

**CANADIAN ASSOCIATION
OF
CHIEFS OF POLICE
BOARD OF DIRECTORS**

POLICY

PERSONAL INFORMATION PROTECTION
AND
ELECTRONIC DOCUMENTS ACT

Adopted -April 2004

REFERENCE – BILL C6 – PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT (PIPEDA)

The Report upon which the policy is based is available from the Executive Director.

The Policy and Procedures of the Canadian Association of Chiefs of Police Board of Directors with respect to this Act are as follows:

- 1) An organization is responsible for personal information under its control and shall designate an individual or individuals that are accountable for organization compliance.

Policy:

The Executive Director is appointed the 'designated individual' for the purposes of the Act.

The Office Administrator is designated as 'other individual' for the purposes of the Act.

- 2) An organization is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. The organization shall use contractual or other means to provide a comparable level of protection while a third party is processing the information.

Policy

Naylor Publications, Reboot Communications Inc, Canadian Badge in Uniform and C.A.C.P. justice sector partners are informed by letter that the C.A.C.P. is accountable under this legislation and that personal information given to them by C.A.C.P. for processing may not be used for any purpose other than the purpose for which it was provided.

- 3) Organizations shall implement policies and practices to give effect to the principles of the Act including:
 - (a) implementing procedures to protect personal information
 - (b) establishing procedures to receive and respond to complaints and inquiries
 - (c) training staff and communicating to staff information about the organizations policies and practices
 - (d) developing information to explain the organizations policies and procedures

Policy:

Personal information that is subject to the provisions of this Act will be:

- received and stored in a manner that ensures the individuals right to privacy
- All employees of the Canadian Association of Chiefs of Police are empowered to receive complaints under this Act
- The employee receiving the complaint shall inform the complainant that their complaint will be responded to promptly
- The employee receiving the complaint shall, where the complaint is not in writing, request the complainant to submit a written complaint.
- Where the complaint is in writing the person receiving shall contact the complainant and inform him or her of the procedure that will be followed.
- The employee receiving the complaint shall inform the executive director and the office administrator of the complaint and take such action as directed

- The executive director, or a designated alternative individual, shall contact the complainant and acknowledge receipt of the complaint.
- The executive director, or a designated alternative individual, shall provide the complainant with progress reports in the event that the complaint is taking greater than 14 days to resolve.
- The executive director shall attempt to resolve all complaints to the satisfaction of the complainant.
- Where the executive director is unable to do so the complaint will be referred to the Executive Committee for further action.
- Where the complaint is such that it informs the executive director of the need to revise this policy or any procedure the Executive Committee shall be so informed.
- All employees of the Canadian Association of Chiefs of Police are empowered to receive inquiries under this Act.
- The inquiry shall be referred to the executive director or a designated alternative individual.
- Inquiries will receive a prompt response.

Training

- Current employees of the Canadian Association of Chiefs of Police shall be provided with a copy of this policy and shall acquaint themselves with the procedures and policy contained herein.
- New employees or seconded staff shall be provided with a copy of this policy and shall acquaint themselves with the procedures and policy contained herein.

- 4) The Canadian Association of Chiefs of Police is required to identify the purposes for which personal information is collected at or before the time the information is collected.

Policy:

The content of all forms used to collect personal information shall include a statement of the purpose for which the information is being collected.

- 5) The organization shall document the purposes for which personal information is collected in order to comply with the 'Openness' and 'Limiting Collection' principles specified in the Act.

Policy:

The Canadian Association of Chiefs of Police will collect and store personal information in such a way that individuals may obtain, amend or correct their personal information without unreasonable effort.

The executive director shall protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, uses, or modification regardless of the format in which it is held.

All employees or seconded staff of the Canadian Association of Chiefs of Police are empowered to receive requests to obtain personal information, amend or correct information and shall follow the procedure established for 'complaints/inquiries' in this report.

- 6) When personal information that has been collected is to be used for a purpose not previously identified, the new purpose shall be identified prior to use. Unless law requires the new purpose, the consent of the individual is required before information can be used for that purpose.

Policy:

It shall be the policy of the Canadian Association of Chiefs of Police that, where information was collected for a purpose, and the information is to be used for a purpose other than that which it was collected for, the executive director shall notify and seek the consent of the individual.

It shall be the policy of the Canadian Association of Chiefs of Police that where an individual who has previously consented to the use of their personal information withdraws the consent the executive director will ensure the use of the information is discontinued in as reasonable a time as practicable.

- 7) Personal information shall not be used or disclosed for purposes other than those for which it was collected except with the consent of the individual or as required by law. Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

Policy:

It shall be the policy of the Canadian Association of Chiefs of Police that personal information for active, associate, corporate and life members shall be retained for the duration of their membership and thereafter shall be destroyed. Certain information shall be retained for historical purposes

It shall be the policy of the Canadian Association of Chiefs of Police that information for employees shall be retained for the duration of their employment and upon ceasing to be employed for seven years at which time it may be destroyed.

- (8) An individual shall be able to address a challenge concerning compliance with the principles of the Act to the designated individual or individuals accountable for organization compliance.

Policy:

All employees of the Canadian Association of Chiefs of Police are empowered to receive challenges regarding compliance with the Act.

The challenge shall be addressed using the complaint/inquiry process outlined in item (3) of this policy