

## PRIVACY POLICY

### Policy Statement

1. The OVA is committed to protecting the privacy of Individuals who use its services, and / or participate in its programs and events.

### Interpretation

2. These terms will have these meanings in this policy:

*Individual(s)* – refers to all categories of members and / or registrants defined in the by-laws of the Ontario Volleyball Association (“OVA”), as well as all people employed by, contracted by, or engaged in activities with or on behalf of the OVA, including but not limited to employees, contractors, athletes, volleyball clubs, coaches, mission staff, referees, volunteers, managers, administrators, committee members, parents or guardians, spectators, and directors and officers.

*OVA Representatives* – all Individuals who are decision-makers within the OVA.

*Personal Information* – information about an identifiable Individual; examples include but are not limited to the name, date of birth, home address and phone number, personal email address, credit card information, or other information that could be used to identify a specific individual.

*The Personal Information Protection and Electronic Documents Act (“PIPEDA”)* – the federal privacy law for private-sector organizations that sets out how businesses must handle Personal Information in the course of commercial activity.

*Provincial / Territorial Associations (“PTAs”)* – the provincial / territorial member governing bodies for volleyball in each province/territory.

### Purpose

3. The purpose of this policy is to ensure consistency in practices and procedures related to protecting the privacy of Individuals who may use the OVA’s services, and / or participate in its programs and events.
4. The policy will assist in the effective protection and management of Personal Information by identifying, assessing, monitoring and mitigating privacy risks in government programs and activities involving the collection, retention, use, disclosure, and disposal of Personal Information.

### Application

5. This policy applies to Personal Information of Individuals who may disclose information to the OVA, use OVA services, and / or participate in its programs and events.

### Provisions

6. The OVA will comply with PIPEDA and comparable provincial legislation to the extent applicable.
7. The Chair of the Ethics Committee or an appointed board director is designated as the Privacy Officer for the OVA. The Privacy Officer may delegate day-to-day responsibility for administration of this policy, but the Privacy Officer remains accountable for the OVA’s handling of Personal Information.

8. The OVA is responsible for all Personal Information under its custody or control, including information that it may transfer to a third party for processing in order to provide OVA services and programs.
9. The OVA shall endeavour to maintain appropriate procedural and technological measures and storage facilities to prevent any unauthorized use or disclosure of an Individual's Personal Information.
10. The OVA will not sell, share, or rent an Individual's information to others in ways different from those disclosed in this policy without the express consent of the user.
11. The OVA will obtain an Individual's express consent before using or disclosing Personal Information for any purposes not identified in this policy.
12. Consent to store Personal Information can be provided electronically. Consent may also be implied where the OVA provides notice and a reasonable opportunity to "opt in" or "opt out", as applicable, with respect to the use of an Individual's Personal Information accordance with this policy.
13. Some of the purposes for which the OVA may collect, use, and disclose Personal Information include:

Non-commercial activity

*Communications*

- sending communications in the form of e-news or a newsletter with content related to the OVA's programs, events, fundraising, activities, discipline, appeals, and other pertinent information
- publishing articles, media relations and postings on the website, displays, or posters
- award nominations, biographies, and media relations
- communication within and between stakeholders and Individuals
- discipline results and long-term suspension list
- checking residency status

*Identification*

- informing governing bodies (e.g. PTAs) of Individuals' registration and / or participation with OVA and Volleyball Canada
- informing government funders with respect to numbers and demographic profiles of registered Individuals

*Registration, data entry, and monitoring*

- registration of programs, events, and activities
- data entry at the Coaching Association of Ontario / Canada to determine the level of coaching certification, coaching qualifications, and coach selection
- data entry to determine level of officiating certification and qualifications
- determination of eligibility, age group, and appropriate level of play / competition
- athlete registration, outfitting uniforms, and various components of athlete and team selection
  
- technical monitoring, officials training, educational purposes, sport promotion, and media publications

#### Commercial activity

- purchasing equipment, coaching manuals, resources, and other products
- promotion and sale of merchandise
- video recording and photography for promotional use, marketing, and advertising by OVA

#### Administrative and other matters

- travel arrangement and administration
- implementation of the OVA and Volleyball Canada's screening program
- medical emergency, emergency contacts, or reports relating to medical or emergency issues
- determination of membership demographics and program wants and needs
- managing insurance claims and insurance investigations
- video recording and photography for personal use, and not commercial gain, by spectators, parents, and friends
- payroll, honoraria, company insurance, and health plans
- complaints and inquiries

14. Data collected may be transferred to, and / or stored at, a destination outside Canada for processing by third-party service providers contracted by the OVA. If an Individual submits Personal Information, they also specifically consent to such transfer, storage, or processing. The OVA will take reasonable steps to ensure data is treated securely and in accordance with this policy.
15. The OVA will retain Personal Information only as long as necessary to fulfill the identified purposes or a legal or business purpose in accordance with this policy.
16. The OVA is committed to meeting the requirements of Canada's privacy information and anti-spam legislation, including through any commercial electronic messages sent by the OVA. An Individual may "unsubscribe" from receiving communications from the OVA at any time and will be removed from its database.
17. Withdrawal of consent for the use of Personal Information may be forwarded in writing, including electronically, to the OVA and / or the National Registrar / Policy Officer, as applicable. Such a withdrawal, however, may result in the cancellation of registration and suspension of activities with the Individual's club, the OVA, and Volleyball Canada.

#### **Individual Access**

18. Upon written request, and with assistance from the OVA, an Individual may be informed of the existence, use, and disclosure of their Personal Information, and will be given access to that information. As well, an individual is entitled to be informed of the source of the Personal Information, along with an account of third parties to whom the information has been disclosed.
19. Requested information will be disclosed to the Individual within thirty days of receipt of the written request, unless there are reasonable grounds to extend the time limit. The information requested shall be provided at no cost to the Individual, with the exception of nominal costs relating to photocopying expenses, if applicable.

20. An Individual may be denied access to their Personal Information if:
- (a) The information is prohibitively costly to provide.
  - (b) The information contains Personal Information relating to other Individuals.
  - (c) The information cannot be disclosed for legal, security, or commercial proprietary purposes.
  - (d) The information is subject to solicitor-client or litigation privilege.
21. Upon refusal, the OVA will inform the individual the reasons for the refusal and the associated provisions of PIPEDA.
22. Sufficient information shall be required to confirm an Individual's identity prior to providing that Individual an account of the existence, use, and disclosure of Personal Information.

### **Complaints**

23. An Individual will be able to file a complaint with respect to non-compliance with this policy and PIPEDA to the designated officer accountable for compliance.
24. Upon receipt of a complaint, the OVA will:
- (a) Record the date the complaint is received.
  - (b) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint.
  - (c) Acknowledge receipt of the complaint by way of e-mail or telephone conversation and if necessary, clarify the nature of the complaint.
  - (d) Determine whether the complaint is frivolous or vexatious and within the jurisdiction of this Policy. If it is determined the complaint is frivolous or vexatious or outside the jurisdiction of this Policy, the complaint will be dismissed immediately. The Privacy Officer's decision to the acceptance or dismissal of the complaint may not be appealed.
  - (e) If it is determined that the complaint is not frivolous and vexatious and within the jurisdiction of this policy, the Privacy Officer will investigate the complaint and take corrective action to resolve the matter.
  - (f) Notify the complainant the outcome of the investigation and any relevant steps taken to rectify the complaint.
25. The OVA will not dismiss, suspend, demote, discipline, harass or otherwise disadvantage any Individual within the OVA or deny that person a benefit because the Individual, acting in good faith and on the basis of reasonable belief:
- (a) disclosed to the Privacy Commissioner of Canada that the OVA has contravened or is about to contravene PIPEDA;
  - (b) has done or stated an intention of doing anything that is required to be done in order to avoid having any person contravene PIPEDA; or
  - (c) has refused to do or stated an intention of refusing to do anything that is in contravention of PIPEDA.

**Communication**

26. The OVA will publish this policy on its website and communicate it to OVA Representatives.
27. Any questions or concerns regarding the collection, use, and disclosure of Personal Information or about this policy may be directed to [privacy@ontariovolleyball.org](mailto:privacy@ontariovolleyball.org).

**Review**

28. This Policy will next be reviewed on or before December 31, 2026.

This Policy is effective January 30, 2024.