



## POLICY

Title of Policy	Copyright Policy
Policy Number	2.1
Category	Financial/Legal
Approval Body	Board of Directors
Approval/Effective Date	
Proposed Date of Review	

### CONTEXT AND PURPOSE

From time to time, Meant 2B Loved Pet Rescue Society board members, volunteers, and employees may develop and produce intellectual property which is marketable and/or subject to copyright protection. These guidelines and procedures have been developed to protect the interests of M2BL and the board member, volunteer and/or employee in such circumstances.

### SCOPE

This policy applies to all personal information and records, in any format, in the custody or under the administration of Meant 2B Loved Pet Rescue Society.

### DEFINITIONS

**Employee:** in relation to a public body, includes a volunteer or service provider.

**The Act:** The Freedom of Information and Protection of Privacy Act (FOIPPA).

**M2BL:** Meant 2B Loved Pet Rescue Society

**Personal information:** is any information about an identifiable individual such as name, address, telephone number, race, national or ethnic origin, colour, political or religious beliefs or associations, age, sex, sexual orientation, marital or family status, any identifying number or symbol assigned to an individual and an individual's fingerprints, blood type or inheritable characteristics. It includes an individual's personal history regarding finances, education, health, criminal records, and employment. The act also extends to include anyone else's opinion about the individual, as well as, the individual's personal views or

opinions, unless they are about someone else. It involves information collected verbally as well as in writing.

**Personal Protection of Privacy Act:** British Columbia's [Personal Information Protection Act](#) came into effect in January 2004. The legislation applies to any private sector organization (such as a business or corporation, union, political party, and not-for-profit) that collects, uses, and discloses the personal information of individuals in BC.

**Records:** includes books, documents, maps, drawings, photographs, letters, papers, vouchers and any other thing on which information is recorded or stored by graphic, electronic, mechanical, or any other means, but does not include a computer program or any other mechanism that produces records.

**Third Party:** is any person, group of persons, or organization, other than the person who made the request, or a public body.

## **POLICY STATEMENTS**

Meant 2B Loved Pet Rescue Society collects personal information.

### **A. Collection, Accuracy, Retention & Security**

A. 1 M2BL is required by legislation to:

- Collect personal information only for purposes authorized under ss. 26 of FOIPPA
- Collect personal information directly from the individual the information is about unless another method of collection is authorized by that individual, the commissioner under section 42 (1) (i) of the Act, or another enactment. A Freedom of Information notice of use must be included on the collection form that the individual is asked to complete.
- Notify individuals about the authority for and purpose of collecting their personal information unless notice is not required in limited and specific circumstances under the Act;
- Use personal information only for the purpose for which it was collected, for a consistent purpose, for another purpose to which the individual has given express consent, or for a specific purpose set out in the Act;
- Make reasonable efforts to ensure that the personal information they collect for decision-making purposes is accurate and complete;
- Retain personal information used for decision-making purposes for a reasonable period of time (minimum of one (1) year) so that individuals may exercise their rights of access;

- Make reasonable security arrangements (e.g. password protections or locked storage) to protect personal information in their custody or under their control; and
- Allow individuals access to their own personal information.

## **B. Access to and Disclosure of Information and Protection of Privacy**

The principles underlying the legislation are to make public organizations more accountable to the public and to protect personal privacy by:

- Giving the public a right of access to records in the custody of, or under the control of M2BL;
- Giving individuals a right of access to, and a right to request correction of personal information about themselves;
- Specifying limited exceptions to the right of access where disclosure would result in harm to a third party;
- Giving access as appropriate to an individual who is a service provider of the public body, or an employee or associate of such a service provider, if the information is necessary for the performance of the duties of the individual in relation to the public body;
- Giving access as appropriate to another individual or organization where consent to disclose is provided;
- Disclose personal information as appropriate to a public body or a law enforcement agency in Canada to assist in a specific investigation.
- As per Section 74.1.5 of the Act, there are penalties in place for Privacy protection offences/unauthorized disclosure of personal information.

## **C. Role of M2BL Board Members**

- The Board president is responsible, with guidance from the board of directors, for all decisions related to granting access to information and correcting personal information or for a request being denied.
- The Secretary is delegated the responsibility to manage compliance with the legislation and respond to access requests, provide advice and training, and make recommendations to the President.
- Decisions made by the President and/or the Board can be appealed to the Information & Privacy Commissioner through a request for review process.

## **D. Handling Requests**

- A formal request under the Freedom of Information Act must be in writing.

- When a request is received by Meant 2B Loved on the same day. M2BL has 30 calendar days to respond to a request.
- Questions as to whether a specific request pertains to the Act are to be referred to the Board.

### **E. Locating the Records**

- The FOI Coordinator forwards the request to the applicable department. The department has five (5) working days to locate the records relevant to the request. This includes the work day the request arrives and the final day in which to turn over the information to the FOI Coordinator.

Where records do not exist, or have been destroyed, the department contact returns the request to the FOI Coordinator with an explanation.

Where records are solely stored electronically, in compliance with the Act a new hard copy of the record will have to be created.

### **F. Extension of Time**

Subject to specific and limited circumstances, the President may extend the time for response. The extension is limited to thirty (30) calendar days.

### **G. Third Party Notice**

Where a formal request involves a third party's business interests or invades the personal privacy of a third party, the applicant is notified and the thirty (30) day time limit runs from the date of third party notice. At the same time, third parties are notified by the FOI Coordinator and have twenty (20) days to make representations. The College of the Rockies has 10 days to consider the third party's representation and respond.

### **H. Fees**

Fees will be charged in accordance with the fee schedule established under the Regulations pursuant to the Act.

### **I. Exceptions**

There are limited and specific circumstances under which M2BL may withhold information. These are called exceptions and are either mandatory or discretionary as described in the associated Regulations of the Act.

## **J. Correction of Personal Information**

The Act provides that:

- An applicant may request correction of personal information held by M2BL, by contacting a member or members of the Board.
- A correction of factual information requires proof of similar quality to the information that was required initially.
- M2BL may revise an opinion if the original opinion was based on incorrect or incomplete information.
- If the President decides not to correct personal information, the President annotates the information to indicate that a correction was requested but not made.
- The President notifies other public bodies or third parties about a correction or annotation if the personal information was disclosed to the other public body or the third party during a one-year period before the correction was requested.

## **RELATED POLICIES AND SUPPORTING DOCUMENTS**

[Freedom of Information and Protection of Privacy Act of British Columbia](#)

[Personal Information Protection Act](#)