



Date of Adoption: July 19, 2019

Date of Expiry: July 19, 2022

KSA Privacy Policy

Authority and Accountability

1. BC's *Personal Information Protection Act* ("PIPA") governs how private sector organizations within British Columbia are permitted to collect, use, and disclose personal information. The Kwantlen Students' Association (the "KSA") is a private, corporate entity, separate and independent from Kwantlen Polytechnic University ("KPU"), and must comply with PIPA.
2. The KSA values the importance of privacy, recognizes the sensitivity of personal information it receives in the course of its activities, and understands its obligations to comply with all applicable privacy legislation, including PIPA.
3. The KSA understands that it is ultimately responsible and accountable for the personal information in its control, including the personal information of employees, contractors, students and volunteers, including personal information that may not be in the KSA's physical possession.
4. All persons who are employed, contracted by, or volunteer for the KSA, or provide student services on behalf of the KSA, including but not limited to KSA employees, contractors, Student Council members, and volunteers, are required to be aware of and comply with this policy, and specifically, must adhere to the specific protections outlined within for the appropriate collection, use and disclosure of personal information. They must also comply with the *KSA Privacy and Personal Information Procedures Handbook* as applicable (the "*Privacy Procedures Handbook*").
5. If there is any discrepancy or inconsistency between this policy and the *Privacy Procedures Handbook*, this policy will apply.

Applicability

6. This Privacy Policy applies to all KSA employees, contractors, Student Council members and its Executive members, as well as all KSA volunteers. For the purpose of this Policy, a reference to the
-



KSA's obligations is the same as a reference to a KSA employee, contractor, Student Council member, Executive Council member, or KSA volunteer, unless expressly stated otherwise.

7. This Privacy Policy sets out how the KSA collects, uses, discloses, and protects the personal information and privacy of its employees, volunteers, contractors, members, and students.

Definitions

8. "Personal information" is defined as all information about an identifiable individual. This includes, but is not limited to an individual's name, home address, birthdate, personal email address, personal phone numbers, academic records, medical records and history, health information, passport number, and social insurance number.
9. "Employee personal information" is defined as all information required for establishing, maintaining, managing or terminating the employee relationship. This includes the employee's name, home address, employment history, birth date, medical history or records, and salary. It does not included information that allows the employee to be contacted at work, such as their business phone number, business email address, or name and title.

Collection, Use and Disclosure of Personal Information

Identifying the Purpose for which the Information Is Being Collected

10. The KSA will only collect, use, and disclose personal information for the purpose(s) of enrolling a student member in a service or program, providing KSA services, programs, or products, to administrate those services or programs, or for other purposes expressly consented to by the individual from whom the personal information is being collected, or where required or authorized by law. For further information on the specific type of personal information that may be collected by the KSA, KSA employees, contractors, Student Council members, and volunteers should refer to the *Privacy Procedures Handbook*.
11. The KSA will not collect any other personal information, or allow personal information to be used for any other purpose(s) without the express consent of the person to whom the information belongs, or except where authorized by law to be collected, used and/or disclosed without consent.
12. At the time of collection of personal information, the KSA will make reasonable efforts to ensure that the information is accurate and complete.



-
13. The KSA will collect personal information directly from the individual to whom it pertains, unless authorized by law, or the individual authorizes, in writing, the collection of personal information from another source.
 14. On an annual basis, the KSA will critically review the reason(s) for collecting the personal information, and assess whether the type of personal information being collected is necessary for the identified purpose(s) and the minimum amount required to achieve the purpose of the collection.

Consent

15. Prior to, or at the time personal information is being collected, the KSA will advise the individual to whom the information pertains of the purpose(s) for which the personal information is being collected, how it will be used, and under what circumstances the information will be disclosed.
16. Individuals can provide consent to the KSA orally, or in writing on paper or electronically. Consent may be implied or express, depending on the nature of the personal information being collected.
17. The KSA will only collect the minimum amount of personal information required, and will not collect the personal information if it is not necessary to fulfill the purpose(s) identified. For further information on the type of consent the KSA requires its employees, contractors, Student Council members, and volunteers to obtain from individuals at the time of collection, please refer to the *Privacy Procedures Handbook*.
18. At any time the KSA wishes to use or disclose the personal information of an individual for a purpose not previously identified or consented to (whether expressly or impliedly), the KSA will inform the individual of the new purpose and obtain their consent prior to using or disclosing that information for the new purpose, unless otherwise permitted or authorized by law. For example, specific circumstances where express consent is not required include:
 - when the individual's health or safety is at risk and consent cannot be obtained in a timely way or the individual is unable to give consent;
 - the collection is necessary to determine the individual's suitability to receive an honour, bursary or award, or to be selected for an athletic or artistic purpose;
 - the personal information is necessary to facilitate the collection or payment of a debt owed to the KSA;
 - for the purposes of establishing, managing, or terminating an employment/contract for services relationship between the KSA and the individual; and/or
 - or otherwise required by law (for example, as authorized by a court order, subpoena or search warrant.)
19. The KSA will not obtain consent by deceptive means or by providing false or misleading information about how the personal information will be used or disclosed.



-
20. The KSA will not make consent a condition for supplying its products or services unless the collection, use or disclosure of the personal information is necessary to provide the product or service.
 21. Individuals may withdraw consent for the collection, use and/or disclosure of their personal information at any time by giving the KSA reasonable notice.
 22. The KSA will not prohibit an individual from withdrawing their consent to the collection, use or disclosure of personal information, except as required by law. If an individual chooses to withdraw their consent, the KSA will discuss with them any significant consequences that may result (i.e. any possible negative impact on the services, programs, or products provided). The KSA will obtain a signed and dated withdrawal of consent form from the individual, which will be appended to their file and retained in accordance with this policy and the *Privacy Procedures Handbook*.

Third Party Disclosure of Personal Information

23. The KSA will obtain an individual's express consent before disclosing their personal information to third parties for any purpose other than to provide the requested KSA services, programs, or products, to administrate or manage those services and programs, or unless required by law (for example, in the event of a court order, subpoena, or search warrant).
24. Before disclosure of personal information is made to a third party, the KSA must inform the individual in a manner that is clear and can be reasonably understood, of the purpose(s) for the collection, use or disclosure of personal information to the third party, and must obtain a signed and dated consent form, which will be appended to the individual's KSA file/records and retained in accordance with this policy and the *Privacy Procedures Handbook*.
25. Further, prior to disclosure of personal information to a third party, the KSA will ensure that the appropriate privacy and confidentiality agreements and clauses are in place with respect to third party access to personal information and to ensure the third-party organization understands its obligations under PIPA and this policy. For more specific information on the agreements that the KSA is required to obtain from its third-party service providers prior to disclosure of personal information, please see the *Privacy Procedures Handbook*.
26. The KSA will not sell or rent personal information to anyone outside the KSA unless the KSA has obtained the express consent of the individual to whom the information pertains.
27. Individuals may withdraw their consent to have their personal information disclosed to a third party at any time, except when the disclosure is authorized or required by law. If an individual chooses to withdraw their consent, the KSA will discuss with them any significant consequences that may result.

KSA Authority to Access Personal Information



-
28. All KSA employees, contractors, or volunteers who have access to personal information, student, employee, volunteer or otherwise, must ensure the following information management practices will be complied with:
- (a) access to any personal information collected by the KSA will be solely on a need to know basis; that is, personal information is to be accessed solely on the basis that it is required for the proper performance of the individual's duties to the KSA;
 - (b) access to personal information will be restricted to authorized users of this information;
 - (c) the confidentiality of any personal information accessed in the course of providing services for or on behalf of the KSA will be protected; and
 - (d) any personal information will only be collected, used and disclosed for the purpose of providing KSA services, the administration of those services, or a purpose expressly consented to by the KPU student or KSA member.
29. For further information about who is authorized to access personal information collected by the KSA in connection with its various services, programs and products, KSA employees, contractors, Student Council members, and volunteers, should refer to the *Privacy Procedures Handbook*.

Retention of Personal Information

30. The KSA will keep personal information only as long as necessary to fulfill the purpose(s) for which it was collected, or as required by law, but will keep personal information that is used to make a decision relating to an individual, for example, their employment and/or the termination of their employment, for at least one year after the decision, including the decision not to hire an individual. For more specific information on retention periods, please see the *Privacy Procedures Handbook*.
31. Subject to the above, the KSA will destroy, erase or render anonymous personal information as soon as it is no longer serving the purpose for which it was collected and is no longer necessary for a legal or business purpose. For more specific information on the deletion and/or anonymization of personal information, please see the *Privacy Procedures Handbook*.

Right to Access Personal Information

32. Individuals have the right to access their personal information collected by the KSA. Individuals may submit to the KSA a written request for access to:
- (a) their personal information under the KSA's custody or control;
 - (b) information about how their personal information has been and is being used by the KSA; and
 - (c) the names of the individuals and organizations to whom their personal information has been disclosed by the KSA.



-
33. If a verbal or written request is made for access, the KSA will acknowledge receipt of the request in a timely manner, and will provide the individual with the option to view their records, and/or obtain a copy of their records at a reasonable cost within 30 days of their request.
 34. If an individual wishes to view an original record, an employee of the KSA will be present during the viewing to maintain the integrity of the record.
 35. The KSA will make every effort to ensure that the personal information collected is accurate and complete. If an inaccuracy or incomplete information in a personal record is identified by an individual, the individual can request that changes be made. If satisfied the request for correction is reasonable, the KSA will correct the error or incomplete information as soon as reasonably possible. If the KSA does not correct the personal information as requested, the KSA will note, in writing, the request, the date of the request, and the reason(s) for not making the requested change, and append such note to the individual's file in accordance with this policy and the *Privacy Procedures Handbook*.
 36. If a correction to personal information is made, the KSA will a copy of the corrected personal information is sent to each person or organization to which the incorrect or incomplete information was disclosed by the KSA in the past year.
 37. An individual's ability to access their personal information under the KSA's control or custody is not absolute. In limited circumstances, the KSA may deny an individual access to their records where authorized or required by PIPA. For example, access may be denied when the disclosure could reasonably be expected to seriously endanger the mental or physical health or safety of the individual making the request, or that of another person, or would reveal personal information about another person who has not consented to the disclosure, in which case the KSA will do its best to separate out this information, and disclose only what is appropriate.
 38. If the KSA refuses an individual's request to access their personal information, the KSA will advise the person requesting the information in writing, by email or mail, the reasons for the refusal, and information on how to request a review by the BC Privacy Commissioner.

Security of Personal Information

39. The KSA recognizes its legal obligations to protect the personal information it has collected about its members and about other individuals in the course of its activities and providing services. The KSA acknowledges it is accountable for the protection of all personal information under its control, even if the KSA does not actually have physical custody of the information. As such, the KSA will make all reasonable efforts to safeguard personal information in its custody and control against the unauthorized access, collection, use, disclosure, copying, modification, disposal or destruction of personal information, regardless of the format in which it is held (e.g., paper, electronic, audio, video, or otherwise).



-
40. The KSA's security arrangements to protect personal information will include physical measures, technical tools, and other organizational controls where reasonable and appropriate. The KSA is accountable for the protection of all personal information under our control, even if the student society does not actually have custody of the information.
41. The KSA implements the following physical safeguards to protect the security of its member, employee, contractor, and volunteer personal information:
- (a) Limiting access to the office where physical records are stored and granting access to authorized users only;
 - (b) Secure and locked filing cabinets where physical records are kept;
 - (c) Limiting access to member and employee records on a need to know basis; and
 - (d) A deadbolt entry lock and a passcard/fob entry system.
42. The KSA implements the following technological safeguards to protect member, employee, contractor, and volunteer information:
- (a) Using password protected computer access for student personal information;
 - (b) Limiting access to authorized users only;
 - (c) Installing firewall and virus scanning software; and
 - (d) Ensuring data backup and disaster recovery plans are in place.
43. The KSA implements the following administrative safeguards:
- (a) Returning records to their filing location as soon as possible after use;
 - (b) Not leaving records unattended at fax machines or photocopiers;
 - (c) Keeping records on-site at all times, or in the KSA's secure offsite storage for archived information; and if records must be accessed or taken off-site, requiring KSA employees to obtain approval from their supervisor prior to removing the records; taking only the minimum amount of personal information required; and keeping these records secure at all times, for example, by:
 - i. Keeping records locked in the trunk of a car, and not leaving such unattended once at the destination;
 - ii. Not viewing records in public places where they may be viewed or accessed by unauthorized persons (e.g. on public transit or in coffee shops);
 - iii. Not leaving records open for view in places where others have access (for example, hotel rooms);



-
- iv. Not storing personal information on personal portable electronic devices, but if necessary, keeping such devices secure and under the owner's control at all times, and not leaving such devices unattended; and
 - v. Immediately replacing records to their original storage location upon returning to the KSA and/or removing all personal information from portable electronic devices using a digital wipe utility program.
- (d) Requiring KSA employees to log out of computer systems or applications when not in use or using lock screens whenever not at their desks for any length of time;
 - (e) Not using public computers or networks or other unsecure devices or locations to connect to the KSA's network;
 - (f) Not storing KSA member information on the hard drive of home computers unless encrypted and password protected, and installed with a firewall and anti-virus protection;
 - (g) Keeping computer screens positioned away from public view and access, or using screen privacy protectors;
 - (h) Keeping the fax machines in a secure or supervised area where public access is restricted;
 - (i) Prohibiting KSA employees from sharing their assigned user ID or passwords with others;
 - (j) Revoking user IDs, passwords, passcards and fobs as soon as authorized users resign or are no longer employed or contracted by the KSA;
 - (k) Requiring contractual privacy clauses/agreements with third parties (for example, the landlord, cleaning and security personnel, website and storage providers) and clauses requiring third parties to adhere to this privacy policy; and
 - (l) Requiring confidentiality agreements with all KSA employees and third-party contractors.
44. For more specific information on the KSA's specific security obligations and organizations controls, please refer to the *Privacy Procedures Handbook*.

Communications with the KSA

45. The KSA is sensitive to the privacy of personal information and this is reflected in how KSA employees and contractors will communicate with KSA's members, and all third parties.
46. If a KSA member requests a copy of their personal information, the KSA will express its preference to deliver the personal information in a secure form, for example, by registered mail or courier. For more specific information on the KSA's communications policies with respect to personal information, please refer to the *Privacy Procedures Handbook*
47. The KSA implements the following procedures to communicate personal information:
-



12666 72nd Avenue
Surrey, BC V3W 2M8

Reception: 604.599.2126
Fax: 604.599.2429
Website: www.kusa.ca

-
- (a) By mail or courier -
 - (b) By telephone – unless otherwise authorized by the individual, the KSA will only leave the KSA's name and phone number in messages to members;
 - (c) By Email – the KSA will only communicate personal information by email when the member expressly requests and consents to communication in this form, and will only email sensitive personal information, such as academic records or medical information when absolutely and immediately necessary;
 - (d) By Fax – KSA will not communicate personal information by fax.

48. For more specific information on how the KSA will communicate personal information, please refer to the *Privacy Procedures Handbook*.

Privacy Complaints and Breaches

- 49. If any KSA employee, contractor, volunteer or member becomes aware of any actual or potential privacy or security breach of personal information, they must immediately advise the KSA's Privacy Officer.
- 50. If you have any questions or concerns with respect to the KSA's privacy policies, the handling of your personal information under the KSA's care or control, or if you wish to request access to, correction of your personal information, or need to report a breach of privacy, please contact our Privacy Officer at:

Kwantlen Student Association
Attn.: Privacy Officer
12666 72 Ave, Cedar 1240
Surrey, BC V3W 2M8
Telephone 604.599.2462
Fax 604.599.2429

- 51. If you are dissatisfied with our handling of your personal information, we invite you to contact our Privacy Officer in writing, setting out the reasons for your concern. If, after our Privacy Officer has reviewed and responded to your concern, you remain dissatisfied, you may wish to contact the Office of the Information and Privacy Commissioner at:

Office of the Information and Privacy Commissioner
PO Box 9038, Stn Prov Govt
Victoria; BC V8W 9A4
Telephone 250.387.5629
Fax 250.387.1696



12666 72nd Avenue
Surrey, BC V3W 2M8

Reception: 604.599.2126
Fax: 604.599.2429
Website: www.kusa.ca
