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| The original version of this form was designed by the BC Government to meet the needs of a diverse range of organizations. The original version of the form is located here: https://www2.gov.bc.ca/gov/content/employment-business/business/managing-a-business/protect-personal-information/develop-policy  It has been adapted by VISOA to assist strata corporations by changing all references to “clients, customers, members” to “owners and residents”, changing “organization” to “Strata Plan”, and removing options that were applicable to businesses or organizations that sell products, do credit checks, conduct fundraising etc, Applicable references to the *Strata Property Act* have been added. Optional sections have been added that may apply to your strata corporation in regards to CCTV systems and electronic key fob access systems.  You may fill in the appropriate information in all areas highlighted in yellow. Add or delete sections as applicable to your strata corporation.  The Owners, Strata Plan \_\_\_\_\_\_ Personal Information ProtectionPersonal Information Protection Policy **Date, Year**  At Strata Plan \_\_\_\_\_\_, we are committed to providing our owners and residents with lawful service. As providing this service involves the collection, use and disclosure of some personal information about our owners and residents, protecting their personal information is one of our highest priorities.  While we have always respected the privacy of our owners and residents and safeguarded their personal information, we have strengthened our commitment to protecting personal information as a result of British Columbia’s *Personal Information Protection Act* (PIPA). PIPA, which came into effect on January 1, 2004, sets out the ground rules for how B.C. businesses and not-for-profit organizations may collect, use and disclose personal information.  We will inform our owners and residents of why and how we collect, use and disclose their personal information, obtain their consent where required, and only handle their personal information in a manner that a reasonable person would consider appropriate in the circumstances.  This Personal Information Protection Policy, in compliance with PIPA, outlines the principles and practices we will follow in protecting owners’ and residents’ personal information. Our privacy commitment includes ensuring the accuracy, confidentiality, and security of our owners’ and residents’ personal information and allowing them to request access to, and correction of, their personal information.  **[OPTIONAL: you may use this section if your strata has a property management company.]**  This policy also applies to any service providers collecting, using or disclosing personal information on behalf of Strata Plan \_\_\_\_. Definitions ***Personal Information –***means information about an identifiable *individual [****OPTIONAL ADDITION****: consider providing examples of personal information your organization collects. E.g., including name, age, home address and phone number, pet information, emergency contacts, social insurance number, marital status, religion, income, credit history, medical information, education, employment information, banking information].* Personal information does not include contact information (described below).  ***Contact information*** – means information that would enable 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. Contact information is not covered by this policy or PIPA.  ***Privacy Officer*** – means the individual designated responsibility for ensuring that Strata Plan \_\_\_\_ complies with this policy and PIPA. Policy 1 – Collecting Personal Information 1.1 Unless the purposes for collecting personal information are obvious and the owner or resident voluntarily provides his or her personal information for those purposes, we will communicate the purposes for which personal information is being collected, either orally or in writing, before or at the time of collection.  1.2 We will only collect owner or resident information that is necessary to fulfill the following purposes:  *[Fill in the purposes for which your organization collects personal information. Examples of purpose statements, which may or may not be applicable to your strata corporation include:*   * To verify identity; * To communicate with owners and residents; * To identify owner or resident communication preferences; * To collect and process strata fee payments and other payments; * To deliver requested services; * To ensure the orderly management of the strata corporation; * To allow for the use of video surveillance to ensure the safety of owners, residents and guests; * To allow for the use of electronic key fob access to ensure the safety of owners, residents and guests, and the protection of common property and common assets; * To respond to emergencies; * To meet regulatory requirements;   *[****OPTIONAL:*** *Consider including after each applicable purpose statement the personal information you collect to fulfill that purpose. For example: To communicate with owners, we may collect name, telephone number and email address, Or include a list:*  *EXAMPLES: Personal information that is collected may include:*   * *Name, address, email address, and telephone numbers;* * *Banking information;* * *Emergency contact information;* * *Vehicle description and license plates;* * *Pet information;* * *Names of family members or other individuals living with an owner or occupying the strata lot;* * *Activities such as the opening of doors controlled by the electronic key fob access system.]*   **Policy 2 – Consent**  2.1 We will obtain owner or resident consent to collect, use or disclose personal information (except where, as noted below, we are authorized to do so without consent).  2.2 Consent can be provided [*include the methods that apply to your organization: e.g. in writing, by email, by completing a form, through an authorized representative*] or it can be implied where the purpose for collecting using or disclosing the personal information would be considered obvious and the owner or resident voluntarily provides personal information for that purpose.  2.3 Consent may also be implied where an owner or resident is given notice and a reasonable opportunity to opt-out of his or her personal information being used for [example: email notices], and the owner or resident does not opt-out.  2.4 Subject to certain exceptions (e.g., the personal information is necessary to provide the service or the withdrawal of consent would frustrate the performance of a legal obligation), owners and residents can withhold or withdraw their consent for Strata Plan \_\_\_\_ to use their personal information in certain ways. An owner or resident’s decision to withhold or withdraw their consent to certain uses of personal information may restrict our ability to provide a particular service or document. If so, we will explain the situation to assist the owner or resident in making the decision.  2.5 We may collect, use or disclose personal information without the owner or resident‘s knowledge or consent in the following limited circumstances:  [Fill in the situations that may be applicable to your organization. A full listing of such circumstances can be found in sections 12, 15, and 18 of PIPA. Some examples include:]   * When the collection, use or disclosure of personal information is permitted or required by law; * In an emergency that threatens an individual's life, health, or personal security; * When the personal information is available from a public source (e.g., a telephone directory); * When we require legal advice from a lawyer; * For the purposes of collecting a debt; * To investigate an anticipated breach of an agreement or a contravention of law   Policy 3 – Using and Disclosing Personal Information  3.1 We will only use or disclose owner or resident personal information where necessary to fulfill the purposes identified at the time of collection *or for a purpose reasonably related to those purposes such as:*  *Fill in any related purposes for which your strata corporation uses or discloses personal information. Examples that may be applicable to your organization, include:*   * To fulfill information requests as permitted under s.36 of the *Strata Property Act*; * To conduct owner or resident surveys in order to enhance the provision of our services; * To contact our owners and residents directly about [information, meetings and services] that may be of interest;]   3.2 [If applicable: Emails sent to [council email address] will be [viewed, or automatically forwarded to] by all current strata councillors, thus council members will have access to email addresses of senders.]  3.3 [If applicable: Video camera footage and key fob assignment and activity records may be provided to law enforcement officials if it may provide evidence in a criminal investigation.]  3.4 We will not use or disclose owner or resident personal information for any additional purpose unless we obtain consent to do so.  3.5 We will not sell owner or resident lists or personal information to other parties.  **Policy 4 – Retaining Personal Information**  4.1 If we use owner or resident personal information to make a decision that directly affects the owner or resident, we will retain that personal information for at least one year so that the owner or resident has a reasonable opportunity to request access to it.  4.2 Subject to policy 4.1, we will retain owner or resident personal information only as long as necessary to fulfill the identified purposes or a legal or business purpose, and as required by the *Strata Property Act*.  **Policy 5 – Ensuring Accuracy of Personal Information**  5.1 We will make reasonable efforts to ensure that owner or resident personal information is accurate and complete where it may be used to make a decision about the owner or resident or disclosed to another organization.  5.2 Owner and residents may request correction to their personal information in order to ensure its accuracy and completeness. A request to correct personal information must be made in writing and provide sufficient detail to identify the personal information and the correction being sought.  *[****IF APPLICABLE:*** *A request to correct personal information should be forwarded to the Privacy Officer [or designated individual].*  5.3 If the personal information is demonstrated to be inaccurate or incomplete, we will correct the information as required and send the corrected information to any organization to which we disclosed the personal information in the previous year. If the correction is not made, we will note the owner or resident’s correction request in the file.  **Policy 6 – Securing Personal Information**  6.1 We are committed to ensuring the security of owner’s and resident’s personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks.  6.2 The following security measures will be followed to ensure that owner or resident personal information is appropriately protected:  [*Fill in security measures that apply to your organization. Examples may include:*   * *locked filing cabinets;* * *physically securing offices where personal information is held;* * *a policy that strata councillors have a private email address which is not shared with others (i.e. other residents of their household, their workplace or other non-council members);* * *the use of user IDs, passwords, encryption, firewalls and multi-factor authentication to access electronic files;* * *Security system and video surveillance of office(s) where data is stored* * *restricting access to personal information as appropriate (i.e., only those that need to know will have access;* * *contractually requiring any service providers to provide comparable security measures*].   6.3 [If applicable: Video camera recorder and electronic key fob system hardware and data are located (*Fill in location and other details such as: in a locked room, with limited and controlled access).]*  6.4 We will use appropriate security measures when destroying owner’s or resident’s personal information such as [*Fill in destruction methods your organization employs. Examples may include: shredding documents, deleting electronically stored information].*  6.5 We will continually review and update our security policies and controls as technology changes to ensure ongoing personal information security.  **Policy 7 – Providing Owners and Residents Access to Personal Information**  7.1 Owners and residents have a right to access their personal information, subject to limited exceptions.  [**OPTIONAL ADDITION**: *Fill in exceptions to access that might apply. A full listing of the exceptions to access can be found in section 23 of PIPA. Some examples include: solicitor-client privilege, disclosure would reveal personal information about another individual, health and safety concerns*]  7.2 A request to access personal information must be made in writing and provide sufficient detail to identify the personal information being sought. [**IF APPLICABLE:** A request to access personal information should be forwarded to the Privacy Officer [or designated individual]  7.3 Upon request, we will also tell owners and residents how we use their personal information and to whom it has been disclosed if applicable.  7.4 Except as otherwise provided for in the *Strata Property Act*, we will make the requested information available within 30 business days, or provide written notice of an extension where additional time is required to fulfill the request.  7.5 Except as otherwise provided for in the *Strata Property Act*, a minimal fee may be charged for providing access to personal information. Where a fee may apply, we will inform the owner or resident of the cost and request further direction from the owner or resident on whether or not we should proceed with the request.  7.6 If a request is refused in full or in part, we will notify the owner or resident in writing, providing the reasons for refusal and the recourse available to the owner or resident.  **[OPTIONAL: you may use this section if your strata has video surveillance and/or an electronic fob access system authorized in the bylaws of the strata corporation.]**  **Policy 8 – Authorization and Locations of Video Surveillance Cameras and Electronic Key Fob Access System**  8.1 There are currently [Fill in the number of cameras] CCTV cameras in operation in the public areas of the [fill in description such as lobby, parking areas]:   * list locations   8.2 Video surveillance cameras are authorized by the Strata Corporation's Bylaw [*fill in the bylaw number*]. *[Check bylaws for wording such as: The owners authorize the Strata Corporation to make changes and/or add to the video surveillance system as the strata council deems necessary to meet the objectives of safety and security and protection of common property and common assets; and will promptly inform owners of any changes made, as per the bylaws.]*  8.3 Doors enabled with an electronic key fob access system are authorized by the Strata Corporation's Bylaw [*fill in the bylaw number*] and listed therein. [Check bylaws for wording such as: The owners authorize the Strata Corporation to make changes and/or add to the electronic key fob access system as the strata council deems necessary to meet the objectives of safety and security and protection of common property and common assets; and will promptly inform owners of any changes made, as per the bylaws.]  **Policy 9 – Questions and Complaints: The Role of the Privacy Officer or designated individual**  9.1 The Privacy Officer **or designated individual** is responsible for ensuring Strata Plan \_\_\_\_\_\_’s compliance with this policy and the *Personal Information Protection Act.*  9.2 Owner and residents should direct any complaints, concerns or questions regarding Strata Plan \_\_\_\_\_\_’s compliance in writing to the Privacy Officer. If the Privacy Officer is unable to resolve the concern, the owner or resident may also write to the Information and Privacy Commissioner of British Columbia.  Contact information for Strata Plan \_\_\_\_\_\_’s Privacy Officer or designated individual:  Insert Contact Information  *[Example: The secretary of the strata council is the Privacy Officer and may be reached at: (Fill in method such as an email address, phone number, mailing address, by delivery to a specified location.)]* |