform government funders the number and demographic profile of registrants and/or members
- k. To provide the educational tools and resources to pursue the highest levels of achievement
- l. For purposes necessary to provide the safest possible environment, including advising other persons or organizations, including but not limited to, national and provincial sport organizations, sections, clubs, skating schools, etc., of



any decisions rendered in accordance with the National Safe Sport Policy and accompanying National Safe Sport Procedure

- m. Decisions are matters of public interest and will be publicly available with the names of the parties redacted. Names of individuals disciplined may be disclosed to the extent necessary to give effect to the sanction process.
- n. To manage our business (develop programs, services, and activities; analytics; market research)
- o. To manage property and facilities, ensure environmental compliance and perform risk management

*Commercial Activity:*

- a. Video recording and photography for promotional use, marketing and advertising by Skate Canada
- b. Promotion and sale of merchandise

*General:*

- a. Travel arrangements and administration, as applicable
- b. Medical emergency, reports relating to medical or emergency issues
- c. Any and all complaints of misconduct, incidents of injury, and general disputes, as per the National Safe Sport Policy
- d. Any and all inquiries

2.3. Skate Canada collects or may collect confidential information from individuals during the normal activities and for member and registrant management.

### 3. Consent

- 3.1. Knowledge and consent of the individual are required for the collection, use or disclosure of identifiable confidential information, except where legally permissible and/or inappropriate (such as in cases of implied consent or for statutorily required purposes).
- 3.2. PIPEDA sets out specific circumstances under which Skate Canada may collect, use or disclose confidential information without the knowledge or consent of the individual. These include, among others, the following:

3.2.1. Collection

When the collection is clearly in the interests of the individual and consent cannot be obtained in a timely manner.





### 3.2.2. Use

3.2.2.1. When Skate Canada becomes aware during its activities of information it has reasonable grounds to believe could be useful in investigating or preventing a contravention of the laws of Canada, a province, or a foreign jurisdiction, that has been, is being, or is about to be committed, and the information is used to investigate that contravention.

3.2.2.2. When the information is used to act in an emergency that threatens the life, health or security of an individual.

3.2.2.3. When the information is publicly available and is specified by regulation.

### 3.2.3. Disclosure

Disclosure will be made:

- When required to comply with a subpoena or warrant issued or an order made by a body with jurisdiction to compel the production of information, or to comply with court rulings relating the production of records.

3.3. Other than in those exceptions set out earlier in this section, Skate Canada requires individuals to consent to the collection of confidential information and its subsequent use or disclosure.

3.3.1. Consent may be obtained in various ways.

3.3.2. Skate Canada collects information from a variety of sources but much of the information comes from you (e.g., at time registration, correspondence or communications with us online and offline, through our social media websites), or other public sources and/ or permitted sources.

3.3.3. For the collection of identifiable confidential information, a Notice of Collection statement and consent must be provided by the affiliate to registrants at time of registration (See Appendix).

3.3.4. Knowledge and consent of the individual is not required for the collection, use or disclosure of non-identifiable confidential information.

3.3.5. Individuals with a direct relationship with Skate Canada may withdraw their consent and can do so by contacting Skate Canada.

To withdraw your consent, you can contact our Skate Canada Privacy Office as follows:

Email: [privacy@skatecanada.ca](mailto:privacy@skatecanada.ca)

Write to: Skate Canada Privacy Officer

261-1200 St. Laurent Blvd., Box 15

Ottawa, ON K1K 3B8



#### 4. Limiting Collection

- 4.1. Skate Canada limits the collection of confidential / personal information to that which is necessary for the purposes it has identified. Confidential / personal information will be collected by Skate Canada through fair and lawful means from the individual (e.g., through employment, membership, registration, use of our programs and services, communications with us and/or third-parties (e.g., by telephone, use of our website, email, third-party services (email, phone, website), etc.,)).
- 4.2. Skate Canada will not collect confidential information indiscriminately or in a misleading manner.

#### 5. Limiting Use, Disclosure and Retention

- 5.1. Skate Canada will not use identifiable confidential information for purposes other than those identified prior to collection, except with the consent of the individual or as required by law. “Use” includes processing identifiable information in such a way that it is no longer identifiable (e.g. aggregated).
- 5.2. Skate Canada will use your identifiable confidential information as described earlier in section 2 – Identifying Purposes.
- 5.3. Skate Canada allows only authorized staff to access and use specific data holdings of confidential information on a “need-to-know” basis, that is, when required to perform their duties.
- 5.4. Skate Canada sometimes uses the services of third-party service providers only to the extent required for the provision of such services. By providing confidential information, an individual consents to the access and/or transfer, storing or processing of their confidential information to a third-party service provider as applicable. Third-party service providers and contractors are contractually obligated to ensure data is treated securely and in accordance with this Privacy Code, to keep the information confidential, to use the information only for the purpose requested and to destroy the information when it is no longer required.
- 5.5. Skate Canada does not sell, share or rent confidential information to a third-party service provider or others for any other purpose from what is disclosed in this Policy without the consent of the individual.
- 5.6. Skate Canada may disclose or publish non-identifiable (e.g. aggregated) confidential information only, having used reasonable precautions to ensure that individuals cannot foreseeably be identified by linking this information with other information.
- 5.7. Skate Canada may disclose identifiable confidential information only when:
  - 5.7.1. the recipient is the data provider that originally provided the identifiable confidential information; or
  - 5.7.2. disclosure is required by legislation; or



- 5.7.3. consent has been obtained from the individual(s) concerned.
- 5.8. Confidential information is retained only as long as is necessary for the fulfillment of the purposes identified at time of collection. Legal requirements, complaints, and/or long-term analysis and reporting may necessitate our retaining some or all of your confidential information for a period of time that is longer than we might otherwise hold it. As such, we keep your information beyond the end of your relationship with Skate Canada. However, Skate Canada will restrict access to prevent it from being used except for the fulfillment of these requirements.
- 5.9. Confidential information that is no longer required to fulfill the identified purposes will be destroyed, erased, or made anonymous in a secure manner.

**IMPORTANT: Information may be stored and processed in any country where we have third-party service providers. By using our programs and services, you consent to the transfer of confidential/personal information to countries outside of Canada — including the United States — which may provide for different data protection rules.**

## 6. Accuracy

- 6.1. Confidential information collected by Skate Canada will be as accurate, complete and up-to-date as necessary for the purposes for which it is to be used.
- 6.2. Skate Canada does not routinely update confidential information, only when necessary to fulfill the purposes for which the information was collected.
- 6.3. Individuals are responsible for ensuring the confidential information they provide to Skate Canada is accurate, complete and up-to-date for the purpose specified, and encouraged to provide updates as changes occur.

**To update your confidential information with Skate Canada, contact one of our representatives through our Member Services division by calling 1 (888) 747-2372**

## 7. Safeguards

- 7.1. Skate Canada protects confidential information with security safeguards to protect against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. Skate Canada will protect confidential information that it holds or transmits regardless of the format in which it is held.



- 7.2. The nature of the safeguards will vary depending on the sensitivity and identifying nature of the information that has been collected, amount, distribution, and format of the information, and method of storage.
- 7.3. The methods of protection used include:
  - 7.3.1. physical measures, such as locked filing cabinets
  - 7.3.2. organizational measures, such as limiting access on a 'need to know' basis
  - 7.3.3. technological measures, such as the use of passwords and encryption
- 7.4. Skate Canada will use care in the disposal or destruction of confidential information to prevent unauthorized parties from gaining access to the information.

## 8. Openness

- 8.1. Skate Canada makes readily available to individuals' specific information about its policies and practices related to the management of confidential information in order to promote transparency and explicitness.
- 8.2. Individuals will be able to acquire information in a form that is generally understandable.
- 8.3. Skate Canada will provide information on policies and practices in various ways to registrants, members, coaches, sections, third-party service providers and the public including by talking to a service representative at our Skate Canada Ottawa Service Centre, and/or accessing the Skate Canada on-line Internet site.

## 9. Individual Access

- 9.1. Upon written request through our Member Services division (a form can be provided), Skate Canada will inform an individual of the existence, use, and disclosure of his/her identifiable confidential information and shall be given access to that information subject to the exclusions set out in PIPEDA. An individual will be able to validate his or her personally identifiable information for accuracy and completeness, and to have it amended as appropriate.
- 9.2. Subject to the legal exceptions or as otherwise permitted by law, upon written request, Skate Canada will:
  - 9.2.1. inform an individual whether or not it holds information about the individual
  - 9.2.2. use its best efforts to indicate from whom this information was collected and to whom it has been disclosed
- 9.3. As part of the written request, an individual may be required to provide specific details information to permit Skate Canada to provide an account of the existence, use and disclosure of the confidential information. In addition, we may need to verify your



identify before searching or providing you with access to your information. The information will be used only for this purpose.

- 9.4. Skate Canada responds to an individual's written request to access their information within a reasonable time and at minimal or no cost to the individual. If there is a cost to the individual for access, Skate Canada will provide the individual an estimate of the cost. Skate Canada will respond to a request not later than 30 days after receipt of a written request. If for any reason we do not grant access, the individual will be provided with written reasons.

Email: [privacy@skatecanada.ca](mailto:privacy@skatecanada.ca)

Write to: Skate Canada Privacy Officer  
261-1200 St. Laurent Blvd., Box 15  
Ottawa, ON K1K 3B8

## 10. Questions or concerns

- 10.1. An individual can address a question or concern concerning Skate Canada's compliance with the Privacy Code as follows:

### Step 1: Talk to us

In most cases, a privacy question, concern or complaint is resolved simply by talking to us about it with one of our representatives through our Member Services division by calling 1 (888) 747-2372

### Step 2: Skate Canada Privacy Officer

If your privacy question, concern, or complaint has not been resolved to your satisfaction, individuals can contact the Skate Canada Privacy Officer:

Email: [privacy@skatecanada.ca](mailto:privacy@skatecanada.ca)

Write to: Skate Canada Privacy Officer  
261-1200 St. Laurent Blvd., Box 15  
Ottawa, ON K1K 3B8

### Step 3: Escalate

If individuals are not satisfied with the decision of the Skate Canada Privacy Officer, individuals can inquire as to how the matter can be further escalated.

If the above steps fail to resolve the concern of the individual, individuals may also contact the Office of the Privacy Commissioner of Canada:



30 Victoria Street  
Gatineau, Quebec K1A 1H3

Toll free at: 1-800-282-1376

Website: [www.priv.gc.ca](http://www.priv.gc.ca)

## Related Documents

### *Legislation*

- *Personal Information Protection and Electronic Documents Act*
- *Breach of Security Safeguards Regulations*
- *Canada Anti-Spam Legislation*

### *Skate Canada Policies*

- Skate Canada Code of Ethics
- Online Terms of Use (Skate Canada website)
- National Safe Sport Program, including
  - Misconduct Reporting and Resolution Policy and procedure thereunder
  - General Dispute Reporting and Resolution Policy and procedure thereunder
  - Incident of Injury Reporting and Management Policy and procedure thereunder
  - Concussion Management Policy, and protocol thereunder

### *Forms*

- Personal Information Access Request Form