

PURPOSE

This policy describes the standardized practices and procedures for the protection of personal information by the Tennis Professionals Association (TPA)

PRIVACY STATEMENT

The Tennis Professionals Association (TPA) is committed to upholding fundamental principles of honesty and integrity in all aspects of our business. Our objective is to build a long-lasting relationship with our members based on a foundation of trust. It is our policy that all personal information collected, including that of members of the Tennis Professionals Association (TPA), is kept in the strictest confidence by the Tennis Professionals Association (TPA) and will not be disclosed and/or sold or traded to anyone except the Tennis Professionals Association (TPA), its employees, agents, officers and directors. The information will only be used by the Tennis Professionals Association (TPA) for the purposes for which it was collected, as disclosed to the individual or entity at the time of collection.

DEFINITIONS

Personal information: Information about an identifiable individual that is recorded in any form. This includes opinions and beliefs, financial information, birth dates and other identifying data not publicly available. The definition does not include the name, title or business address or telephone number of an employee of an organization. Business contact information (title, position, company name address, etc.) and certain publicly available information are excluded from the definition.

- **Collection:** The act of gathering, acquiring, or obtaining personal information from any source, including third parties, by any means.
- **Disclosure:** Making personal information available to others outside the organization.
- **Use:** Refers to the treatment and handling of personal information within an organization.
- **Consent:** Voluntary agreement to the collection, use and sharing of personal information for a stated purpose. Consent can be either express or implied.
- **Express Consent:** Permission that is explicitly sought and applied to the collection, use or disclosure of information, particularly for sensitive information or when there has been a significant change from the original purpose for which information was collected. Express consent is unequivocal and does not require any inference on the part of the organization seeking consent.
- **Implied Consent:** Implied consent arises where consent may reasonably be inferred from the action or inaction of the individual. For example, consent could be implied for using the return address on a donation cheque to send a receipt to the donor for income tax purposes.
- **Purpose Statement:** The stated purpose for which personal information is being collected, used or disclosed

PRIVACY PRINCIPLES

In order to comply with federal and provincial standards for personal privacy protection, the Tennis Professionals Association (TPA) recognizes and voluntarily adheres to the 10 principles of the Canadian Standards Association Model Code for Privacy (1996) in support of our ongoing efforts to operate within generally accepted norms for handling personal information.

1. Accountability

The Tennis Professionals Association (TPA) is responsible for personal information under its control and has designated an individual as its Privacy Officer, who is accountable for the organization's compliance with the Privacy Policy.

1.1 Accountability for the Tennis Professionals Association (TPA)'s compliance with this Policy rests with the designated Privacy Officer, even though other individuals within the organization may be responsible for the day-to-day collection and processing of personal information. In addition, other individuals within the organization may be delegated to act on behalf of the Privacy Officer. This does not in any way mitigate the Privacy Officer's responsibility for privacy issues.

The Privacy Officer is also responsible for responding to access requests in accordance with this Policy. The Privacy Officer reports to the Senior Director of Tennis Development at Tennis Canada, and the ultimate responsibility for privacy issues rests with the Tennis Professionals Association (TPA) Advisory Committee.

1.2 The identity of the individual designated by the organization as its Privacy Officer shall be made known upon request.

1.3 The Tennis Professionals Association (TPA) is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. The Tennis Professionals Association (TPA) will use contractual or other means to provide a comparable level of protection while the information is being processed by a third party.

1.4 The Tennis Professionals Association (TPA) is responsible for personal information that has been provided to a volunteer for solicitation or governance purposes. The Tennis Professionals Association (TPA) will use contractual or other means to provide a comparable level of protection while the information is in the possession of the volunteer.

1.5 The Tennis Professionals Association (TPA) shall implement policies and practices to give effect to the Privacy Policy, including: (a) implementing procedures to protect personal information; (b) establishing procedures to receive and respond to complaints and inquiries; (c) training staff and communicating to staff information about the organization's policies and practices; and (d) developing information to explain the organization's policies and procedures.

2. Identifying Purposes

The Tennis Professionals Association (TPA) will identify the purposes for which personal information is collected at or before the time information is collected.

2.1 The Tennis Professionals Association (TPA) collects personal information from members for the following purposes:

- Communicate with customers regarding the renewal of memberships
- To provide a means to collect on invoicing
- To pay vendors for services
- To process orders, invoice and process credit card payments
- To invite members to special events
- Issue statutory tax documents
- To accept entries to events
- Document scholarship funds provided to members
- To communicate with members dealing with upcoming events
- To recognize individuals as members of the Tennis Professionals Association
- To verify tennis professionals/coaches for the purpose of TDC evaluations

- To provide tennis professionals/coaches with insurance
- To determine the fees applicable to coaches based on certification levels
- To determine the status of a tennis professional/coach (i.e., active or inactive)

- To extract data such as the amount of male/female coaches, level of coaches, professional development, and transcript
- To send a receipt as proof of membership
- To process order information i.e., anything ordered through our website and shipped to the customer
- To assist members in the event that they forget their login information
- To give members access to our website and benefits (e.g., discounts, insurance, resources, etc.)
- To communicate with coaches in a frequent and efficient manner. Communication is done in their language of preference
- To allow the third party billing company (Chase) to send confirmation and receipt of payment to the customer via email

2.2 The Tennis Professionals Association (TPA) will collect only that information necessary for the purposes that have been identified.

2.3 The Tennis Professionals Association (TPA) will specify the identified purposes for collection to the individual from whom the personal information is collected, at or before the time of collection. Depending upon the way in which the information is collected, this can be done orally or in writing.

2.4 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. Unless the new purpose is required by law, the consent of the individual is required before information can be used for that purpose.

2.5 Those collecting personal information on behalf of the Tennis Professionals Association (TPA) will be able to explain the purposes for which the information is being collected.

3. Consent

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

3.1 Consent is required for the collection of personal information and the subsequent use or disclosure of this information. Typically, the Tennis Professionals Association (TPA) will seek consent for the use or disclosure of the information at the time of collection. In certain circumstances, consent with respect to use or disclosure may be sought after the information has been collected but before use.

3.2 Recognizing that this principle requires knowledge and consent, the Tennis Professionals Association (TPA) shall make a reasonable effort to ensure that the individual is advised of the purposes for which the information will be used. To make the consent meaningful, the purposes will be stated in such a manner that the individual can reasonably understand how the information will be used or disclosed.

3.3 The Tennis Professionals Association (TPA) will not, as a condition of the supply of a product or service, require an individual to consent to the collection, use, or disclosure of information beyond that required to fulfill the explicitly specified and legitimate purposes.

3.4 The form of consent sought by the Tennis Professionals Association (TPA) may vary, depending upon the circumstances and the type of information. In determining the form of consent to use, the Tennis Professionals Association (TPA) shall take into account the sensitivity of the information.

3.5 In obtaining consent, the reasonable expectations of the individual are also relevant. For example, an individual buying a subscription to the Tennis Professionals Association (TPA) should reasonably expect that the Tennis Professionals Association (TPA), in addition to using the individual's name and address for mailing and billing purposes, would also contact the person to solicit the renewal of the subscription. In this case, the organization can assume that the individual's request constitutes consent for specific purposes. On the other hand, an individual would not reasonably expect that personal information given to the Tennis Professionals Association (TPA) would be given to a company selling tennis products, unless consent were obtained. Consent shall not be obtained through deception.

3.6 The way in which the Tennis Professionals Association (TPA) seeks consent may vary, depending on the circumstances and the type of information collected. The Tennis Professionals Association (TPA) will generally seek express consent when the information is considered sensitive. Implied consent will generally be appropriate when the information is less sensitive.

3.7 Individuals can give consent in many ways. For example: (a) an application form may be used to seek consent, collect information, and inform the individual of the use that will be made of the information. By completing and signing the form, the individual is giving consent to the collection and the specified uses; (b) a check off box may be used to allow individuals to request that their names and addresses not be given to other organizations. Individuals who do not check the box are assumed to consent to the transfer of this information to third parties; (c) consent may be given orally when information is collected over the telephone; or (d) consent may be given at the time that individuals use a product or service.

3.8 An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. The Tennis Professionals Association (TPA) shall inform the individual of the implications of such withdrawal.

4. Limiting Collection

The Tennis Professionals Association (TPA) shall limit the collection of personal information to that which is necessary for the purposes identified by the organization. Information shall be collected by fair and lawful means.

4.1 The Tennis Professionals Association (TPA) shall not collect personal information indiscriminately. Both the amount and the type of information collected shall be limited to that which is necessary to fulfill the purposes identified.

4.2 The Tennis Professionals Association (TPA) shall not collect information by misleading or deceiving individuals about the purpose for which information is being collected.

5. Limiting Use, Disclosure, and Retention

The Tennis Professionals Association (TPA) shall 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. Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

5.1 The Tennis Professionals Association (TPA) will retain personal information in accordance with its guidelines. 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.

5.2 Personal information that is no longer required to fulfill the identified purposes will be destroyed, erased, or made anonymous.

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.

6.1 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.

6.2 The Tennis Professionals Association (TPA) will not routinely update personal information, unless such a process is necessary to fulfill the purposes for which the information was collected.

6.3 Personal information that is used on an ongoing basis, including information that is disclosed to third parties, should generally be accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out.

7. Safeguards

The Tennis Professionals Association (TPA) shall protect personal information with security safeguards appropriate to the sensitivity of the information.

7.1 The security safeguards shall protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. The Tennis Professionals Association (TPA) shall protect personal information regardless of the format in which it is held.

7.2 The nature of the safeguards will vary depending on the sensitivity of the information that has been collected, the amount, distribution, and format of the information, and the method of storage. More sensitive information should be safeguarded by a higher level of protection. The concept of sensitivity is discussed in Clause 3.4.

7.3 The methods of protection will include (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.

7.4 The Tennis Professionals Association (TPA) shall make its employees aware of the importance of maintaining the confidentiality of personal information.

7.5 Care shall be used in the disposal or destruction of personal information, to prevent unauthorized parties from gaining access to the information.

8. Openness

The Tennis Professionals Association (TPA) shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.

8.1 The Tennis Professionals Association (TPA) shall be open about its policies and practices with respect to the management of personal information. Individuals will be able to acquire information about the Tennis Professionals Association (TPA)'s policies and practices without unreasonable effort. This information shall be made available in a form that is generally understandable.

8.2 The information made available shall include (a) the name/title and address of the Tennis Professionals Association (TPA)'s Privacy Officer, who is responsible for privacy policies and practices and to whom complaints or inquiries can be forwarded; (b) the means of gaining access to personal information held by the Tennis Professionals Association (TPA); (c) a description of the type of personal information held by the Tennis Professionals Association (TPA), including a general account of its use; (d) a copy of any materials that explain the Tennis Professionals Association (TPA)'s policies, standards, or codes; and (e) what personal information is made available to related organizations.

8.3 The Tennis Professionals Association (TPA) may make information on its policies and practices available in a variety of ways.

9. Individual Access

Upon request, an individual shall be informed of the existence, use, and disclosure of his or her 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.

9.1 Upon request, the Tennis Professionals Association (TPA) shall inform an individual whether or not the Tennis Professionals Association (TPA) holds personal information about the individual. The Tennis Professionals Association (TPA) will indicate the source of this information and will allow the individual access to this information. In addition, the Tennis Professionals Association (TPA) 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.

9.2 An individual may be required to provide sufficient information to permit an organization to provide an account of the existence, use, and disclosure of personal information. The information provided shall only be used for this purpose.

9.3 In providing an account of third parties to which it has disclosed personal information about an individual, The Tennis Professionals Association (TPA) will be as specific as possible.

9.4 The Tennis Professionals Association (TPA) shall respond to an individual's request within a reasonable time and at minimal or no cost to the individual. The requested information shall be provided or made available in a form that is generally understandable.

9.5 When an individual successfully demonstrates the inaccuracy or incompleteness of personal information, the Tennis Professionals Association (TPA) shall amend the information as required. Depending upon the nature of the information challenged, amendment involves 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.

9.6 When a challenge is not resolved to the satisfaction of the individual, the substance of the unresolved challenge shall be recorded by the Tennis Professionals Association (TPA). When appropriate, the existence of the unresolved challenge shall be transmitted to third parties having access to the information in question.

10. Challenging Compliance

An individual shall be able to address a challenge concerning compliance with the above principles to the Tennis Professionals Association's Privacy Officer.

10.1 The individual accountable for the Tennis Professionals Association (TPA)'s compliance is discussed in Clause 1.1.

10.2 The Tennis Professionals Association (TPA) shall put procedures in place to receive and respond to complaints or inquiries about its policies and practices relating to the handling of personal information. The Tennis Professionals Association (TPA)'s complaint process will be easily accessible and simple to use.

10.3 The Tennis Professionals Association (TPA) shall inform individuals who make inquiries or lodge complaints of the existence of relevant complaint mechanisms.

10.4 The Tennis Professionals Association (TPA) will investigate all complaints. If a complaint is found to be justified, the Tennis Professionals Association (TPA) will take appropriate measures, including, if necessary, amending its policies and practice