



**PRINCE EDWARD/LENNOX & ADDINGTON
COMMUNITY FUTURES
DEVELOPMENT CORPORATION**

PRIVACY POLICY

Approved February 2016

PRIVACY POLICY

The Prince Edward, Lennox & Addington Community Futures Development Corporation (“PELA CFDC”) is committed to keeping personal information accurate, confidential, secure and private. This policy is an embodiment of this commitment.

This privacy policy has been developed to comply with Canada’s *Personal Information Protection and Electronic Documents Act* (“PIPEDA”). PIPEDA sets out rules for the collection, use and disclosure of personal information in the course of commercial activity as defined in the Act. A copy of the PIPEDA is available at: www.privcom.gc.ca.

The Ten Principles of Privacy in Summary

The ten principles are interrelated and must be read in conjunction with the accompanying commentary:

1. **Accountability:** PELA CFDC is accountable for the personal information it collects, uses, retains and discloses in the course of its commercial activities, and has established policies and procedures to comply with this policy, including the appointment of a Chief Privacy Officer;
2. **Identifying Purposes:** PELA CFDC will explain to individuals the purposes for which the information is being used at the time of collection and it can only be used for those purposes;
3. **Consent:** PELA CFDC will obtain an individual’s express or implied consent when it collects, uses, or discloses the individual’s personal information;
4. **Limiting Collection:** the collection of personal information will be limited to only the amount and type that is reasonably necessary for the identified purposes, or as permitted by law;
5. **Limiting Use, Disclosure and Retention:** personal information will be used for only the identified purposes, and will not be disclosed to third parties unless the Individual consents to the alternative use or disclosure, and will be kept only as long as necessary for the identified purposes;
6. **Accuracy:** personal information in active files will be kept accurate, complete, current and relevant;
7. **Safeguards:** the appropriate physical, organizational, and technological safeguards to protect personal information will be used;
8. **Openness:** PELA CFDC will inform its clients and train its employees about its privacy policies and procedures;
9. **Individual Access:** an individual has a right to access personal information held by PELA CFDC and to challenge its accuracy if need be; and

10. Provide Recourse: a request for access, or complaint should be directed to the Chief Privacy Officer.

Purposes of Collecting Personal Information

Personal information is collected in order to assess the eligibility of the individual completing an application for financial assistance, whether by way of a loan, grant, equity investment or program participation as well as to report to Fed Dev Ontario. PELA CFDC may also ask to obtain information directly from a third source where the individual does not have the required information.

Only that information which is required to make a determination of an individual's eligibility will be collected. Although the individual's Social Insurance Number may be requested in the application for confirming identification of the individual to the credit reporting agency, provision of this personal information is *optional*. The individual may provide alternative forms of identification, such as date of birth and driver's license number.

Consent

An individual's express, written consent will be obtained before or at the time of collecting personal information. The purposes for the collection, use or disclosure of the personal information will be provided to the individual at the time of seeking his or her consent. Once consent is obtained from the individual to use his or her information for those purposes, PELA CFDC has the individual's implied consent to collect or receive any supplementary information that is necessary to fulfil the same purposes. Express consent will also be obtained if, or when, a new use is identified.

By signing the application and/or other forms, implied consent is granted by the individual to obtain and/or to verify information from third parties such as banks, credit bureaus, other lenders, and insurance companies in the process of assessing the eligibility of an individual. Implied consent is also granted by the individual to permit PELA CFDC to report or otherwise disclose information to Fed Dev Ontario, the federal department that administers the southern Ontario Community Futures Program.

An individual can choose not to provide some or all of the personal information at any time, but if PELA CFDC is unable to collect sufficient information to validate the request for financing, the individual's application for such financing may be turned down.

An individual can withdraw consent to PELA CFDC's use of personal information at any time prior to the application being approved, by making such request in writing. Once a loan has been approved, an individual cannot withdraw consent authorizing PELA CFDC to use and disclose the personal information for the purposes set out in this Privacy Policy. Express consent will be obtained from the individual prior to disclosing the individual's personal information to other lenders, credit insurers and credit bureaus.

Limiting Collection

Personal information collected will be limited to the purposes set out in this Privacy Policy, PELA CFDC applications, and/or other forms.

Limiting Use, Disclosure and Retention

Use of Personal Information

Personal information will be used for only those purposes to which the individual has consented with the following exceptions:

- the organization has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial or foreign law *and* the information is used for that investigation;
- an emergency exists that threatens an individual's life, health or security;
- the information is aggregated for statistical study or research;
- the information is publicly available;
- the use is clearly in the individual's interest, and consent is not available in a timely way;
- knowledge and consent would compromise the availability or accuracy of the information; and
- collection is required to investigate a breach of an agreement.

Disclosure and Transfer of Personal Information

Personal information will be disclosed to only those employees, committee members, and the Board of Directors who need to know the information for the purposes of their work or making an assessment as to the individual's eligibility to the loan, grant or investment program.

Personal information will be disclosed to third parties *with* the individual's knowledge and consent.

PELA CFDC may *disclose* personal information, *without* an individual's knowledge and consent, to:

- a lawyer representing PELA CFDC;
- collect a debt owed to PELA CFDC by the individual;
- comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;

- a law enforcement agency in the process of a civil or criminal investigation;
- a government agency or department requesting the information; or,
- as required by law.

PELA CFDC may *transfer* personal information to a third party, *without* the individual's knowledge or consent, if the transfer is simply for processing purposes and the third party only uses the information for the purposes for which it was transferred. PELA CFDC will ensure, by contractual or other means, that the third party protects the information and uses it only for the purposes for which it was transferred.

Retention of Personal Information

Personal information will be retained in client files as long as the file is active and for such periods of time as may be prescribed by applicable laws and regulations.

A file will be deemed inactive if PELA CFDC rejects an application, when a loan is repaid in full and securities are discharged, when a guarantee is terminated or an investment is sold. Information contained in an inactive file will be retained for a period of seven (7) years, except in the case where an application is rejected. Where an application has been rejected, the file and all personal information contained in the file will be retained for a period of two (2) years.

Accuracy

PELA CFDC endeavours to ensure that any personal information file(s) is accurate, current and complete. Individuals are requested to notify PELA CFDC of any change in personal information.

Information contained in inactive files is not updated.

Safeguards

PELA CFDC will use the appropriate physical, organizational, and technological measures to safeguard personal information from other than those PELA CFDC employees, volunteers, or third parties who need to know this information for the purposes set out in this Privacy Policy, PELA CFDC applications and/or other forms.

Access to personal information will be limited those who have to make a determination as to the individual's eligibility for a loan, grant, equity investment or participation in a program.

Employees and members of PELA CFDC committee(s) and/or Board of Directors are required to sign a confidentiality agreement binding them to maintaining the confidentiality of all personal information to which they have access.

Active files are stored in locked filing cabinets when not in use. Access to work areas where active files may be in use is restricted to PELA CFDC employees only and authorized third parties.

All inactive files or personal information no longer required are shredded prior to disposal to prevent inadvertent disclosure to unauthorized persons.

Personal information contained in PELA CFDC computers and electronic data bases is password protected. Access to any of the PELA CFDC's computers also is password protected. PELA CFDC's Internet router or server has firewall protection designed to be sufficient to protect personal and confidential business information against virus attacks and "sniffer" software arising from Internet activity.

Openness

PELA CFDC will make its privacy policies and procedures known to individuals via this Privacy Policy, or by writing to the Chief Privacy Officer.

Individual Access

An Individual who wishes to review or verify what personal information is held by PELA CFDC, or to whom the information has been disclosed, may make the request for access, in writing, to the Chief Privacy Officer. Upon verification of the individual's identity, the Chief Privacy Officer will respond within 60 days.

If an individual finds that the information is inaccurate or incomplete, upon the individual providing documentary evidence to verify the correct information, PELA CFDC will make the required changes to the individual's active file(s) promptly.

Complaints/Recourse

If an individual has a concern about PELA CFDC's personal information handling practises, a complaint, in writing, may be directed to Chief Privacy Officer.

Upon verification of the individual's identity, the Chief Privacy Officer will act promptly to investigate the complaint and provide a written report of the investigation's findings to the individual.

Where the Chief Privacy Officer makes a determination that the individual's complaint is well founded, the necessary steps will be taken to correct the offending information and/or revise PELA CFDC's privacy policies and procedures.

Where the Chief Privacy Officer determines that the individual's complaint is *not* well founded, the individual will be notified in writing.

If the individual is dissatisfied with the finding and corresponding action taken by PELA CFDC, the individual may bring a complaint to the Federal Privacy Commissioner at the address below:

The Privacy Commissioner of Canada
112 Kent Street, Ottawa,
Ontario K1A 1H3
Tel 1-800-282-1376

Email address: www.privcom.gc.ca.

Questions/Access Request/Complaint

Any questions regarding this or any other privacy policy of PELA CFDC may be directed to the Chief Privacy Officer. Requests for access to information, or to make a complaint, are to be made in writing and sent to the Chief Privacy Officer at the address below:

Craig Desjardins
Chief Privacy Officer
PELA CFDC
280 Main Street, Suite 103
Picton, Ontario
K0K 2T0

Email address: cd@pelacfdc.ca