

PRIVACY POLICY

NOVEMBER 2024

INTRODUCTION

1. Diving Plongeon Canada ("DPC") is a federally incorporated not-for-profit national sport organization responsible for the administration of the sport of diving in Canada. While providing its programs and services, DPC may collect Personal Information. This policy has been prepared to inform individuals about DPC's ongoing commitment to ensuring that the Personal Information obtained during the course of the organization's activities remains accurate and confidential; and states DPC's commitment to collecting, using and disclosing Personal Information responsibly.

WHAT IS PERSONAL INFORMATION?

2. DPC considers "Personal Information" to mean any information, recorded in any form, about an identified individual or an individual whose identity may be inferred or determined from such information, other than business contact information (e.g., name, title, business address). This Policy does not cover aggregated data from which the identity of an individual cannot be determined. DPC retains the right to use aggregated data in any way that it determines appropriate.

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WHY DPC MAY COLLECT PERSONAL INFORMATION

3. DPC may use the Personal Information provided verbally or in writing (including via electronic media) for the following purposes:

Communications:

- a) Sending communications in the form of e-news or Technical Bulletins with content related to DPC's programs, events, fundraising, activities, discipline, appeals, and other pertinent information
- b) Managing relationships and communicating with participants, clubs, coaches, officials and provinces
- c) Publishing articles and postings on the DPC website, DPC social media, displays or posters
- d) Award nominations, biographies, and media relations
- e) Communication within and between individuals
- f) Posting images, likenesses or other identifiable attributes to promote DPC

Registration, Database Entry and Monitoring:

- g) Registration of programs, events and activities
- h) Database entry at the Coaching Association of Canada including level of coaching certification, coaching qualifications and coach selection
- i) Database entry to determine level of officiating certification and qualifications
- j) Determination of athlete eligibility, age group and appropriate level of competition

- k) Athlete registration, outfitting uniforms, and various components of athlete and team selection
- l) Technical monitoring, officials training, educational purposes
- m) Implementation of anti-doping policies and drug testing
- n) Tracking participant information and membership demographics

Sales, Promotions and Merchandising:

- o) Purchasing equipment, educational resources and other products
- p) Promotion and sale of merchandise
- q) Video recording and photography for promotional use, as well as for marketing and advertising by DPC

General:

- r) Administering competitions and all matters relating to the sport of diving
- s) Travel arrangements and administration
- t) Implementation of DPC's screening program
- u) Medical emergency, emergency contacts or reports relating to medical or emergency issues
- v) Managing insurance claims and insurance investigations
- w) Payroll, honorariums, company insurance and health plans
- x) Meeting legal and regulatory requirements; and
- y) Other activities consistent with these purposes.

The Personal Information DPC requests will depend upon which DPC services the individual wishes to obtain.

4. DPC only collects, uses and discloses Personal Information for purposes that would be considered reasonable in the circumstances and only as is required for the purpose of providing services or information to participants, clubs, coaches, officials and provincial associations. DPC uses only fair and lawful methods to collect Personal Information. DPC's use of Personal Information is limited to the purposes described in this Policy. DPC does not otherwise sell, trade, barter, exchange or disclose for consideration any Personal Information it has obtained. DPC strictly prohibits the communication of personal information to third parties without the consent of the person concerned, except as specifically provided by law or outlined in this Policy., DPC will inform the affected individuals and provide them with an opportunity to request human intervention, express their point of view, and contest the decision.

WHEN DPC MAY DISCLOSE PERSONAL INFORMATION

5. DPC may disclose Personal Information to:
- a) Governmental agency funders of DPC;
 - b) Print and electronic media in connection with awards and recognition programs; or
 - c) Individuals or organizations who require the Personal Information for the provision of services to DPC.

In the event sensitive Personal Information is provided to DPC, we will not disclose such Personal Information unless it is required to provide a participant or partner organization with our services.

6. Where DPC discloses Personal Information to individuals or organizations that perform services on its behalf, we will require those service providers to use such information solely for the purposes of providing services to DPC, participants, partner organizations or the person concerned and to have appropriate safeguards for the protection of that Personal Information.

7. Where Personal Information may be subject to transfer to another organization in contemplation of a merger or reorganization of all or part of DPC, we will do this only if the parties have entered into an agreement under which the collection, use and disclosure of information (including any Personal Information) is restricted to those purposes that relate to the transaction, including a determination of whether or not to proceed with the transaction (in which case the Personal Information is only to be used by the parties to carry out and complete the transaction). Before communicating any personal information outside Québec, DPC will conduct a privacy impact assessment to ensure adequate protection based on recognized principles and will only proceed with the communication if the assessment indicates that the information will receive a level of protection equivalent to that provided under this Policy and applicable Canadian privacy laws.

8. Please note that there are circumstances where the use and/or disclosure of Personal Information may be justified or permitted or where DPC is obliged to disclose information without consent. Such circumstances may include:

- a) Where required by law or by order or requirement of a court, administrative agency or governmental tribunal with jurisdiction over DPC;
- b) Where DPC believes, upon reasonable grounds, that such action is necessary to protect the rights, privacy, safety or property of an identifiable person or group;
- c) Where it is necessary to establish or collect monies owing to DPC;
- d) Where it is necessary to permit DPC to pursue available remedies or limit any damages that we may sustain; or
- e) Where the information is already public.

9. Where obliged or permitted to disclose information without consent, DPC will not disclose more information than is required.

CONSENT

10. Unless permitted by law, no Personal Information is collected, without first obtaining the consent of the individual concerned to the collection, use and dissemination of that information. At the time of collection and upon request, DPC will inform the person concerned about the purposes of collection, means of collection, rights of access and rectification, and the right to withdraw consent. However, we may seek consent to use and disclose Personal Information after it has been collected in those cases where DPC wishes to use the information for a purpose not identified in this Policy or not previously identified or for which the individual concerned has not previously consented.

By providing Personal Information to DPC, the individual agrees and consents that DPC may collect, use and disclose the Personal Information in accordance with this Policy. In addition, where appropriate, specific authorizations or consents may be obtained from time to time. In most cases and subject to legal and contractual restrictions, any individual is free to refuse or withdraw their consent at any time upon reasonable, advance notice.

11. Certain services can only be offered if the individual provides Personal Information to DPC. Consequently, if the individual chooses not to provide DPC with any required Personal Information, we may not be able to offer the services requested.

12. Individuals may withdraw consent for DPC to use and disclose their consent at any time by contacting DPC's Privacy Officer. DPC will inform the individual of the consequences of the withdrawal of consent.

ACCURACY AND RETENTION OF PERSONAL INFORMATION

13. When Personal Information is no longer required for DPC's purposes, we have procedures to destroy, delete, erase or convert it into an anonymous form. However, when Personal Information has been used to make decisions about an individual, we will retain that information for at least one year following the decision to ensure the individual has a reasonable opportunity to obtain access to it. If we become aware that Personal Information is inaccurate, incomplete or out of date, DPC will revise the Personal Information and, if necessary, use its best efforts to inform third parties which were provided with inaccurate information so that those third parties may also correct their records.

14. We keep Personal Information only as long as it is required for the reasons it was collected. The length of time we retain information varies, depending on the service and the nature of the information. This period may extend beyond the end of a person's relationship with DPC but it will be only for so long as it is necessary for us to have sufficient information to respond to any issues that may arise at a later date.

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15. When Personal Information is no longer required for DPC's purposes, we have procedures to destroy, delete, erase or convert it into an anonymous form.

PROTECTION OF PERSONAL INFORMATION

16. DPC endeavours to maintain appropriate physical, procedural and technical security with respect to its offices and information storage facilities in order to prevent any loss, misuse, unauthorized access, disclosure, or modification of Personal Information. This also applies to our disposal or destruction of Personal Information. The security measures implemented shall be based on the sensitivity, purposes, quantity, distribution, and storage medium of the Personal Information being protected.

17. In the event of a confidentiality incident involving Personal Information, DPC shall take reasonable measures to reduce the risk of injury and prevent new incidents. These measures may include, but are not limited to, promptly investigating the incident, implementing additional security controls, and providing training or guidance to relevant personnel.

18. DPC shall maintain a register of all confidentiality incidents involving Personal Information. This register shall include details of each incident, including the date, nature of the incident, and actions taken in response. DPC shall provide a copy of this register to the Commission d'accès à l'information upon request.

19. In the event of a confidentiality incident involving Personal Information that presents a risk of serious injury, DPC shall promptly notify the Commission d'accès à l'information and the affected individuals. The notification shall include details of the incident, its potential consequences, and the measures taken or intended to be taken by DPC to address the incident.

20. DPC further protects Personal Information by restricting access to it to those employees and individuals that the management of DPC has determined need to know that information in order for DPC to provide our products or services or information.

21. If any employee of DPC misuses Personal Information, this will be considered as a serious offence for which disciplinary action may be taken, up to and including termination of employment.

If any individual or organization misuses Personal Information – provided for the purpose of providing services to or for DPC – this will be considered a serious issue for which action may be taken, up to and including termination of any agreement between DPC and that individual or organization.

ACCESS TO PERSONAL INFORMATION

22. DPC permits the reasonable right of access and review of Personal Information held by us about an individual and will endeavor to provide the information in question within a reasonable time, generally no later than 30 days following the request. To guard against fraudulent requests for access, we may require sufficient information to allow us to confirm that the person making the request is authorized to do so before granting access or making corrections. DPC will provide information from our records in a form that is easy to understand. Upon request, DPC will disclose the source of personal information collected from another enterprise to the person concerned. DPC reserves the right not to change any Personal Information but will append any alternative text the individual concerned believes to be appropriate.

23. DPC reserves the right to decline to provide access to Personal Information where the information requested:

- a. Would disclose Personal Information, including opinions, about another individual or about a deceased individual;
- b. Is subject to solicitor-client or litigation privilege;
- c. Is not readily retrievable and the burden or cost of providing would be disproportionate to the nature or value of the information;
- d. Does not exist, is not held, or cannot be found by DPC;
- e. May harm or interfere with law enforcement activities and other investigative or regulatory functions of a body authorized by law to perform such functions; or,
- f. May be withheld or is requested to be withheld under applicable legislation.

24. When Personal Information will not or cannot be disclosed, the individual making the request will be provided with the reasons for non-disclosure.

25. DPC will not charge any individual for verifying or correcting their Personal Information. However, to the extent permitted by applicable law, there may be a minimal charge imposed if a copy of records is required.

RESOLVING PRIVACY CONCERNS

26. In the event of questions about:
- a. access to Personal Information;
 - b. our collection, use, management or disclosure of Personal Information; or,
 - c. this Policy;

Please contact DPC's Privacy Officer, Penny Joyce, by sending an e-mail to penny@diving.ca.

27. Upon receipt of a concern or issue, DPC shall:
- a. Record the date the concern is received;
 - b. Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the concern;
 - c. Acknowledge receipt of the complaint by way of written communication and clarify the nature of the concern;
 - d. Appoint an investigator using Organization personnel (including the Privacy Officer) or an independent investigator, who shall have the skills necessary to conduct a fair and impartial investigation and shall have unfettered access to all relevant file and personnel;
 - e. Upon completion of the investigation, the investigator will submit a written report to DPC; and
 - f. Notify the concerned individual regarding the outcome of the investigation and any relevant steps taken to rectify the concern, including any amendments to policies and procedures.

REVIEW

Every 4 years or as required.