

Privacy Policy

The North Bay Area Museum is committed to protecting your personal information. As such:

1. we collect your personal information only to provide and bill the services for which you have registered, to understand your needs and to assist us in creating new products and services that will serve you even better
2. we do not give, rent, or sell our customer information to any organization or individual unless it is necessary to provide you with services or when required by law
3. Your personal information is processed and stored in secure and confidential databases with access control

This North Bay Area Museum Privacy Policy is organized along ten privacy principles, which are:

1. Accountability
2. Identifying Purposes
3. Consent
4. Limiting Collection
5. Limiting Use, Disclosure and Retention
6. Accuracy
7. Safeguards
8. Openness
9. Individual Access
10. Challenging Compliance

PRINCIPLE #1 -- ACCOUNTABILITY

North Bay Area Museum is responsible for personal information under its control and will designate an individual or individuals who are accountable for the organization's compliance with the following principles.

- 1.1 Accountability for North Bay Area Museum's compliance with the principles rests with the management of North Bay Area Museum and the person or persons designated as 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 the Privacy Officer.

- 1.2 North Bay Area Museum's management has designated the following person to act as Privacy Officer to oversee the organization's compliance with the principles:

Attention: North Bay Area Museum c/o Privacy Officer

- 1.3 North Bay Area Museum is responsible for personal information in its possession or custody.

- 1.4 North Bay Area Museum will implement policies and practices to give effect to the principles, 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 North Bay Area Museum's policies and practices; and
- (d) developing information to explain North Bay Area Museum's policies and procedures.

PRINCIPLE #2 – IDENTIFYING PURPOSES

North Bay Area Museum will identify the purposes for which personal information is collected at or before the time the information is collected.

2.1 North Bay Area Museum collects personal information only for the following purposes (“identified purposes”):

- (a) to provide service(s) and/or products to its customers;
- (b) to maintain commercial relations and to communicate with its customers (which will include, but not be limited to: billing, collection, advertising, promotion, account verification);
- (c) to identify customer needs and/or preferences;
- (d) to meet legal and regulatory requirements;
- (e) to administer and manage its business operations

2.2 North Bay Area Museum will provide notice of the identified purposes either orally, electronically or writing prior to or at the time of collection of the personal information.

2.3 Persons collecting personal information will be able to explain to individuals the purposes for which the information is being collected, or will refer the individual to a designated person at North Bay Area Museum who will explain the purposes.

2.4 When personal information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified prior to use. Unless the new purpose is required by law, North Bay Area Museum will obtain the consent of the individual before information is used for that new purpose.

Occasionally, North Bay Area Museum will communicate to you special bonus and new product offers that we think may be of value to you. If you wish to opt-out of receiving targeted communications from North Bay Area Museum in electronic, printed or verbal format simply inform us in writing at Privacy Office, North Bay Area Museum, 100 Main St. East, North Bay, Ontario, P1B 1A8.

PRINCIPLE #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 In certain circumstances, personal information can be collected, used, or disclosed without the knowledge and consent of the individual. For example, legal, medical or security reasons may make it impossible or impractical to seek consent. When information is being collected for the detection and prevention of fraud or for law enforcement, seeking the consent of the individual

might defeat the purpose of collecting the information. Seeking consent may be impossible or inappropriate when there is an emergency threatening the individual's life, health or security, or where the individual is a minor, seriously ill, or mentally incapacitated. In other instances, information may be publicly available. Moreover, North Bay Area Museum may provide personal information to its lawyer or agent to collect a debt, comply with a subpoena, warrant or other court order, government institution requesting the information upon lawful authority, or as may be otherwise required by law.

3.2 North Bay Area Museum will generally 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 (for example, when North Bay Area Museum wants to use information for a purpose not previously identified).

3.3 North Bay Area Museum will 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.

3.4 North Bay Area Museum 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.

3.5 The form of consent sought by North Bay Area Museum may vary, depending upon the circumstances and the type of information disclosed. In determining the form of consent to use, North Bay Area Museum will take into account the sensitivity of the information and the reasonable expectations of the individual. An authorized representative (such as a legal guardian or a person having power of attorney) can also give consent.

North Bay Area Museum will seek express consent when the information is likely to be considered sensitive.

Implied consent will generally be appropriate when the information is less sensitive. The use of services or products by a customer or the acceptance of employment by an employee will be considered implied consent to collect, use and disclose personal information for all identified purposes.

3.6 An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. North Bay Area Museum will inform the individual of the implications of such withdrawal. In order to withdraw consent, an individual must provide notice to North Bay Area Museum in writing.

3.7 **With respect to personal information already collected by North Bay Area Museum prior to the publication of this Privacy Policy, this Policy will constitute reasonable notice to North Bay Area Museum's current customers and employees of the purposes and uses for which such personal information has been collected. Should an individual object to these ongoing uses or disclosures, consent may be withdrawn upon providing notice to North Bay Area Museum in writing.**

PRINCIPLE #4 – LIMITING COLLECTION

The collection of personal information will be limited to that which is necessary for the purposes identified by North Bay Area Museum. Information will be collected by fair and lawful means.

- 4.1 North Bay Area Museum collects personal information from its customers and employees for the purposes described under Principle #2.
- 4.2 North Bay Area Museum may also collect personal information from such third parties as credit bureaus, employers or personal references or other third parties that represent that they have the right to disclose the information.

PRINCIPLE #5 – LIMITING USE, DISCLOSURE, AND RETENTION

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

- 5.1 North Bay Area Museum may *collect, use or disclose* personal information without the individual's knowledge or consent in certain circumstances as described in Principle #3.1.
- 5.2 North Bay Area Museum may disclose a customer's personal information to:
- (a) a person involved in the development, promotion, marketing or enhancement of North Bay Area Museum services;
 - (b) a credit collections agency;
 - (c) emergency services in an emergency situation;
 - (d) a person, who, in the reasonable estimation of North Bay Area Museum, is an agent of the customer;
 - (e) any other third party, upon receiving the consent of the customer or as required by law.
- 5.3 North Bay Area Museum may disclose an employee's personal information in the following circumstances:
- (a) in the administration of that employee's benefits;
 - (b) in providing references to prospective employers, upon receiving the consent of the employee;
 - (c) as may be required by law.
- 5.4 Certain North Bay Area Museum employees may be given access to customer and/or employee information in so far as their duties require access for business purposes. North Bay Area Museum employees are governed by a non-disclosure agreement prohibiting disclosure or use of any confidential or personal information for any purposes other than the stated business purposes.
- 5.5 North Bay Area Museum will retain personal information for only as long as required to fulfill the identified purposes or as required by law.

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

PRINCIPLE #6 – ACCURACY

All efforts will be made to ensure that personal information will 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 will be accurate, complete, and up-to-date will depend upon the use of the information, taking into account the interests of the individual. Information will 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 North Bay Area Museum 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 should generally be accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out.

PRINCIPLE #7 – SAFEGUARDS

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

- 7.1 North Bay Area Museum will protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. 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.
- 7.2 North Bay Area Museum protects all personal information regardless of the format in which it is held. The methods of protection include:
- (a) physical measures, such as locked filing cabinets and restricted access to offices;
 - (b) organizational measures, such as limiting access on a “need to know” basis;
 - (c) technological measures, such as the use of passwords.
- 7.3 North Bay Area Museum makes their employees aware of the importance of maintaining the confidentiality of personal information. North Bay Area Museum employees are governed by a non-disclosure agreement prohibiting disclosure or use of any confidential or personal information for any purposes other than the stated business purposes.
- 7.4 North Bay Area Museum will use care in the disposal or destruction of personal information to prevent unauthorized parties from gaining access to the information.

PRINCIPLE #8 – OPENNESS

North Bay Area Museum will make readily available to individuals specific information about its policies and practices relating to the management of personal information.

- 8.1 North Bay Area Museum will make its policies and practices with respect to the management of personal information easily comprehensible and accessible, by providing upon request:
- (a) the name, title, and address of the Privacy Officer accountable for North Bay Area Museum's policies and practices and to whom complaints or inquiries can be forwarded;
 - (b) the means of gaining access to personal information held by North Bay Area Museum; and
 - (c) a description of the type of information held by North Bay Area Museum and/or its subsidiaries, including a general account of its use.
- 8.2 North Bay Area Museum will make this Privacy Policy available online, by mail, or in a brochure format at its place of business.

PRINCIPLE #9 – INDIVIDUAL ACCESS

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

- 9.1 Upon request, North Bay Area Museum will inform an individual whether or not the organization holds personal information about the individual, and will provide that individual with a reasonable opportunity to review the personal information in his or her file.
- 9.2 North Bay Area Museum will allow the individual access to his or her personal information once the individual has provided North Bay Area Museum with a written request. The request must include sufficient information to permit North Bay Area Museum to provide an account of the existence, use, and disclosure to any third parties of this personal information.
- 9.3 North Bay Area Museum will respond to a request for individual access to personal information within a reasonable time and at minimal or no cost to the individual. The requested information will be provided or made available in a form that is generally understandable.
- 9.4 North Bay Area Museum will be as specific as possible in providing an account of third parties to which it has disclosed personal information about an individual. When it is not possible to provide a list of the organizations to which it has actually disclosed information about an individual, North Bay Area Museum will provide a list of organizations to which it may have disclosed information about the individual.
- 9.5 In certain instances, North Bay Area Museum will not be able to provide the individual access to his or her personal information. For example, North Bay Area Museum will not provide access to information where the information requested contains references to other individuals; where the information cannot be disclosed for legal, security or commercial proprietary reasons; where the information is subject to solicitor-client or litigation privilege; or where the information can best be available from another source. In each case, North Bay Area Museum will provide reasons for denying any access to personal information.
- 9.6 When an individual successfully demonstrates the inaccuracy or incompleteness of personal information, North Bay Area Museum will amend the information as required. Depending upon the nature of the information challenged, amendment involves the correction, deletion or addition of information.

- 9.7 When a challenge is not resolved to the satisfaction of the individual, North Bay Area Museum will record the substance of the unresolved challenge.

PRINCIPLE #10 – CHALLENGING COMPLIANCE

An individual will be able to address a challenge concerning compliance with the above principles to North Bay Area Museum’s Privacy Officer.

- 10.1 North Bay Area Museum will maintain procedures to receive and respond to complaints or inquiries about its policies and practices relating to the handling of personal information. North Bay Area Museum will make every effort to ensure that its procedures are easily accessible and simple to use.
- 10.2 North Bay Area Museum will inform individuals who make inquiries or lodge complaints of the existence of relevant complaint procedures.
- 10.3 The person or persons accountable for compliance with this Privacy Policy may seek external advice where appropriate before providing a final response to individual complaints.
- 10.4 North Bay Area Museum will investigate all complaints. If a complaint is found to be justified, North Bay Area Museum will take appropriate measures, including, if necessary, amending its policies and practices.

§ The *Personal Information Protection and Electronic Documents Act* governs the collection, use and disclosure of personal information in the commercial sector.

§§ Under the Act, North Bay Area Museum is required to adhere to ***ten privacy principles*** set out in the National Standard of Canada, *Model Code for the Protection of Personal Information*.