

Personal Information Protection Policy

Summary of Policy Sections:

- 1. Definition of Personal Information**
- 2. Collecting and Retaining Personal Information – Membership**
- 3. Collecting and Retaining Personal Information – Education and Training**
- 4. Collecting and Retaining Personal Information – CMO Accreditation Program**
- 5. Collecting and Retaining Personal Information – Purchase of AMCTO Products and Services**
- 6. Collecting and Retaining Personal Information – Employees and Prospective Employees**
- 7. Collecting and Retaining Personal Information – AMCTO Website**
- 8. Monitoring of Computer Resources, Premises and E-mail Activity**
- 9. Exchange of Personal Information with Other Organizations**
- 10. Disclosure of Personal Information – Special Circumstances**
- 11. Maintaining Accuracy of Personal Information**
- 12. Security of Information**
- 13. Accessing and Updating Personal Information**
- 14. Questions Regarding the Association’s Privacy Policy**
- 15. Revisions to Policy**
- 16. Effective Date**

Personal Information Protection Policy

Purpose:

This Policy governs the collection, use and disclosure of Personal Information by the Association from and about Members, Program Participants, Applicants for accreditation, Purchasers of AMCTO products and services, and Employees of the AMCTO or from other individuals who may access the Association's website.

This Policy has been developed in accordance with the principles set out in the *Personal Information Protection and Electronic Documents Act, Statutes of Canada 2000, Chapter 5* (PIPEDA).

Policy:

1. Definition of Personal Information

For the purposes of this policy, Personal Information is defined as “any information about an identified individual, recorded in any form, that can be used to distinguish, identify, evaluate or contact the individual or which can be used to infer or determine the identity of an individual.”

Personal Information collected by the Association includes:

- a) Home address, home telephone number and personal e-mail address information;
- b) Business e-mail address information (*included in Policy pending clarification from Government of Canada with respect to PIPEDA exclusions*);
- c) Employee information required for payroll and employee benefit purposes including date of birth, marital status, social insurance number, banking information and beneficiary and dependent information;
- d) Information gathered from current or prospective employees for recruitment and retention purposes including resumes, application letters, employment references, disciplinary records and performance evaluations;
- e) Financial information, such as credit card numbers, provided by Members, Program Participants, accreditation Applicants, and Purchasers of AMCTO products and services for membership or accreditation fee payment, program registration, and merchandise or service acquisition purposes;

- f) Student information, such as individual course and/or assignment marks, pertaining to participant performance in the Association's educational programs either directly or through community colleges;
- g) Information submitted by applicants for Certified Municipal Officer (CMO) accreditation including reference letters, copies of school, college or university diplomas, and information regarding personal development and leisure activities.

For greater certainty, as set out in Regulations accompanying the PIPEDA legislation, Personal Information does not include an individual's name, job title, employer name, business address or business telephone number.

2. Collecting and Retaining Personal Information – Membership

The Association collects and retains Personal Information from new and existing Members in order to:

- a) Establish a point of contact for future membership mailings and distribution of Association communications;
- b) Process membership fee payments.

The Association may disclose the Personal Information collected from Members to organizations that assist the Association with the distribution of Association communications. Personal Information will only be provided to such organizations if they agree to use such information solely for the purpose of distributing Association communications under the instruction of the Association and, with respect to that information, to act in a manner consistent with the principles articulated in this Policy.

Member consent to the collection and retention of this Personal Information is presumed to be given at the time of submitting the information to the Association. Forms utilized to gather this Personal Information will clearly indicate the purposes for which the information is being collected and retained.

Personal Information, excluding financial information, collected from Members is retained:

- a) For the duration of the individual's membership in the Association;
- b) Until such Personal Information is superseded, in which case any "obsolete" Personal Information is destroyed;
- c) For a period of ten (10) years following an individual's termination of their membership in the Association, except where the individual is deceased prior to the conclusion of the ten (10) year period, in accordance with the provisions of the Association's records retention policy. In the case of deceased individuals, disposal

of any Personal Information retained will occur within no more than thirty (30) days following the date upon which the Association becomes aware that the individual is deceased.

Financial information collected from Members is retained:

- a) As required to comply with audit, statutory or other legal purposes.

3. Collecting and Retaining Personal Information – Education and Training

The Association conducts various education and training programs throughout the year. These programs include distance education learning programs, seminars, workshops, and conferences.

The Association collects and retains Personal Information from Program Participants in the Association's education and training programs in order to:

- a) Establish a point of contact for future distribution of program materials, assignments, examinations, and registration confirmations;
- b) Gather evidence of the successful completion of education assignments and examinations;
- c) Assess eligibility to write comprehensive examinations or to receive program completion certificates;
- d) Process fee payments for registration in education and training programs.

The Association may collect Personal Information from organizations and individuals who assist the Association with the offering of the Association's education and training programs. The Association will use such information solely for the purposes of:

- a) Gathering evidence of the successful completion of the education and training programs;
- b) Assessing eligibility to write comprehensive examinations or to receive program completion certificates.

A Program Participant's consent to the collection and retention of this Personal Information is presumed to be given at the time of submitting the information to the Association. Forms utilized to gather this Personal Information will clearly indicate the purposes for which the information is being collected and retained.

Personal Information, excluding financial information, collected from Program Participants is retained:

- a) For the duration of the individual's enrolment in the education or training program;
- b) Until such Personal Information is superceded, in which case any "obsolete" Personal Information is destroyed;
- c) For a period of five (5) years following an individual's completion of the education or training program, in accordance with the provisions of the Association's records retention policy.

Financial information collected from Program Participants is retained:

- a) As required to comply with audit, statutory or other legal purposes.

4. Collecting and Retaining Personal Information – CMO Accreditation Program

The Association collects and retains Personal Information from Applicants seeking certification or recertification under the CMO Accreditation Program in order to:

- a) Assess qualifications and eligibility for certification or recertification in accordance with CMO Accreditation criteria;
- b) Gather evidence successfully demonstrating key competencies in accordance with CMO Accreditation criteria;
- c) Process CMO Accreditation application fee payments.

Applicant consent to the collection and retention of this Personal Information is presumed to be given at the time of submitting the information and accreditation application to the Association. Forms utilized to gather this Personal Information will clearly indicate the purposes for which the information is being collected and retained.

Personal Information, excluding financial information, collected from CMO Accreditation Applicants is retained:

- a) For the duration of the certification or recertification period to which the Personal Information relates;
- b) Until the individual terminates their membership in the Association, at which time any Personal Information with respect to the current certification or recertification period will be destroyed.

Financial information collected from CMO Accreditation Applicants is retained:

- a) As required to comply with audit, statutory or other legal purposes

5. Collecting and Retaining Personal Information – Purchase of AMCTO Products and Services

The Association collects and retains Personal Information from Purchasers of AMCTO products and services in order to:

- a) Establish a point of contact for distribution and delivery of products purchased;
- b) Process payments for products and services purchased.

Consent to the collection and retention of this Personal Information is presumed to be given by the Purchaser at the time of submitting the information to the Association. Forms utilized to gather this Personal Information will clearly indicate the purposes for which the information is being collected and retained.

Personal Information collected from Purchasers of AMCTO products and services is retained:

- a) As required to comply with audit, statutory or other legal purposes

6. Collecting and Retaining Personal Information – Employees and Prospective Employees

The Association collects and retains Personal Information from Employees in order to:

- a) Administer payroll and benefit plans;
- b) Process Employee work-related claims, such as WSIB claims, insurance claims and disability claims;
- c) Establish training and/or development requirements;
- d) Assess qualifications for a particular assignment, job or task;
- e) Gather evidence, as applicable and necessary, for pay for performance programs or disciplinary action;
- f) Establish a contact point in case of emergency;
- g) Comply with applicable labour or employment statutes.

The Association may disclose the Personal Information collected from Employees to organizations that assist the Association with the administration of the Association's employee benefit plans or have been retained for labour relations purposes. Personal Information will only be provided to such organizations if they agree to use the information solely for the purpose of providing services to the Association and under the instruction of the Association and, with respect to that information, to act in a manner consistent with the principles articulated in this policy.

Employee consent to the collection and retention of this Personal Information shall be made in writing at the time of submitting the information to the Association. Forms utilized to gather this Personal Information will clearly indicate the purposes for which the information is being collected and retained.

Personal Information, excluding financial information, collected from Employees is retained:

- a) For the duration of the individual's employment with the Association;
- b) Until such Personal Information is superceded, in which case any "obsolete" Personal Information is destroyed;
- c) For a period of six (6) years following an individual's termination of their employment with the Association, in accordance with the provisions of the Association's records retention policy.

Financial information collected from Employees is retained:

- a) As required to comply with audit, statutory or other legal purposes.

The Association also collects and retains Personal Information from Prospective Employees through a recruitment process in order to:

- a) Determine eligibility for initial employment, including the verification of references and qualifications;
- b) Assess qualifications for a particular assignment, job or task.

A Prospective Employee's consent to the collection and retention of this Personal Information is presumed to be given at the time of submitting the information to the Association. Published and verbal requests for this Personal Information will clearly indicate the purposes for which the information is being collected and retained.

Personal Information collected from Prospective Employees, not selected through a recruitment process, is retained:

- a) For the duration of the recruitment process up to and including the date upon which an offer of employment is accepted by the selected applicant.

Unsolicited Personal Information received from Prospective Employees is not retained by the Association and is discarded upon receipt.

7. Collecting and Retaining Personal Information – AMCTO Website

The Association collects and retains Personal Information submitted by individuals accessing the Members Only portions of the AMCTO Website. The collection and retention of this information is handled in accordance with the applicable sections of this Policy with respect to the collection and retention of Personal Information for various Association purposes.

The Association does not collect any Personal Information from individuals accessing the public portions of the AMCTO Website. The Association's website operating system may automatically record certain general, and non-personal, information regarding an individual's access to the AMCTO Website. Further information regarding the non-personal information collected is contained in the Association's Website Privacy Policy document.

The Association's Website does provide links to other websites. Once an individual links to another site, the individual is subject to the privacy and security policies of the new site. The Association does not retain any responsibility with respect to the collection and retention of Personal Information by other organizations through these linked websites.

8. Monitoring of Computer Resources, Premises and E-mail Activity

The Association provides its Employees with computers, telephones and related office and communications equipment, as well as software applications.

The Association may monitor its computer resources to ensure that damage to these resources is limited and that illegal use is prohibited. The Association may also monitor its physical premises to ensure that only authorized personnel access the Association's offices or certain areas within these offices. Such monitoring is undertaken to ensure the efficient use of the Association's systems and equipment, to protect the Association's property and to ensure compliance with applicable laws and Association policies.

In the course of conducting business, the Association may monitor Employee e-mail activities. E-mail applications will normally contain all e-mails that have been sent and received by Association Employees. Back-ups and archives may also contain copies of e-mails that Employees have deleted. The e-mail system utilized by the Association is the property of the Association but Employees may send and receive personal e-mail on the understanding that such e-mails are neither private nor confidential. The Association

reserves the right to monitor the e-mail system, including all e-mail sent, received or created. Access rights to Employee e-mail boxes and logs will be restricted to those individuals with the responsibility for administering the Association's information technology systems. Such access will be as limited as possible.

All monitoring will be done on an "as required" basis and will be in proportion to the risks that the Association faces. The Association will conduct any monitoring in the least intrusive way possible.

9. Exchange of Personal Information with Other Organizations

Unless detailed in this Policy, the Association does not sell, trade, barter or exchange for consideration any Personal Information collected from Members, Program Participants, accreditation Applicants, Purchasers of products and services or Employees of the AMCTO.

10. Disclosure of Personal Information – Special Circumstances

Circumstances may arise where the use and/or disclosure of Personal Information may be justified or permitted or where the Association is obliged to disclose the information without consent. Such circumstances would include, but not be limited to:

- a) Where required by law or by order of a court, administrative agency or other governmental tribunal;
- b) Where the Association believes, upon reasonable grounds, that disclosure is necessary to protect the rights, privacy, safety or property of an identifiable person or group;
- c) Where required to determine or administer Employee pay or benefits;
- d) Where it is alleged that the person concerned is: guilty of a criminal offence, civilly liable in a legal action; or guilty of professional misconduct;
- e) Where disclosure is necessary to permit the Association to pursue available remedies or limit any damages that it may sustain;
- f) Where the information is otherwise deemed to be public information.

Where obliged or permitted to disclose Personal Information without consent, the Association will not disclose more information than is required.

11. Maintaining Accuracy of Personal Information

To the best of its ability, the Association will ensure that any Personal Information in its possession is as accurate, current and complete as necessary for the purposes for which the Association has collected the information.

12. Security of Information

The Association will maintain adequate physical, procedural and technical security with respect to its offices and information storage facilities so as to prevent any loss, misuse, unauthorized access, disclosure, or modification of Personal Information collected and retained.

As part of these precautions, the Association will restrict access to an individual's Personal Information to those employees or organizations that the Association determines require access to the information in order to fulfill their respective responsibilities to the Association.

If an employee or organization misuses the Personal Information to which they have access, this will be considered a serious offence. In the case of an employee, disciplinary action will be taken which, depending upon the degree of misuse, may include termination of employment. If an organization providing services to the Association misuses this Personal Information, action will be taken, up to and including termination of the service agreement between the Association and the organization.

13. Accessing and Updating Personal Information

Upon request, the Association will provide Members, Program Participants, accreditation Applicants, Purchasers of AMCTO products and services, and Employees access to the Personal Information collected and retained about them. If the Member, Program Participant, Applicant, Purchaser, or Employee believes that the Personal Information about them is not correct, they may, depending upon the nature of the Personal Information, make or request an amendment to that information. The Association reserves the right to not change the Personal Information but will append any alternative information, which the individual concerned believes to be appropriate.

Requests for access to Personal Information will be addressed within a reasonable time and no later than thirty (30) days following the date of the request.

To guard against fraudulent requests for access or corrections, the Association may request sufficient information to allow the Association to confirm that the individual making the request is authorized to do so, before granting access or making corrections.

The Association reserves the right to decline to provide access to Personal Information, upon the request of an individual, where the information requested:

- a) Would disclose Personal Information, including opinions, about another individual or about a deceased individual;

- b) Would disclose confidential information about the Association or a third party that may harm the Association or third party or interfere with contractual or other negotiations of the Association or a third party;
- c) Is subject to solicitor-client or litigation privilege;
- d) Is not reasonably retrievable and the burden or cost of providing the information would be disproportionate to the nature or value of the information;
- e) Does not exist, is not held, or cannot be found by the Association;
- f) Could reasonably result in serious harm to the treatment or recovery of an individual concerned, serious emotional harm to the individual or another individual, or serious bodily harm to another individual;
- g) May harm, or interfere with, law enforcement activities and other investigative or regulatory functions of a body authorized by statute to perform such functions.

Where information will not or cannot be disclosed, the individual making the request will be provided with the reasons for non-disclosure.

The Association reserves the right to not respond to repetitious or vexatious requests for access.

14. Questions Regarding the Association's Privacy Policy

In the event that a Member, Program Participant, accreditation Applicant, Purchaser of AMCTO products and services, or Employee of the Association has questions about:

- a) Access to Personal Information collected and retained by the Association;
- b) The collection, use, management or disclosure of Personal Information;
- c) The contents of the Association's Privacy Policy;

the individual will be directed to contact the Privacy Officer appointed by the Association's Board of Directors.

15. Revisions to Policy

The Association may, from time to time, review and revise its privacy practices and this Policy. In the event of a policy amendment, the Association's Members, Program Participants, accreditation Applicants, Purchasers of products and services, and Employees and other individuals who may access the Association's Website will receive appropriate notice as soon as possible following the amendment. Policy changes will apply to Personal

Information collected from the date of the revised Policy as well as existing Personal Information, which the Association has already collected and retained.

16. Effective Date

This Policy shall be in effect as of January 1st, 2004.