

## **Privacy Policy**

### **Protecting Your Personal Information**

The Human Anti-Trafficking Response Team (“**HART**”) is committed to collecting, using and disclosing the personal information of its Donors in accordance with this policy.

If you would like to be removed from our mailing list, change the frequency of mailings or request your name not be traded with other charities, please contact us at:

Email: [board@harthelps.com](mailto:board@harthelps.com)

### **Scope of this Policy**

#### **Personal Information Protection and Electronic Documents Act (“PIPEDA”)**

This Policy sets out the principles that will be observed by HART with respect to the collection, use and disclosure of information about any identifiable individual who is or was a Donor or prospective Donor. If personal information is made anonymous by removing details so that no individual is identifiable to the user or recipient of that information, this Policy will not apply to that information.

### **Definitions**

For the purposes of this Policy:

**Donor** – An individual who has in the past or may in the future make donations to HART.

**Personal information** – Means any information about an identifiable individual, except the individual's name, business address, business phone number and business email address, and includes, but is not limited to, the individual's address, birth date, gender, employment, bank account number, credit card number, donation history, or other finance-related information. With respect to any specific individual, HART may or may not have personal information within these enumerated categories.

**Third party** – A person, organization or association other than HART or an employee of HART or a volunteer working at HART.

### **Principle 1 – HART's Accountability**

HART is responsible for all personal information under its control. Its Privacy Officer is accountable for HART's compliance with the principles described in this Policy.

HART's Privacy Officer may be contacted at:

Email: [board@harthelps.com](mailto:board@harthelps.com)

HART is responsible for personal information in its physical possession or custody, as well as for personal information that is transferred by HART to a Third Party for processing. HART will use contracts with such

Third Parties to require them to give an appropriate level of protection to the personal information while it is being processed.

HART is establishing and implementing:

- policies to protect personal information;
- policies to receive and respond to complaints and inquiries; and
- practices to ensure that clients and other individuals who contact HART have access to this Policy.

## **Principle 2 – Identifying Purposes**

The purposes for which personal information is collected will be identified and documented by HART at or before the time the information is collected.

Depending on the specific circumstances, HART may collect personal information concerning Donors for one or more of the following purposes:

- to administer and maintain accounts relating to donations;
- to facilitate future fundraising;
- to communicate with Donors and potential Donors concerning HART;
- to comply with legal and regulatory requirements; and
- to trade or rent fundraising or Donor lists.

Circumstances might arise where HART wishes to collect or use personal information for a new purpose. If that occurs, HART will take reasonable steps to ensure that the individual concerned is informed of the new purpose and gives his or her consent to the collection or use of personal information for that purpose.

HART may collect personal information about Donors in a number of ways, including:

- personal communications with the Donor affected by a board member, volunteer or employee;
- accessing information which is publicly available;
- accessing information on a Donor list created or maintained by another charitable organization;
- renting a mailing list created or maintained by another organization;
- exchanging mailing lists with other registered charities;
- internet research;
- responses to post office mailings;
- responses to newspaper inserts and mail drops;
- receipt of information about memorials, pledges, bequests concerning HART;
- communications from tax, estate and investment planners; and
- information generated by a Third Party events such as social functions, entertainment, fundraisers, contests and the like.

## **Principle 3 – Consent**

The knowledge and consent of the individual, express or implied, are required for the collection, use or disclosure of personal information by HART, except where inappropriate.

Except when the under-noted limited exceptions apply, HART will obtain the express consent of the individual for the purposes for which his or her personal information will be collected, used or disclosed. HART will state the purposes in a form that the individual can reasonably be expected to understand.

HART may use personal information to contact Donors in a number of ways, including the following:

- personal communications with Donors by a board member, volunteer or employee;
- direct mailings to Donors with newsletters, requests for donations, and information about upcoming events;
- direct mailings to prospective Donors;
- contacting Donors to thank them for their donation;
- contacting Donors by to conduct Donor research; and
- trading or renting Donor or other fundraising lists

all of which are intended to advance the objectives of HART by encouraging individuals to make donations to support HART services.

HART staff involved in obtaining the consent of individuals to the collection, use or disclosure of their personal information will be appropriately trained with respect to this Policy.

### **Withdrawal of Consent**

An individual may withdraw his or her consent to collection, use or disclosure at any time, subject to legal or contractual restrictions and reasonable notice. HART shall inform the individual of the implications of such withdrawal of consent.

### **Obtaining Consent**

In appropriate circumstances, HART will seek individual consent to the collection, use and disclosure of personal information by notifying individuals that they will be deemed to consent unless they expressly inform HART to the contrary. HART will ensure that the individual is entitled to use a convenient method for such notification to HART, including e-mail, telephone, voicemail and other communication facilities that enable the client to communicate on a 24-hour basis with HART.

Whatever mechanism is employed by HART to seek express consent, it will fairly and reasonably draw the individual's attention to the issue of consent.

### **Disclosure to Service Providers and other Third Parties**

HART may transfer personal information to a Third Party for processing. In that regard, HART will ensure such party will provide a comparable level of protection while the information is being processed by such party. This includes any trading or rental of fundraising or Donor lists.

Circumstances where the individual's consent is not required and HART may lawfully collect personal information without the knowledge or consent of the individual include:

- it is reasonable to expect that collection of the personal information with the knowledge or consent of the individual would compromise the availability or accuracy of the information and the collection is reasonable for purposes of an investigation or a proceeding;
- the information is already publicly available and specified in the regulations;
- the collection is required or authorized by law; or

- the information is collected from another organization which collected it with the consent of the individual and the information is collected solely for the purposes for which it was previously collected and to assist that organization.

Further, as permitted by law, HART may use personal information, without the knowledge or consent of the individual, in circumstances where:

- the use with the consent of the individual would compromise an investigation or proceeding and the use is reasonable for purposes related to an investigation or proceeding;
- it is reasonable to believe that the information could be useful in the investigation of a contravention of federal, provincial or foreign law, that has been, is being, or is about to be committed, and the information is used for the purpose of investigating that contravention;
- the information is used for the purpose of acting in respect of an emergency that threatens the life, health or security of an individual or the Donor;
- the information is already available to the public and specified in the regulations;
- the use is required or authorized by law; or
- the information was collected from another organization without consent for one of the foregoing reasons and is used solely for the purposes for which it was previously collected.

With respect to disclosure of personal information without express or implied consent, HART, as permitted by law, may disclose personal information without the knowledge or consent of the individual if such disclosure:

- the disclosure is made to a barrister or solicitor who is representing HART;
- the disclosure is made for the purposes of collecting a debt owed by the individual to HART;
- the disclosure is made in order to comply with a subpoena or warrant issued or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with the rules of court relating to the production of records;
- the disclosure is made to a government institution or a part of it that has made a request for the information, identified its lawful authority to obtain the information and has indicated that,
  - the information is requested for the purpose of enforcing any law of Canada, a province or a foreign jurisdiction, carrying out an investigation relating to the enforcement of any such law or the gathering of intelligence for the purpose of enforcing any such law, or
  - the disclosure is requested for the purpose of administering any law of Canada or a province;
- the disclosure is made by HART to an investigative body, a government institution or part of one because HART believes, reasonably, that the information relates to a breach of an agreement or a contravention of the laws of Canada, a province or a foreign jurisdiction that has been or is about to be committed;
- the disclosure is made to a person who needs the information because of an emergency that threatens the life, health or security of an individual;
- the disclosure is of information that is publicly available and is specified in the regulations of the Act; or
- the disclosure is required by law.

HART may notify a client that a subpoena, warrant or court order for the production of his or her personal information has been received, if the law allows it. It may notify clients by telephone or by letter to the client's last known address.

#### **Principle 4 – Limiting Collection**

HART will limit the amount and type of personal information collected to that which is necessary for the purposes identified by HART.

Although HART will collect personal information primarily from the individuals concerned, with the individual's consent, HART may also collect information from external sources such as other charities or other organizations which create or develop mailing list, or as otherwise indicated in Principle 2 above. If personal information is collected from a Third Party, HART will note their identity unless there is a lawful reason for not doing so.

#### **Principle 5 – Limiting Use, Disclosure and Retention**

HART will not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required or permitted by law. Personal information will be retained only as long as necessary for the fulfillment of those purposes.

HART will destroy, return or make anonymous, any personal information no longer needed for its identified purposes or for legal requirements.

#### **Principle 6 – Accuracy**

HART will keep personal information as accurate and complete as is necessary for the purposes for which it is to be used.

HART will generally rely on individuals to provide updated information, such as changes to addresses and other contact information. HART will update personal information as is necessary to fulfill the purposes for which the information was collected.

If an individual successfully demonstrates to HART that personal information is inaccurate, incomplete, out of date, or irrelevant, HART will revise the personal information. If necessary, HART will disclose the revised personal information to Third Parties which were provided with inaccurate or out-of-date information to permit them to revise their records as well.

#### **Principle 7 – Safeguards**

HARTT will make reasonable security arrangements to protect personal information.

Security arrangements are employed to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, modification, or disposal. HART shall protect personal information regardless of the format in which it is held.

The nature of HART's safeguards will vary depending on the sensitivity of the personal information that has been collected, the amount, distribution, and format of the information, and the method of storage. The more sensitive personal information will be safeguarded at a higher level of protection.

The methods of protection that may be employed by HART include:

- physical measures, including locked filing cabinets and restricted access to offices.
- organizational measures, such as security clearances and limiting access on a "need to know" basis.
- technological measures, such as the use of passwords and encryption.

HART will inform staff about HART's policies and procedures for protecting personal information. All staff and volunteers will be required to conform to HART's policies and procedures concerning the security of personal information.

When HART discloses personal information to Third Parties, HART will require these Third Parties to safeguard all personal information in a way that is consistent with these principles.

### **Principle 8 – Openness**

Copies of this Privacy Policy will be made available on request.

The information made available by HART includes:

- the name of the Privacy Officer and contact information; and
- the means of gaining access to personal information held by HART.

HART will utilize its website to provide access to its Privacy Policies.

### **Principle 9 – Individual Access**

Upon a request, in writing, HART shall inform an individual of the existence, use, and disclosure of his or her personal information and the individual shall be given access to that information, except where the law requires or permits HART to deny access.

A request for access by an individual to his or her personal information shall be made in writing.

HART will assist any individual who informs HART that they need assistance in preparing such a written request to HART.

HART may respond to an individual's request at a cost to the individual if HART informs the individual of the estimate of the fee in advance.

Among the reasons HART may deny access by an individual to his or her personal information include:

- the information is protected by solicitor-client privilege;
- to do so could reasonably be expected to threaten the life or security of another individual; or
- the personal information was collected in the course of a formal dispute resolution process.

Where HART is entitled to withhold access to personal information, and that information is severable from other information for which access is requested, HART will provide access to the personal information after severing such information.

HART will not record in a Donor's individual file when personal information was disclosed to government agencies as required by law; for example, reporting to Canada Customs and Revenue Agency.

### **Principle 10 – Challenging Compliance**

An individual will be able to direct a challenge concerning compliance with the above principles to the designated individual or individuals accountable for HART's compliance.

The individual accountable for HART's compliance is the Privacy Officer.

HART intends to investigate all complaints made to it in writing. If HART's investigation determines that a complaint is justified, HART will take appropriate measures, including, if necessary, amending its Privacy Policy.