

COLLEGE OF ALBERTA PROFESSIONAL FORESTERS
PROTECTING YOUR PERSONAL INFORMATION
PERSONAL INFORMATION PROTECTION POLICY

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INTRODUCTION

The College of Alberta Professional Foresters (CAPF) is required by the *Regulated Forestry Profession Act*, the Registered Professional Foresters (RPF) Regulation and CAPF Bylaws. In meeting its regulatory obligations CAPF collects, manipulates and uses information, which describes the individual attributes of its members.

CAPF is committed to protecting the personal information entrusted to it by its members. Personal information of its members is managed in accordance with the provincial *Personal Information Protection Act* (PIPA), which is deemed to be substantially equivalent to the federal *Personal Information Protection and Electronic Documents Act* (PIPEDA) legislation.

CAPF manages the personal information in accordance with CAPF's Personal Information Protection Policy and Alberta's *Personal Information Protection Act* (PIPA). The CAPF Personal Information Protection Policy outlines the principles and practices CAPF follows in protecting personal information under its custody and control. This policy also applies to any third party persons or businesses providing services to or on CAPF's behalf.

In accordance with the *Guidelines for Developing a Personal Information Code for Professional Regulatory Organizations* (2005), this Policy shall be reviewed every three years.

CONTACT

The Registrar has been authorized by the Council of CAPF to be the designated individual within CAPF to ensure that the College is in compliance with PIPA. The Registrar is also the contact person for answering questions regarding the Acts and receiving requests for personal information and complaints under the Acts. CAPF employees, Council members and members of CAPF committees are informed by the Registrar of CAPF's Personal Information Protection Policy and procedures to ensure the protection of member's personal information. They are expected to maintain this confidentiality at all times. The Registrar is the only person who is authorized by CAPF to release personal information.

A member has the right, at any time, to contact the Information and Privacy Commissioner appointed under the *Freedom of Information and Protection of Privacy Act* regarding questions and complaints.

PERSONAL INFORMATION

Personal information includes any factual or subjective information, recorded or not, about an identifiable individual.

CAPF collects information regarding demographics, forestry practice, and employment. Additionally, CAPF collects information during the application process regarding: education, forestry work experience, areas of practice and specialties, past professional conduct, work eligibility, practice restrictions, status of practice permit and continuing competence activities.

CAPF normally collects personal information directly from its members. CAPF may collect personal information from other persons with the consent of the member or as authorized by law. CAPF will inform the member regarding the collection of personal information and the purposes for collection of this information.

CAPF may collect, use or disclose a member's personal information without consent only as authorized by law.

WHY CAPF COLLECTS PERSONAL INFORMATION

This information is collected in order to fulfill CAPF obligations as defined in the *Regulated Forestry Profession Act* (RFPA) and Registered Professional Foresters Regulation. Section 27 of the RFPA and Part 2 of the Regulation identifies information required for maintaining member registers (regulated and non-regulated) and the issuance of practice permits.

HOW YOUR PERSONAL INFORMATION IS USED

CAPF uses the information collected in order to protect the public from unprofessional conduct. Personal information collected is used to determine registration eligibility, membership privileges and practice permit issuance.

CAPF DOCUMENTS PERTAINING TO PIPA

1. Protecting Your Personal Information – The College of Alberta Professional Foresters Personal Information Protection Policy
2. Guidelines and Procedures for Complaints Handling of Personal Information
3. Procedures For Accessing Information Regarding Regulated Members Of The College Of Alberta Professional Foresters (CAPF)
4. Privacy Assurance Template (for third-party use of personal information)
5. Personal Information Protection Complaint Form

COMMITMENT

CAPF will protect your personal information, in accordance with the 10 principles of privacy, which have been established by the Government of Canada and the Government of Alberta.

Principle 1 – Accountability

The College of Alberta Professional Foresters (CAPF) is responsible for personal information under its custody and control and shall designate an individual or individuals who are accountable for the organization's compliance with the following principles.

1. Accountability for CAPF's compliance with the principles set out in this Policy rests with the CAPF Registrar, even though other individuals within the organization may be responsible for the day-to-day collection and processing of personal information.
2. CAPF is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. CAPF shall use contractual or other means to provide a comparable level of protection while the information is being processed by a third party. This is currently the *Privacy Assurance Template*.

Principle 2 – Identifying Purposes

The purposes for which personal information is collected shall be identified by CAPF.

1. CAPF shall document the purposes for which personal information is collected.
2. CAPF shall collect only that information necessary for the purposes that have been identified.
3. When personal information that has been collected is to be used for a purpose not previously identified, the new purpose shall be identified prior to use or at the time of use. Unless the law requires otherwise, the consent of the individual shall be gained before the information is used for the new purpose.

Principle 3 – Consent

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

1. Individuals can give consent in a variety of ways. A hard copy form will most typically be used to seek consent, collect information, and inform the individual of the use that will be made of the information. By completing and remitting the form, the individual is giving consent to the collection and specified uses. By way of example, a check box or choice of declaration may be used to allow individuals to request that their names and addresses not be provided publicly. Individuals who do not check the box or specify a declaration are assumed to consent to the transfer of this information to third parties.
2. A member may change or withdraw consent to use or disclose personal information at any time by providing the Registrar reasonable notice, as long as the information is not necessary for CAPF to fulfill its legal obligations. Upon receiving such notice the Registrar will inform the member of the likely consequences (if any) of changing or withdrawing his or her consent.
3. CAPF may collect information without consent only as authorized by law.

Principle 4 – Limiting Collection

The collection of personal information shall be limited to that which is necessary for the purposes identified by CAPF. Information shall be collected by fair and lawful means.

1. CAPF shall not collect personal information indiscriminately. Both the amount and the type of information collected shall be limited to that which is necessary to fulfil the purposes identified.
2. The Registrar will be the contact person if a member has any questions about the collection of their personal information.
3. Under certain circumstances PIPA allows CAPF to collect personal information for the purposes of an investigation or legal proceeding.

Principle 5 – Limiting Use, Disclosure, and Retention

Personal information shall not be used, disclosed or retained for purposes other than those for which it was collected, except with the consent of the individual or as required by law.

1. Personal information shall be retained only as long as necessary for the fulfillment of the intended purposes.
2. Personal information that has been used to make a decision about an individual shall be retained long enough to allow the individual access to the information after the decision has been made.
3. Personal information that is no longer required to fulfill the identified purposes will be destroyed, erased, or made anonymous.
4. Personal information may be used, disclosed or retained for the purposes of an investigation or legal proceeding.
5. Personal information may be disclosed without consent in certain situations as defined by PIPA. For example the Registrar may inform a caller that a particular individual is a member of CAPF according to the professional register.

Principle 6 – Accuracy

Personal information shall be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

1. The extent to which personal information shall be accurate, complete, and up-to-date will depend upon the use of the information, taking into account the interests of the individual. Information shall be sufficiently accurate, complete, and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about the individual.
2. CAPF will not routinely update personal information, unless such a process is necessary to fulfill the purposes for which the information was collected.
3. Personal information that is used on an ongoing basis, including information that is disclosed to third parties, will be accurate and up-to-date.

Principle 7 – Safeguards

Personal information shall be protected by security safeguards appropriate to the sensitivity of the information.

The following methods of protection will be used:

- (a) physical measures, for example, locked filing cabinets and restricted access to offices;
- (b) organizational measures, for example, security clearances and limiting access on a “need-to-know” basis; and
- (c) technological measures, for example, the use of passwords and encryption.

Principle 8 – Openness

CAPF will make readily available specific information about its policies and practices relating to the management of personal information.

The information made available shall include:

- (a) the name, title, and address of the person who is accountable for CAPF's policies and practices and to whom complaints or inquiries can be forwarded;
- (b) the means of gaining access to personal information held by CAPF;
- (c) a description of the type of personal information held by CAPF, including a general account of its use;
- (d) a copy of any brochures or other information that explain CAPF's policies, standards, or codes; and
- (e) what personal information is made available to related organizations, if any.

Principle 9 – Individual Access

Upon request, an individual shall be informed of the existence, use, and disclosure of their personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

Note: In certain, very rare, situations, CAPF may not be able to provide access to all the personal information it holds about an individual. Exceptions to the access requirement will be limited and specific. The reasons for denying access will be provided to the individual upon request. Exceptions may include information that is prohibitively costly to provide, information that contains references to other individuals, information that cannot be disclosed by legal, security, or commercial proprietary reasons, or information that is subject to solicitor-client or litigation privilege.

1. Upon request, CAPF shall inform an individual whether or not CAPF holds personal information about the individual. If known, CAPF will indicate the source of this information. CAPF will provide an account of the use that has been made or is being made of this information and an account of the third parties to which it has been disclosed, if any.
2. CAPF will respond to an individual's request within a reasonable time and at minimal or no cost to the individual.
3. When an individual successfully demonstrates the inaccuracy or incompleteness of personal information, CAPF shall amend the information as required. Depending upon the nature of the information challenged, amendment may involve the correction, deletion, or addition of information. Where appropriate, the amended information shall be transmitted to third parties having access to the information in question, if any.
4. When a challenge is not resolved to the satisfaction of the individual, the substance of the unresolved challenge shall be recorded by CAPF. When appropriate, the existence of the unresolved challenge shall be transmitted to third parties having access to the information in question, if any.

Principle 10 – Challenging Compliance

An individual shall be able to address a challenge concerning compliance with the above principles to the CAPF Registrar.

1. CAPF shall investigate all complaints. If a complaint is found to be valid, CAPF shall take appropriate measures, including amendment of its policies and practices.
2. The process for challenging compliance is contained in the *Guidelines and Procedures for Complaints Handling of Personal Information* (see below).

INFORMATION COLLECTED TO DATE

PIPA considers personal information collected prior to January 1, 2004 to have been collected with consent. CAPF may continue to use this information for the purpose it was originally collected. If CAPF chooses to use this information for purposes unrelated to the original purpose, CAPF shall obtain new consent from the members.

Personal information collected after January 1, 2004 is subject to PIPA rules.

For clarification on the required information, contact the Registrar.

FEES

CAPF may charge, in accordance with applicable Acts, by-laws and Regulations reasonable fees for access to personal information and for making copies of personal information requested.

INTERNET RELATED POLICIES

CAPF does not track visitors to its web site.

The privacy policy discloses the practices for the CAPF web site. However, the CAPF web site contains links to other web sites. Once a visitor links to another web site, they are subject to the privacy and security policies of the new web site. We encourage individuals to read the privacy policy of all web sites visited, especially if personal information is shared.

QUESTIONS AND ACCESS

If you need to update personal information of membership information, members can log in to the CAPF web site at any time and update their personal information. For further assistance, please contact:

**Administrative Assistant
College of Alberta Professional Foresters
200, 10544 – 106th Street
Edmonton, AB T5H 2X6**

Phone : 780 432 1177

Fax : 780 432 7046

E-Mail : office@capf.ca

If you have any questions or concerns about CAPF's Privacy Policy, please contact:

**The Registrar
College of Alberta Professional Foresters
200, 10544 – 106th Street
Edmonton, AB T5Y 2X6**

**Phone : 780 432 1177
Fax : 780 432 7046
E-Mail : registrar@capf.ca**

GUIDELINES AND PROCEDURES FOR COMPLAINTS HANDLING OF PERSONAL INFORMATION

The College of Alberta Professional Foresters (CAPF) is committed to safeguarding personal information entrusted to the College by its members. CAPF manages the personal information in accordance to CAPF's *Personal Information Protection Policy* and Alberta's *Personal Information Protection Act* (PIPA) available at the following web site:

(http://www.qp.alberta.ca/574.cfm?page=P06P5.cfm&leg_type=Acts&isbncln=9780779743728)

CAPF shall make readily available information regarding its policies and practices related to the collection, use and disclosure of personal information including the provision of written copies upon request as well as on the CAPF website. The Registrar is designated as the Privacy Officer within CAPF regarding all matters related to personal information policy.

The Registrar shall receive and investigate complaints from individuals about CAPF's alleged contravention of its *Personal Information Protection Policy* and PIPA. The Complaints Process is as follows:

1. A member who believes that CAPF has not complied with the CAPF *Personal Information Protection Policy* or PIPA has the right to make a written complaint. This must be done by completing the *Personal Information Protection Complaint Form* (see below) and returning it to the Registrar. The complainant shall provide complete details on how the complaint arose, including the parties involved, if known, and copies of all relevant documentation and reasons why the complainant believes their privacy has been breached. Assistance in completing this form is available by contacting the CAPF office.

The member has the right to make a complaint to the Information and Privacy Commissioner appointed under the *Freedom of Information and Protection of Privacy Act*. Individuals wishing to make a complaint about the improper handling of their personal information should contact the Office of the Information and Privacy Commissioner of Alberta by phoning 1-888-878-4044 or visit the Commissioner's web site at www.oipc.ab.ca for more information. However, CAPF encourages that the complainant first use CAPF's internal complaint handling process.

The Registrar may decide not to investigate a complaint if:

- the complaint relates to an act or practice that is not a possible breach of privacy of an individual;
 - the complaint is trivial, frivolous or vexatious;
 - it is no longer reasonably possible to investigate because of the length of time that has elapsed since the alleged contravening act or practice occurred;
 - the alleged contravening act or practice occurred prior to the enactment of the *Personal Information Protection Policy* and PIPA;
 - the complaint relates to an act or practice that is subject to court proceedings that have commenced or are intended to be commenced.
2. Where possible, the Registrar will attempt to resolve complaints informally. With the exception of complaints listed above, if the Registrar feels the complaint is justified, the Registrar shall investigate the complaint, prepare a written report of their findings, and provide it to the complainant and the Executive Committee of CAPF within 30 days of the complaint being filed with the Registrar. If the report cannot be provided within 30 days, the Registrar shall advise the complainant and the Executive Committee of the delay and the anticipated date of completion of the report.

3. If the complainant disagrees with the report, the complainant can request the Executive Committee review and reconsider the report by filing a written request setting out the grounds for the review. The Registrar shall have 30 days to provide the request to the Executive Committee and provide the complainant a response from the Executive Committee. The response of the Executive Committee is final. The complainant has the right to request the Information and Privacy Commissioner to review the complaint and the Executive Committee's response.
4. If the complaint is valid, CAPF shall take appropriate steps to resolve the complaint, including amending the CAPF *Personal Information Protection Policy* and administrative practices. If the report from the Registrar recommends certain actions be taken by CAPF or if there is a review and the Executive Committee directs certain actions be taken by CAPF, the staff of CAPF shall report to the Executive Committee within 30 days, and at such times as directed by the Executive Committee, whether such actions have been taken.

PROCEDURE FOR ACCESSING INFORMATION REGARDING REGULATED MEMBERS

A primary role of CAPF is to govern its regulated members in a manner that protects and serves the public interest. In its capacity as the regulating body the College is required by the *Regulated Forestry Profession Act* (section 27) to maintain registers containing essential information about each regulated member and any conditions that may be imposed by the College on that member's practice permit.

Members of the public occasionally have reason to request information regarding a regulated member or a former regulated member. Potential employers, people seeking the service of a professional forest management consultant, members of the public requiring professional advice, or individuals checking the status of a regulated member that provided a past service are amongst those members most likely to request information regarding a regulated member or a formerly regulated member. The public may find that CAPF is the only reliable source of such information, other than the regulated member.

The role of CAPF as a provider of information to the public is primarily one of confirming that a member or former member is or was regulated and their current membership status. CAPF is also obliged to identify any constraints on regulated member's practice permit.

Where it is not possible for a member of the public to obtain the information they require of a regulated member or former member, the *Regulated Forestry Profession Act* (section 28(1)) provides the public a right to access such information from CAPF. Section 28(1) states that; "If a member of the public, during regular business hours, requests information in the register respecting a named regulated member, the college must provide the information described in section 27(3) with respect to that member". It must be noted that the register only contains basic information as defined by section 27(3) regarding a regulated member which includes the members name, registration number and the status of the regulated members practice permit.

Part 10(1d) of the CAPF Bylaws states that the Registrar may provide information in accordance with the Act and Regulations and may request justification from the person making the request for the information.

Where a member of the public provides a *bona fide* reason for requesting additional information, in accordance with section 20 of the Registered Professional Foresters Regulation Part 2, the Registrar may, for the purposes of section 28(2) of the Act, release additional information to a member of the public during regular business hours. Such information will primarily serve to assist CAPF and the public in identifying the correct regulated member or where CAPF determines a benefit to both parties such as providing a means of contact. Other information, if in the possession of CAPF shall only be released if the regulated member or former member authorizes its release in writing.

Section 20 of PIPA allows CAPF to disclose personal information without consent in certain situations, for example if the disclosure is reasonable for an investigation or legal proceeding.

PUBLIC REQUEST FOR PERSONAL INFORMATION FORM

In order for the Registrar of CAPF to ascertain the nature of the information requested please provide the following information and return the form to:

**The Registrar
College of Alberta Professional Foresters
200, 10544 – 106th Street
Edmonton, AB T5Y 2X6**

If you have any questions regarding the completion of this form, contact the Registrar at:

**Phone : 780 432 1177 Fax : 780 432 7046
E-Mail : registrar@capf.ca**

1. Person submitting the inquiry :

Name : _____

Address : _____

Phone : Home _____ Work _____ Fax _____

E-mail : _____

May we contact you at work ? Yes No

2. Regulated Member whom you are seeking information about:

Members full name : _____

Registration number of the member _____

Address of the member _____

Phone : Home _____ Work _____ Fax _____

E-mail : _____

3. Nature of Information requested:

4. Purpose for obtaining the information:

5. Have you attempted to obtain the required information from the regulated member?

Yes

No

If yes, what was their response? _____

Signature: _____ **Date:** _____

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(a) **Information has been supplied in accordance with section 28(2) of the *Regulated Forestry Professions Act*** Yes No

(b) **Information has been supplied in accordance to section 20 of PIPA.** Yes No

(c) **The information supplied complies with section 27(3) of the *Regulated Forestry Professions Act*** Yes No

(d) **Was other information requested** Yes No

(e) **If yes – what reasons were provided to justify the request** _____

(f) **Was additional information provided** Yes No

(g) **If yes what was provided and your reason for providing it** _____

(h) **Was the regulated member or former member contacted** Yes No

(i) **If yes, did they authorize the release of the information** Yes No

PRIVACY ASSURANCE TEMPLATE

(For Organizations that Both Handle and
Have Access to Personal Information of CAPF)

We, the undersigned, acknowledge that we have access to sensitive personal information on behalf of the College of Alberta Professional Foresters. We understand that the College of Alberta Professional Foresters is covered by the *Alberta Personal Information Protection Act*. We also acknowledge that, as a result of our association with the College of Alberta Professional Foresters, we must comply with the *Alberta Personal Information Protection Act* in respect of any personal information that we collect, use or disclose and have taken appropriate steps to bring ourselves into compliance with it.

We shall only use the personal information transferred to us by the College of Alberta Professional Foresters for the purposes for which it was intended. We shall maintain the security of the information in a manner consistent with the privacy policies of the College of Alberta Professional Foresters. We shall return the personal information to the College of Alberta Professional Foresters or we shall destroy it as soon as the purpose for which it was transferred is completed. We shall not transfer or disclose the personal information to anyone outside of our organization without the prior written consent of the College of Alberta Professional Foresters. We shall not distribute the personal information provided to us by the College of Alberta Professional Foresters to a third party without the prior written consent of the College of Alberta Professional Foresters. In the event that personal information held by the College of Alberta Professional Foresters is to be accessible by a third party through this agreement, that third party must sign and return to the College of Alberta Professional Foresters a *Privacy Assurance Template* before any exchange takes place.

We acknowledge that we, for legitimate purposes, have access to the premises or electronic records of the College of Alberta Professional Foresters. As such we could have access to sensitive personal information held by the College of Alberta Professional Foresters. We assure you that we shall not use or disclose any personal information held by the College of Alberta Professional Foresters and shall respect the College of Alberta Professional Forester's privacy and security.

Association: _____

Signing Authority: _____

Position : _____

Date: _____

College of Alberta Professional Foresters

Signing Authority: _____

Position: Registrar

Date: _____

PERSONAL INFORMATION PROTECTION COMPLAINT FORM

In order for the Registrar to ascertain the nature of the complaint and to determine an appropriate course of action, please provide the following information and return the form to:

**The Registrar
College of Alberta Professional Foresters
200, 10544 – 106th Street
Edmonton, AB T5Y 2X6**

If you have any questions regarding the completion of this form, contact the Registrar at:

**Phone : 780 432 1177 Fax : 780 432 7046
E-Mail : registrar@capf.ca**

1. Member submitting the complaint :

Name : _____ RPF No. _____

Address : _____

Phone : Home _____ Work _____ Fax _____

E-mail : _____

May we contact you at work ? Yes No

2. What is the general nature of your complaint:

Please describe your complaint in your own words. You may use a separate sheet of paper if necessary and attach it to this form.

3. What would you like to see happen as a result of your complaint?

Signature: _____ **Date:** _____

COMPLAINT – FOLLOW UP FORM

For CAPF internal use only

- (a) Attached complaint received this date _____
- (b) Complaint reviewed and initial action taken _____

- (c) The Regulated Member has been contacted and information provided
Yes No
- (d) If yes – what initial reasons were provided to justify the type of activity that occurred

- (e) Is it possible to resolve this complaint informally Yes No
- (f) If yes what steps will you take _____

- (g) The nature of the complaint that makes it complex _____

- (h) The Regulated Member informed of the outcome this (date) _____
- (i) Was the person filing the complaint satisfied with the
- | | | | | |
|--------------|-----|----|----------|-------|
| (i) Outcome | Yes | No | Comments | _____ |
| (ii) Process | Yes | No | Comments | _____ |