

MSC Canada Privacy Policy

Background

MSC Canada (identified in this document as MSC) is a missionary service organization whose function is to serve (primarily) overseas workers commended by Canadian assemblies. This service involves two primary areas; the receiving and forwarding of support funds, and the providing of information to the workers, and to donors and other interested parties for the purpose of encouraging interest in the work of those who serve the Lord abroad.

Although overseas workers are MSC's primary concern, many other workers, both overseas, in Canada, and in other countries, are also served. Many of these are served through other organizations with whom MSC has ties; either because they are also Canadian charities, or because MSC has established agency agreements with them.

The Canadian Federal Government has recently brought in legislation regulating how commercial organizations collect, store, and share personal information. This legislation is commonly known as PIPEDA, and the final stage became effective on January 1, 2004. The current understanding is that it also covers Canadian charities; although the extent to which it covers particular areas of operation is still not clear. Two firms of lawyers, both of which deal with charities, have widely differing views in this area, as also does the CCCC.

The Act requires organizations to comply with the 10 principles incorporated in Schedule 1 of the Act. A summary of the 10 principles is given in Appendix 1 of this document.

Overview

This document will examine MSC's responsibilities and activities under the ten headings corresponding to the ten principles enumerated by the Canadian Standards Association in its "Model Code for the Protection of Personal Information" and listed in Appendix 1.

The Ten Areas of Responsibility

1. Accountability

- 1.1. MSC has appointed, and will appoint on a yearly basis, a Privacy Officer (subsequently referred to as “the Officer”) whose responsibility it will be to oversee and ensure the Privacy Policy of MSC.
- 1.2. All persons, whether employees, volunteers, or board or committee members who collect, process, or use personal information shall be accountable for such information to the Officer.
- 1.3. MSC’s Privacy Policy shall be made available on the MSC Canada web-site, and provided in a hard-copy format when requested.
- 1.4. When personal information is transferred to a third party that party shall be accountable to the Officer for the use and security of the information.
- 1.5. Any person who believes MSC is not in compliance with the requirements of PIPEDA may contact the Officer to make a complaint or to make any related inquiry.
- 1.6. Upon receiving a complaint or inquiry relating to privacy concerns, the Officer shall promptly investigate the complaint and notify the complainant about his findings and any corrective action taken.
- 1.7. If the complainant is not satisfied with the actions taken, or the notification received as in the previous item, he shall appeal to the MSC Board of Directors to review and determine the disposition of the complaint at issue.
- 1.8. The Officer shall communicate and explain this Policy, and give training regarding it, to all employees and volunteers who might be in a position to handle personal information.
- 1.9. The Officer shall prepare and disseminate information to the public which explains MSC’s protection of personal information policies and procedures.

2. Identifying Purposes

- 2.1. The Officer shall document the purpose for which personal information is collected to comply with the **openness** and **individual access** principles outlined below.
- 2.2. The Officer shall determine the information that will be needed to fulfill the purposes for which the information is to be collected, to comply with the **limited collection** principle below.
- 2.3. The Officer shall ensure that the purpose is specified at or before the time of collecting the personal information from an individual.
- 2.4. The Officer shall ensure that the information collected will not be used for any other purpose without obtaining the individual’s approval, unless the new purpose is required by law.
- 2.5. The Officer shall ensure that a person collecting personal information will be able to explain to the individual why this is being done.

3. Consent

- 3.1. Consent is implied in all those instances where the individual initiates a transaction with MSC with the intent of providing support funds for any of the workers supported through the ministry of MSC. Since the providing of official receipts for taxation purposes is regulated by CRA, there is a minimum level of information required for those receipts to be issued. This information does not fall under the PIPEDA.
- 3.2. MSC provides the Missions Magazine and the MPI free of charge to those who request it. Many of these subscribers would already have provided their mailing information for the purposes listed in 3.1.
- 3.3. MSC does not participate in 'fund raising' so that there are very few instances where MSC would need to solicit personal information other than to complete the information needed for the issuing of official receipts.
- 3.4. The Officer shall ensure that express consent is obtained wherever possible and appropriate, and the personal information is not covered by the events foreseen in 3.1 above.
- 3.5. The Officer shall ensure that the express consent obtained from an individual is clear, and in an appropriately verifiable form.
- 3.6. The Officer shall ensure that the individual is aware that he may withdraw consent at any time subject to legal or contractual restrictions and reasonable notice. The individual shall be informed of the implication of withdrawal of consent.

4. Limiting Collection

- 4.1. The Officer shall ensure that personal information will not be collected indiscriminately. Both the amount and type of information collected shall be limited to that which is necessary to fulfill the purposes identified. The Officer shall specify the type of information to be collected, according to the openness principle.
- 4.2. The Officer shall ensure that information is collected only by fair and lawful means without misleading or deceiving individuals as to the reason.
- 4.3. The Officer shall ensure that the identifying purposes and consent principles are followed in identifying why personal information is to be collected.

5. Limiting Use, Disclosure, and Retention

- 5.1. The Officer shall ensure that 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, and any use of personal information shall be properly documented.
- 5.2. The Officer shall ensure that all personal information is destroyed, erased, or made anonymous as soon as the purpose for which it was collected is no longer relevant, or as permitted by law. There shall be an automatic review of the need to continue retaining personal information annually. Except as required to be retained by law, all personal

information shall be deleted, erased, or made anonymous no later than seven years after the purpose for which it was collected has been completed.

- 5.3. The Officer shall ensure that all use, disclosure, and retention decisions are made in light of the consent principle, the identifying purposes principle and the individual access principle.

6. Accuracy

- 6.1. The Officer shall reasonably ensure that the personal information is accurate, complete, and up to date, taking into account the individual's interests. The Officer shall ensure that the information is sufficiently accurate, complete, and up to date to minimize the possibility that inappropriate information might be used to make a decision about an individual.
- 6.2. The Officer shall ensure that MSC does not routinely update personal information, unless it is necessary to fulfill the purposes for which the information was collected.
- 6.3. The Officer shall ensure that personal information used on an ongoing basis, including information that is disclosed to third parties, should generally be accurate and up to date, unless limits to the requirement for accuracy are clearly set out.

7. Safeguards

- 7.1. The Officer shall ensure that MSC has security safeguards to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. He/she shall do this regardless of the format in which MSC holds the information.
- 7.2. Depending on the information's sensitivity, the Officer may permit reasonable discretion regarding the information that has been collected: the amount, distribution, format, and the method of storage. A higher level of protection shall safeguard more sensitive information according to the consent principle's considerations.
- 7.3. The Officer shall ensure that the protection methods include,
 - 7.3.1. physical measures, for example, locked filing cabinets and restricted access to offices;
 - 7.3.2. organizational measures, for example, security clearance and limiting access on a "need-to-know" basis; and
 - 7.3.3. technological measures, for example, the use of passwords and encryption.
- 7.4. The Officer shall ensure that all employees and volunteers know the importance of keeping personal information confidential.
- 7.5. The Officer shall ensure that care is taken when personal information is disposed of or destroyed to prevent unauthorized parties from gaining access to it.

8. **Openness**

- 8.1. The Officer shall ensure that MSC is open about its policies and practices regarding the management of personal information. The policies and information about the related practices shall be available without unreasonable effort in a format generally understandable.
- 8.2. The Officer shall ensure that the information available shall include,
 - 8.2.1. the name or title and address of the Officer who is accountable for MSC's policies and practices and to whom complaints or inquiries can be forwarded;
 - 8.2.2. the means of gaining access to personal information held by MSC;
 - 8.2.3. a description of the type of personal information held by MSC, including a general account of its use;
 - 8.2.4. a copy of any brochures or other information that explain MSC's policies, standards, or codes; and
 - 8.2.5. what personal information is made available to related organizations (e.g., organizations that are affiliated).
- 8.3. The Officer shall ensure the information that must be provided according to 8.2 is available at the locations MSC operates, online, or through the mail.

9. **Individual Access**

- 9.1. The Officer shall ensure that, upon written request, MSC shall inform an individual whether MSC holds personal information about him/her. If possible, the information's source shall also be given. MSC shall allow the individual access to this information. MSC may, however, choose to make sensitive medical information about its employees or volunteers available through a medical practitioner. MSC shall also account for the use that has been made or is being made of this information and give an account as to the third parties to whom it has been disclosed. (Note, If the Officer believes for valid reasons that access to personal information should be denied, the Officer shall consult legal counsel before making such a decision.)
- 9.2. A person requesting his/her personal information may be required by the Officer to give sufficient information to permit MSC to provide an account of the existence, use, and disclosure of personal information. Information shall be used only for the purpose for which it was obtained.
- 9.3. If MSC has supplied personal information about an individual to third parties, the Officer shall ensure that an attempt is made to be as specific as possible. When giving a list of organizations to which MSC has actually disclosed information about an individual is impossible, MSC shall provide a list of organizations to which it might have disclosed information about the individual.
- 9.4. The Officer shall ensure that MSC responds to an individual's request within a reasonable time and at minimal or no cost to the individual. The requested information shall be

made available in a generally understandable form. For example, MSC shall explain abbreviations or codes it uses to record information.

- 9.5. The Officer shall ensure that when an individual successfully demonstrates the inaccuracy or incompleteness of personal information, MSC shall amend the information as required. Depending on the information challenged, amendment involves the correction, deletion, or addition of information. When appropriate, the amended information shall be transmitted to third parties having access to the information in question.
- 9.6. The Officer shall ensure that when a challenge is not resolved to the individual's satisfaction, MSC shall record the unresolved challenge's substance. When appropriate, the unresolved challenge's existence shall be transmitted to third parties having access to the information in question.

10. Challenging Compliance

- 10.1. The Officer is authorized to address a challenge concerning compliance with the above principles.
- 10.2. The Officer shall develop procedures to receive and respond to complaints or inquiries about the policies and practices regarding the handling of personal information. The compliance procedures shall be easily accessible and simple to use.
- 10.3. The Officer shall inform individuals inquiring about lodging complaints that relevant complaint procedures exist.
- 10.4. The Officer shall investigate all complaints. If a complaint is found to be justified, the Officer shall take appropriate measures, including, if necessary, amending this Policy and general policies and practices pertaining to personal information entrusted to MSC.

Appendix 1

This is a **summary** of the 10 principles found in **Schedule 1** of PIPEDA, which in turn is based on the Canadian Standards Association's "**Model Code for the Protection of Personal Information.**"

1. *Accountability* – An organization is responsible for personal information under its control and shall designate an individual or individuals who are accountable for the organization's compliance with the following principles.
2. *Identifying Purposes* – The purposes for which personal information is collected shall be identified by the organization at or before the time the information is collected.
3. *Consent* – The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information, except where inappropriate.
4. *Limiting Collection* - The collection of personal information shall be limited to that which is necessary for the purposes identified by the organization. Information shall be collected by fair and lawful means.
5. *Limiting Use, Disclosure, and Retention* – 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.
6. *Accuracy* – Personal information shall be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.
7. *Safeguards* – Personal information shall be protected by security safeguards appropriate to the sensitivity of the information.
8. *Openness* – An organization shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.
9. *Individual Access* – Upon request, an individual shall be informed of the existence, use, and disclosure of his or her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.
10. *Challenging Compliance* – An individual shall be able to address a challenge concerning compliance with the above principles to the designated individual or individuals accountable for the organization's compliance.