

## SOCAN FOUNDATION PRIVACY POLICY

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### YOUR PRIVACY IS PROTECTED

At SOCAN Foundation, we are committed to respecting and protecting your right to privacy. As such, we have put in place privacy policies to ensure that our grant applicants' and recipients' information and affairs are kept in strict confidence.

### WHAT IS PROTECTED

SOCAN Foundation will protect the “personal information” of its grant and competition applicants and those with whom it conducts business. Personal information means any information, recorded or not, about an identifiable individual with the exception of the name, title, e-mail address, business address, telephone number or fax number of an employee of an organization.

### PRIVACY PROTECTION IN CANADA

This privacy policy has been developed to meet the compliance standards established by Canada's *Personal Information Protection and Electronic Documents Act (PIPEDA)*. The *Act* sets out ground rules for how private-sector organizations may collect, use, retain and disclose personal information, and ensures that an organization's legitimate need for personal information can be balanced with the privacy rights of individuals.

### OUR TEN PRIVACY PRINCIPLES — IN BRIEF

SOCAN Foundation will adhere to the following ten principles for the protection of personal information:

#### Principle 1 – Accountability

SOCAN Foundation will be accountable for collecting, using and disclosing your personal information.

#### Principle 2 – Identifying Purposes

SOCAN Foundation will provide an explanation of the purpose(s) underlying any collection, use or disclosure of your personal information.

**Principle 3 – Consent**

SOCAN Foundation will obtain your consent prior to the collection, use or disclosure of your personal information except where required or permitted by law.

**Principle 4 – Limiting Collection**

SOCAN Foundation will only collect the information needed to conduct its business.

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

SOCAN Foundation will only use, disclose and retain the personal information needed to conduct its business.

**Principle 6 – Accuracy**

SOCAN Foundation will take necessary steps to ensure that the personal information is accurate.

**Principle 7 – Safeguards**

SOCAN Foundation will implement safeguards for your personal information.

**Principle 8 – Openness**

SOCAN Foundation will disclose to its applicants its Privacy Policy and make information available concerning the policies and practices that apply to the management of their information.

**Principle 9 – Individual Access**

SOCAN Foundation will facilitate individual access by applicants to their respective personal information.

**Principle 10 – Challenging Compliance**

SOCAN Foundation will establish the means by which individuals can challenge SOCAN Foundation's compliance with the obligations set out in this privacy policy.

**OUR TEN PRIVACY PRINCIPLES — IN DETAIL**

**Principle 1 – Accountability**

To ensure SOCAN Foundation remains accountable for the manner in which it uses, collects and discloses your personal information, SOCAN Foundation has appointed a Privacy Compliance Officer, who will be accountable for ensuring its compliance with this policy. Questions pertaining to SOCAN Foundation's privacy policy or the application of this policy may be directed to:

Privacy Officer  
SOCAN Foundation  
41 Valleybrook Drive  
Toronto, ON M3B 2S6  
Telephone: (416) 445-8700  
Toll-free: 1-800-55-SOCAN (that's 1-800-557-6226)  
E-mail: [privacy.officer@socan.ca](mailto:privacy.officer@socan.ca), indicating "SOCAN Foundation" in the subject line

**Principle 2 – Identifying Purposes**

When you first become a SOCAN Foundation grant or competition applicant, we let you know that, in addition to your name, address and telephone number, we need your information in order to:

- Establish your identification
- Provide the ongoing service of reviewing grant or competition applications submitted to the Foundation
- Provide the ongoing service of mailing new information on our granting programs and competitions
- Comply with legal requirements
- Protect you and SOCAN Foundation from error and fraud

For these reasons, the type of information we usually collect may include:

- Name
- Home or business address
- Telephone number(s)
- E-mail address
- Social Insurance Number
- Citizenship
- Financial information
- Demand/bankruptcy documents

Personal and financial information collected about you or your business is typically used by SOCAN Foundation to communicate with you, to review applications, to administer grants and competitions, to establish databases, to fulfill SOCAN Foundation's legal and legitimate business requirements, for statistical purposes and to comply with the Income Tax Act.

### **Principle 3 – Consent**

Prior to collecting, using or disclosing any personal information about our grant or competition applicants, SOCAN Foundation will obtain your informed consent. SOCAN Foundation will make reasonable efforts to explain to you the purpose for which the information will be used or disclosed unless it is self-evident.

SOCAN Foundation will not, as a condition of grant approval or competition eligibility, require you to consent to the collection, use or disclosure of personal information beyond that required to fulfill the explicitly specified and legitimate purposes.

Your consent may be given at the time you become an applicant, or subsequently in the following ways:

- Through an application form where you are informed of 1) the use that will be made of the personal information, and 2) that by completing and signing the form, you will consent to the collection and the specified uses;
- As subsequently requested by SOCAN Foundation per a written or oral request.

You may withdraw your consent at any time, subject to legal or contractual restrictions and reasonable notice. SOCAN Foundation will inform you of the implications of such a withdrawal. SOCAN Foundation will not be required to seek your consent to collect, use or disclose your personal information in the following circumstances:

- Information collected for the detection and prevention of fraud or other contraventions of the law, or for law enforcement or other legal proceedings taken to protect SOCAN Foundation, its applicants' rights or the rights of SOCAN Foundation's member (that "member" being SOCAN);
- As required by law;
- If you are seriously ill or mentally incapacitated and obtaining consent is otherwise impossible or impractical;
- For security reasons;
- If SOCAN Foundation does not have a direct relationship with you;
- If the information is publicly available; or
- In any other circumstance where obtaining consent would be inappropriate.

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

SOCAN Foundation will only collect personal information needed to properly conduct its business and only collect it by fair and lawful means.

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

SOCAN Foundation 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 by law. In fact:

- We keep your information and the business you do with us in strict confidence;
- Your information is not sold or otherwise disclosed to anyone outside of SOCAN Foundation unless required by law or to properly conduct SOCAN Foundation business;
- You have control over how we obtain, use and give out information about you or your business.

In addition, your personal information will be retained only as long as necessary for SOCAN Foundation to carry out its business and only as required by law. Documents containing personal information no longer required are carefully disposed of in the following manner:

- Documents containing sensitive data are shredded; and
- Electronic documents are deleted.
- SOCAN Foundation employees and directors engaged in Foundation business are made aware of SOCAN Foundation's Privacy Policy and of the restrictions in dealing with any personal information.
- SOCAN Foundation endeavours to ensure that physical documents containing personal information are properly stored in secure storage. Access is restricted to SOCAN Foundation employees and directors only, with strict guidelines for controlling access to any personal information, as outlined in the directors' code of conduct. Highly sensitive information is stored in locked filing cabinets. Physical security is maintained over paper files and data security over digital files. Access is granted only to those who require it for authorized purposes.
- Personal information contained in an electronic format is accessible only by those individuals who have been provided access by way of a password.
- SOCAN Foundation board and committee members are required to keep the contents of applications they review, and the deliberations of the board and committee meetings, confidential. External peer assessors are required to keep their written assessments and reports confidential.
- When documents containing personal information are no longer required, they are shredded, or if in electronic format, deleted.
- SOCAN Foundation may, from time to time, hire temporary personnel, contractors or companies to undertake a work project. When we do, we select the company carefully and confirm that it uses security standards comparable to ours.

In addition, any outside contractors engaged who may come in contact with personal information are required to sign a confidentiality agreement

### **Principle 6 – Accuracy**

Upon you demonstrating to us the inaccuracy or incompleteness of your personal information, SOCAN Foundation will correct any errors and take steps to ensure that your personal information is kept up to date.

### **Principle 7 – Safeguards**

SOCAN Foundation safeguards personal information by taking the following steps:

- preventing them from using or otherwise disclosing any information they may have come across during their work with SOCAN Foundation.
- SOCAN Foundation regularly monitors developments in technology and ensures that any new technology (e.g. faxes, Internet, cell phones, etc.) or processes are reasonably secure (e.g. by way of passwords, encryptions,

security clearances, or any other technological measures) and otherwise comply with SOCAN Foundation's privacy policy.

- The Privacy Compliance Officer will conduct periodic reviews of various SOCAN Foundation practices to determine compliance with this policy. The Privacy Compliance Officer will make all recommendations necessary to ensure compliance and determine whether any revisions to this policy are required in light of new practices, processes, technologies or other changes.

#### **Principle 8 – Openness**

SOCAN Foundation will disclose to its applicants this Privacy Policy and make information available concerning the policies and practices that apply to the management of their personal information.

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

You may request access to your personal information by submitting a written request to the SOCAN Foundation manager, who will respond to the request within 30 days of receipt. SOCAN Foundation will indicate the use that has been made of this information and will provide an account of the third parties to whom the information has been disclosed.

SOCAN Foundation may choose not to allow access to personal information in its possession for any of the following reasons:

- The information is subject to solicitor-client or litigation privilege or is otherwise considered privileged under the law;
- The information was collected for the detection and prevention of fraud or for law enforcement or other legal proceedings taken to protect SOCAN Foundation, its applicants' or its employees' rights;
- For any other legal reasons;
- For security reasons;
- For commercial proprietary reasons;
- Providing the information would be prohibitively costly; and/or
- The information contains information about other individuals that may not be severed.

Should SOCAN Foundation refuse access, the person requesting access to the personal information will be informed in writing of the basis for the refusal and their recourse.

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

Any concerns regarding SOCAN Foundation's compliance with this policy can be reported in writing to the Privacy Compliance Officer (at the afore-mentioned address). The Privacy Compliance Officer shall acknowledge receipt of the correspondence within 15 days of receiving it.

The Privacy Compliance Officer shall investigate all complaints received and shall render a decision within 60 days of receiving the complaint. If the complaint is found to be justified, SOCAN Foundation will take appropriate measures including, if necessary, amending its policies and practices.

#### **UPDATING THIS POLICY**

SOCAN Foundation reserves the right to modify or amend this Privacy Policy at any time. Nothing contained herein is intended to create a contract or agreement between SOCAN Foundation and any other party. We recommend that you review this Privacy Policy periodically so that you are aware of any changes.

This Privacy Statement was last modified on October 20, 2006.