

Personal Information Protection and
Electronic Documents Policy

Approved by the Board of Directors: September 8, 2004

Confirmed by a two-thirds vote at a meeting of members held on October 21, 2004.

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The Personal Information Protection (PIP) Officer's job is to

- Review the Co-op's policies and practices for dealing with personal information
- Make recommendations to help the Co-op follow the Act.
- Provide information to members and the public about how the Co-op protects personal information
- Handle complaints

The Personal Information Protection (PIP) Officer is both a watchdog and a liaison - there to help the Co-op meet its responsibilities, with this mind, the general membership must elect some one who will act in the Co-op's best interests and who will be fair and sensible when handling complaints

It may not be a good idea to give this role to a staff person. Staff handles a lot of personal information and so a complaint may be about a staff person. Some Board members may not be a good choice because of their roles or responsibilities with the Co-op.

The Co-op may want to ask a respected member of the Co-op community to carry this responsibility, or the Co-op may want to ask for volunteers. Make sure that the Co-op provides a job description. Members will need to understand the position and know how much time it will take to do the job well. The board could choose someone at a meeting or they may ask the members to elect the PIP Officer

Dealing with complaints

Members should bring complaints about the handling of personal information to the Co-op's Personal Information Protection Officer. The PIP Officer will have to decide if the Co-op is, in fact, following the Act.

If a member is not satisfied with the PIP Officer's decision, they can file a complaint with the federal Privacy Commissioner. The Commissioner may

- Reject the complaint as unfounded
- Investigate and mediate between the member and the Co-op, or
- Prepare a report asking the Co-op to make changes.

If either the member who makes the complaint or the Commissioner is not satisfied, they can take the Co-op to court. The court may award damages to the individual who complained. The Act does not set any limit on damages.

Even if no one has complained, the Commissioner has the right to audit an organization if he or she believes that the organization is not following the Act. In most cases, the commissioner will only conduct an audit in response to a complaint.

The Act provides for criminal proceedings against an organization if it

- Does not Co-operate with the Privacy Commissioner
- Destroyed information that was the subject of a complaint or inquiry, or
- Disciplined or fired an employee for drawing attention to breaches of the legislation

The Co-op could be fined if it were found guilty.

Personal Information Protection Policy

1. The Personal Information Protection Officer will ensure that the Co-op follows the Personal Information Protection and Electronic Documents Act and its principles. They will receive and follow up on any inquiries or complaints about how the Co-op collects, uses and shares personal information.
2. The Co-op shall only collect the personal information that is required to ensure sound Management of the Co-op and to fulfill its obligations to its members and the government.
3. The Co-op shall use and share information only with the agreement of the individuals concerned.
4. The Co-op will store personal information securely to prevent unauthorized use. The Co-op will destroy personal information when the Co-op no longer needs it.
5. Individuals will, on request, have access to any personal information about themselves that the Co-op has retained. The Co-op will correct any errors in personal information that the individual brings to its attention

Information that is not protected.

Some personal information is not protected the PIPED (Protecting Personal Information and Electronic Documents) ACT

a) Information that is already public

For example, a member's phone number is public information unless the member has an unlisted number

b) Information about debts owed to the Co-op

The Act states that organizations can disclose personal information to collect a debt.

Most Co-ops have policies to keep information about members' arrears confidential. However, board members may have to have this information to carry out their duties. They must sign confidentiality agreements.

In addition, when a member appeals an eviction decision, the Co-op may reveal personal information at the members' meeting to hear the appeal. The Co-op may only reveal information related to the arrears.

The Co-op may also give a collection agency or small claims court information about a person who owes money to the Co-op- information such as the member's name, phone number and place of employment. The Co-op may give out this information while the member still lives in the Co-op or after they have moved out.

c) Information in the individual's interest when the individual cannot give consent.

For example, the Co-op may disclose personal information without the member's permission if there is a threat to a member's health, life, or security. This might involve giving information about a person's medical condition to a family member or a health care worker.

d) Information to help in the investigation of a suspected breach of the law.

Complaints procedure

If members have a complaint about how the Co-op deals with personal information, they should:

1. Talk to the Co-op's Personal Information Protection Officer to find out if the Personal Information Protection and Electronic Documents Act (PIPED Act) covers the subject of their complaint.
2. If it appears that the Co-op has not followed the PIPED Act, put the complaint in writing, sign it, and give it to the Co-op's PIP Officer. The member may ask the PIPE Officer to help write the letter.
3. Wait a reasonable time for a response
4. If the member not satisfied with the response, he/she may take the complaint to the federal Privacy Commissioner.

If the Personal Information Protection Officer receives a complaint about how the Co-op deals with personal information. The PIPO shall:

1. Ask for the complaint in writing, if this is difficult for the person complaining, write the complaint for them and read it back. Have them sign the written version to show that they agree with what you have written.
2. Check into the details of the complaint to find out if it is valid and if it is about something that the PIPED Act covers.
 - If the Act covers the situation, make sure that there was a problem with the collection, use or sharing of personal information.
 - If it is not covered, explain this to the person who is making the complaint. Help them to understand what the Act does and does not cover.

3. If the complaint is valid, try to correct the situation. This may mean proposing a change to a Co-op policy or procedure. Ask the board to discuss the change at their next meeting.
4. Contact the member who complained and let him/her know, both verbally and in writing, what was found out during the investigation.

If it was a valid complaint, let them know what the Co-op is doing to correct the situation. Apologize on behalf of the Co-op for any inconvenience or embarrassment.

5. Let the person know that they may take their case to the federal Privacy Commissioner. They may do this if they not satisfied with
 - The Co-op's action to correct the problem, or
 - PIPO's decision that their complaint was not valid.

Personal Information Protection Statement

I agree that Forward 9 Community Development Co-operative may keep the following information about me:

- Contact Information (address, Home and Work telephone number, e-mail, fax,)
- Household size and composition
- Household income
- Place of employment
- Previous housing situation
- Housing charge payment record
- Credit rating
- Age and gender
- Medical information
- Any incidence of property damage
- Complaints by others concerning the household (for example, a noise complaint)
- Next of kin and emergency contact

I agree that this personal information may be made available to people in the following positions:

Coordinator	All information
The Board of Directors	All information
Canada Mortgage and Housing Corporation (CMHC)	RGI (Subsidy) and other financial information
Auditor	All information
Equifax (credit bureau)	Credit Check (SIN NO. & previous address)
Current /Past landlord	Name & Address
P & PM Services (Contractor)	Contact information (Name & Phone, Unit, e-mails)
Legal enforcement agency	As required

I understand that Forward 9 Housing Co-operative will use the information to

- Decide if I qualify for a subsidy and to calculate the subsidy
- Decide on any request for an internal move
- Decide if the member is in good standing
- Emergency contact
- Eviction
- Comply with our operation agreement or program rules

I understand that the Co-op will destroy personal information that it no longer needs.

I have read and received a copy of this statement.

Signed: _____ Date: _____

Signed: _____ Date: _____

Signed: _____ Date: _____

(All members of the household 16 years of age and older must sign this statement)