

## **Agricultural Adaptation Council Privacy Policy**

The Agricultural Adaptation Council (AAC) is a not-for-profit corporation incorporated under the laws of Ontario. The AAC respects the privacy and confidentiality of our stakeholders' personal information.

Our policies, with respect to the collection, use and disclosure of personal information, are reflected in this Privacy Policy ("Privacy Policy"), which is created to inform you about our privacy practices.

This Privacy Policy may be modified from time-to-time. For the most up to date version, or to challenge AAC's compliance of the PIPEDA Principals, please contact the AAC Privacy Compliance Officer.

### **Definitions**

The following definitions apply in this Privacy Policy:

- "collection" – the act of gathering, acquiring or obtaining personal information from any source, including from third parties, by any means.
- "consent" – voluntary agreement with what is being done or proposed. Consent can be either express or implied. Express consent is given explicitly, either orally or in writing. Express consent is unequivocal and does not require any inference on the part of the persons seeking the consent. Implied consent arises where consent may reasonably be inferred from the action or inaction of the individual.
- "personal information" – means information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization.

### **1. Accountability**

The AAC Privacy Compliance Officer is responsible for the AAC's compliance with the Personal Information Protection and Electronic Documents Act (PIPEDA). See below for contact information.

The AAC is responsible for all personal information in its possession or custody, including information that has been transferred to it through any third party. It is the responsibility of the AAC to ensure that the written contract with the outside party will afford a comparable level of protection while the personal information is being processed or accessed by such third party.

The AAC shall implement policies and practices to give effect to this privacy policy, including:

- implementing procedures to protect personal information;
- establishing procedures to receive and respond to complaints and inquiries;
- training staff and communicating to employees information about the AAC policies and practices;
- developing information to explain AAC policies and procedures;
- monitoring developments in privacy and security on a continuing basis.

Access to personal information shall be on a need-to-know basis.

### **2. Identifying Purposes**

The AAC requires personal information about you in order to manage our business and provide our services to our clients. We collect personal information only for the following purposes:

- To create and maintain a responsible business relationship with you and provide ongoing service, including:
  - processing applications for programs offered by the AAC;
  - assessing and updating credit worthiness of applicants for such programs;
  - marketing existing and future programs, including via email; and
  - distributing regular AAC newsletters, including via email.
- To meet legal and regulatory requirements, collecting and using personal information is required for us to meet our contractual obligations to you, or legal and regulatory obligations to others.

### **3. Consent, Limiting Collection**

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

Personal information shall not be collected indiscriminately. Both the amount and the type of information collected shall be limited to that which is necessary to fulfill the purposes identified.

The AAC obtains consent to the collection, use and disclosure of personal information, and the purpose for which such information is collected, used or disclosed by the AAC shall either be obvious by the very nature of the transaction, or shall be stated by the AAC at the time such consent is obtained.

An individual may decline to consent, or revoke their consent, to the collection and use of their personal information for all, or any purposes but, if he/she does so in respect of the personal information required for the processing of an application or assessing or updating credit worthiness of an applicant, the assessment of their application may be terminated.

An individual may opt not to have their personal information used for the purpose of receiving communication about AAC programs which may be of interest or regular AAC communications. Individuals who wish to decline or revoke their consent for their personal information to be used for such communication purposes should contact the AAC Privacy Compliance Officer. See below for contact information.

### **4. Limiting Use, Disclosure and Retention**

Personal information shall not be used by AAC employees or representatives for purposes other than as required in the performance of their employment duties and as identified either implicitly or explicitly at the time of its collection.

The following are situations where we may share some personal information about you with others:

- Subject to applicable laws, we may disclose your personal information to a government agency, court or law enforcement agency.
- We may disclose your personal information to public authority or, if in our reasonable judgment, it appears that there is imminent danger to life or property that could be avoided or minimized by disclosure of the information.
- With prior consent of the individual, personal information may be shared with Agriculture and Agri-Food Canada, the Ontario Ministry of Agriculture, Food and Rural Affairs or other relevant organizations at the time of assessing an application.
- The AAC may retain independent, third party auditing firms or database developers to perform on the AAC's behalf, certain functions in support of the programs the AAC offers. Accordingly, in certain instances these third parties will be provided with personal information to the extent that it is necessary in the performance of their tasks. The AAC obligates these third parties to use and take steps to protect personal information in accordance with this Privacy Policy.

Except as provided in this Privacy Policy, the AAC does not release any personal information to any business, lobby group, or the public, and does not sell or disclose its application list or other personal

information.

The AAC retains personal information only for so long as is necessary to fulfill the purpose for which it was collected and to meet its legal and contractual obligations. Given the nature of grant and contribution agreements some personal information may be held indefinitely.

## **5. Accuracy, 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.

The AAC attempts to maintain information collected and keep it as up-to-date and as complete as possible. However, the AAC relies on an individual to disclose all material information and to inform of any changes.

An individual may request access and, if applicable, request that the AAC correct information in its possession. The individual or a person authorized in writing on the individual's behalf may, with satisfactory identification and proof of entitlement, make this request in writing to the AAC Privacy Compliance Officer. See Contact Information below. The right to access is not absolute.

There are restrictions on the grant of access in PIPEDA where it would reveal personal information about a third party that cannot be severed from the information about the individual making the request, and in certain other circumstances there needs to be notification of governmental institutions before release.

Access may also be refused where the information is protected by solicitor-client privilege; where revealing the information would also reveal confidential commercial information; where revealing the information could reasonably be expected to threaten the life or security of another individual; if the information was collected during an investigation of a breach of an agreement or a contravention of the laws of Canada or a province on the expectation that the knowledge or consent or consent of the individual would compromise the availability or accuracy of the information; or where the information was generated in the course of a formal dispute resolution process. Upon such a request, the AAC shall inform an individual whether or not the AAC holds personal information about the individual. When disclosure is made to the individual, the organization shall provide an account of the use that has been made or is being made of the information and an account of the third parties to which the information has been disclosed. Before providing any information to the requestor, the AAC shall verify and satisfy itself as to the individual's identity.

Where the request for access is with respect to personal information collected, used or disclosed in the course of serving an applicant or other third party, the applicant or other third party shall immediately be provided with a copy of the request.

The AAC shall respond to an individual's request within 30 days and at minimal or no cost to the individual. The AAC may require a reasonable payment for the information provided only if it has informed the individual in advance of the approximate cost and the individual has advised the AAC that the request is not being withdrawn.

When an individual successfully demonstrates the inaccuracy or incompleteness of personal information, the AAC shall amend the information as required. Depending upon the nature of the information challenged, amendment could 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.

When a challenge is not resolved to the satisfaction of the individual, the substance of the unresolved challenge shall be recorded by the AAC Privacy Compliance Officer. When appropriate, the existence of the unresolved challenge should be transmitted to third parties having access to the information in

question.

## **6. Safeguards**

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

The security safeguards shall protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification. The nature of the safeguards will vary according to the sensitivity of the information. The AAC will monitor security developments and re-assess the risks at regular intervals.

The methods of protection will include physical measures, organizational measures and technological measures. All personal information shall be handled on a need-to-know basis and each employee, agent or independent contractor of the AAC shall be responsible for the protection of the personal information used in his or her job function.

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

## **7. Challenging Compliance**

An individual shall be able to address a challenge concerning compliance with the above privacy principles to the AAC Privacy Compliance Officer.

The individual accountable for the AAC's compliance is the AAC Privacy Compliance Officer. See below for contact information.

If a complaint is found to be justified through either the internal or external compliant review process, the AAC will take appropriate measures, including amending its policies and practices if necessary.

Where the complaint arises out of a client matter, the client shall be informed immediately of such measures.

## **8. Changes**

From time-to-time the AAC Privacy Compliance Officer may make changes to this policy to adapt to changing business conditions and for other reasons. In the event that in the opinion of the Privacy Officer acting reasonably, such changes will allow the AAC to make materially greater use and/or disclosure of any personal information, the individuals affected by the changes will be clearly and concisely notified of the changes and their proposed effect, and provided with an opportunity to withdraw their consent to the collection, use and/or disclosure of their personal information.

## **9. Contact**

Contact the AAC Privacy Compliance Officer at:

Agricultural Adaptation Council  
7382 Wellington County Road 30, UNIT B  
Guelph, ON N1H 6J2  
Phone: 1-800-769-3272