

WINDFALL CLOTHING SERVICE

6. PERSONAL INFORMATION POLICY (Policy Number 6 of Windfall's Board Policies)

Preamble

The Personal Information Protection and Electronic Documents Act ("PIPEDA") applies to Windfall effective January 1, 2004.

6.1 Accountability

Windfall is responsible for all personal information under its control. The Board has designated the Executive Director as the "Privacy Officer," who will be accountable for compliance with the personal information policy of Windfall.

Windfall is committed to protecting personal information, and accordingly will include an appropriate level of protection in contractual arrangements with third parties or obtain appropriate assurances from third parties who receive personal information from Windfall.

Windfall will ensure that all donors, funders, volunteers, employees and other applicable individuals have the opportunity to review and update, on request, their personal information on file with Windfall. All such persons must direct questions and concerns to the Privacy Officer.

6.2 Identifying the Purposes for Collection, Use and Disclosure of Personal Information

Windfall will identify the purposes for which it collects, uses and discloses personal information from time to time. Purposes for the collection, use and disclosure of personal information include:

- a) to maintain complete and accurate files on all participants in its programs;
- b) to maintain complete and accurate files on all donors, sponsors and benefactors;
- c) to communicate effectively with participants and to communicate and work with third parties providing goods and services to programs;
- d) to solicit support, both through fundraising efforts and otherwise, from donors, sponsors, funders and volunteers, and to communicate effectively with such individuals so as to enable Windfall to fulfil its objectives and mandate;
- e) to comply with lawful requests from governmental agencies such as Canada Customs and Revenue Agency and the Ontario Human Rights Commission; and
- f) to maintain complete and accurate personnel files.

Written notification of such purposes and additional purposes identified by Windfall will be communicated to interested individuals by posting the personal information policy on the Windfall website (www.windfallclothing.ca) and by notice published in appropriate Windfall publications, or in such other manner as is reasonable in the circumstances.

6.3 Consent

Windfall will obtain the consent from individuals for the collection, use or disclosure of their personal information. Windfall will make every reasonable effort to obtain the express consent from an individual, although there may be circumstances where Windfall will determine that consent has been implied by an individual. Express consent can be given in writing or orally; implied consent will not be in writing, but the circumstances relating to the provision of implied consent will be such that a reasonable person would conclude that the individual has consented, or would consent, if asked, to the collection, use or disclosure of his or her personal information.

There may be situations where consent is given orally, either in person or over the telephone. If Windfall obtains oral consent from an individual, a note of that consent should be recorded by Windfall and, if applicable, be included in the file of the participant, donor or other interested individual providing such oral consent.

The consent of an individual may be withdrawn at any time. Windfall generally requires such withdrawal to be in writing.

6.4 Limitations on the Collection of Personal Information

Windfall will only collect personal information which is necessary for the purposes which have been

identified. Personal information will be collected by fair and lawful means, and will not be collected for unspecified or improper purposes.

6.5 Limitation on the Use, Disclosure and Retention of Personal Information

Personal information will not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual providing the personal information or except where use or disclosure is required or permitted under a legal duty or right. Windfall will maintain appropriate procedures for the retention of personal information.

6.6 Accuracy

Windfall will make every reasonable effort to ensure that personal information collected by it will be as accurate, complete and up-to-date as possible for the purposes for which the information is to be used.

Windfall will, on an ongoing basis, make every reasonable effort to ensure the accuracy and completeness of personal information under its control. An individual providing personal information will have the opportunity to do so in an accurate and complete manner.

Windfall will maintain procedures to enable an individual to update personal information on file, on request. Windfall will periodically review the accuracy and completeness of personal information on file.

6.7 Safeguards

Windfall will maintain adequate procedural and technical security to protect personal information under its control and will implement security measures appropriate to the sensitivity of the information.

Windfall will ensure that its employees keep all personal information confidential and comply with the security standards established by Windfall.

Windfall will require third parties to whom personal information is disclosed to commit to an appropriate level of security in respect of such information in compliance with the standards established by Windfall.

On the disposal or destruction of personal information, Windfall will take the necessary precautions to prevent third parties from accessing such information and to maintain the confidentiality of such information.

6.8 Transparency

Windfall will make available to any interested individual specific information about Windfall's policy relating to personal information that is under the control of Windfall. Windfall will facilitate access to its personal information policy, and will make available information concerning the identity of its Privacy Officer, and the means by which a person can communicate with the Privacy Officer. Windfall will also ensure that individuals are given access to their personal information.

6.9 Individual Access to Personal Information

An individual providing personal information to Windfall has the right to have access to such information, and the right to ensure the accuracy and completeness of such information. An individual will be able to address the accuracy and completeness of his or her personal information and have it amended, if inaccurate or incomplete.

Windfall will respond promptly to any request by an individual for access to his or her personal information.

Windfall will maintain a complete record of third parties to whom personal information has been disclosed, and will make such record available to an individual whose personal information has been so disclosed.

6.10 Questions and Concerns Regarding Compliance with this Policy

An individual providing personal information to Windfall **must** address any question, concern or complaint regarding Windfall's compliance with its personal information policy to the Privacy Officer.

Windfall will maintain procedures for processing any complaint about the personal information policy to ensure that all complaints are dealt with in an objective, fair and expeditious manner.