

CCES Canadian Safe Sport Program (CSSP) Privacy Policy
(Effective January 1, 2025)

1.1 Summary

The Canadian Centre for Ethics in Sport (CCES) is committed to ensuring that individuals feel safe when coming forward with a Report (as defined below) of maltreatment. Part of this is understanding how we will keep your sensitive information secure. This Policy is about your rights pertaining to your information. When the CCES receives a Report of maltreatment, it collects personal information about the person making the report (if given), the person the report is about and, sometimes, about affected parties. In some instances, some or all of those individuals may be minors. Our commitments to those who we hold personal information about:

- We will keep your information safe.
- We will explain why we need the information before you give it to us.
- We will only use your personal information for the purpose you gave it to us.
- We will not sell your information.
- We will not share your personal information without your agreement, unless necessary. For example, if necessary for reasons of safety, to enforce a Provisional Measure, to investigate the Prohibited Behaviour, to enforce a sanction, or if required by law.
- We will use your information as part of an anonymized database to track and evaluate our work and the landscape of maltreatment in sport in Canada.

Part of ensuring that your information is safe is making sure we both understand why you are providing your personal information to us, how it will be used and how we will keep it safe. This Policy provides a fulsome explanation of how the CCES collects, uses, retains, safeguards, discloses and disposes of your Personal Information in the context of the CSSP, and it should be read and understood in the context of and alongside the CSSP itself. Defined terms in this Policy should be given the same meaning as in the CSSP Rules, unless expressly stated otherwise.

For any questions or concerns relating to your personal information, please contact the CCES Privacy Officer: Caroline King, privacy@cces.ca.

1.2 Scope of CSSP Application

This privacy policy applies to all Participants who are subject to the CSSP Rules and their application.

1.3 Disclaimer

The CCES educates Parties and witnesses on the confidentiality requirements of the CSSP and the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS). However, the CCES cannot be held responsible for the conduct of the Parties or witnesses involved in the CSSP process which may cause unlawful disclosure of Personal Information that forms part of the evidentiary record before CCES.

In delivering certain services virtually, the CCES shall take reasonable steps to prevent unauthorized access to Personal Information in electronic form while stored on its own servers; however, it cannot be held responsible for any breach caused by email or Internet service providers of intended email recipients.

1.4 Background

The UCCMS commits the Canadian sport sector to advancing a respectful sport culture that delivers quality, inclusive, accessible, welcoming and safe sport experiences. The CSSP is similarly committed to advancing this fundamental goal.

The CSSP recognizes the CCES as the body mandated to independently administer and enforce the UCCMS for Sport Organizations, by receiving and responding to Reports of Prohibited Behaviour, and by developing and carrying out education, prevention and policy activities, including sport environment assessments.

This Policy is based on the ten principles outlined in the Model Code for the Protection of Personal Information of the CSA Group and in the fair information principles outlined in the Personal Information Protection and Electronic Documents Act.

The purpose of this Policy is to describe the way the CCES collects, uses, retains, safeguards, discloses and disposes of Individual's Personal Information in the context of the CCES's role as defined in the CSSP.

The Policy may be updated or modified from time to time by the CCES for any reason, including to account for the introduction of new technologies, business practices, stakeholder needs or applicable laws and regulations.

1.5 Definitions

All capitalized terms not otherwise defined in this Policy shall have the same meaning as defined in the CSSP Rules.

Authorized Representative: any lawyer or any other person so designated in writing by the Individual, or, in the case of a minor Individual who is not emancipated, any parent, legal guardian or authorized representative representing a party to a CSSP process.

Document Management System: the software platform used by the CCES in the management of documents for CSSP proceedings and/or its business operations.

Report: a submitted report intake form or information expressly deemed by the CCES to constitute a report.

CSSP Case Management System: the software platform used by the CCES in the management of Reports to share information internally and with the Contractors to receive the information.

Contractor: any person retained by the CCES to execute tasks in the conduct of its operations in exchange for monetary compensation or co-op education credits, including those individuals under employment contracts with the CCES.

Express Consent: consent given electronically, in writing or orally when necessary by an Individual, which will always be unequivocal and not require inference on the part of the CCES.

Implied Consent: consent that can be reasonably inferred in the circumstances from an Individual's actions or inaction.

Individual: a person whose Personal Information is collected, used, disclosed or retained by the CCES including, but not limited to, Party(ies).

Party(ies): A Reporting Person, a Respondent, an Interested Party, each as defined in the CSSP Rules. This Policy applies regardless of how Personal Information is recorded (for example, electronically, or on paper). This Policy does not cover any information about more than one individual where the identity of the individuals is not known and cannot be inferred from the information ("Aggregated Information"). The CCES retains the right to use Aggregated Information in any way that it reasonably determines is appropriate. This Policy also does not apply to information about companies or other legal entities.

1.6 Accountability

The CCES is committed to protecting Personal Information. The CCES requires all Contractors, employees and others who provide services in connection with the delivery of services to comply with the obligations set out in the Policy.

1.7 Identifying Purpose and Type of Information Collected

Types of Information Collected

- i) The CCES collects Personal Information that is reasonably necessary for its operations and/or required by law. This includes the categories of information described below as well as any other Personal Information volunteered to the CCES.
- ii) The CCES's operations requests last names, given names, and contact information (email address and/or telephone number), confirmation of identity or authority of Contractors, Parties and, if applicable, their Authorized Representatives.
- iii) The CCES receives Personal Information from the Parties or their Authorized Representatives through the initial complaint/Report, investigation, evidentiary record, submissions and other steps taken and documents received in the course of the processes set out in the CSSP Rules. This information may include, but is not limited to, health information, criminal offences, last name, given name, contact information, and information relating to Reports against individuals and related sanctions. Personal Information provided by the Parties or their Authorized Representatives, including without limitation, financial information, health information, last name, given name and contact information, information regarding Reports or other information about procedures before the CCES, may also be collected in order to determine the admissibility to certain programs offered by the CCES (e.g., mental health referrals) and in order to offer such programs to the eligible Parties.
- iv) The CCES collects Personal Information from its Contractors which includes, but is not limited to, financial information, last names, given names and contact information.
- v) The CSSP Case Management System may collect cookies on user accounts such as IP addresses, sections of portal visited, and information downloaded.
- vi) The CCES's websites may also collect non-identifiable information such as cookies including, but not limited to, IP addresses, sections of website visited, and information downloaded.
- vii) In some cases, the CCES collects Personal Information from regulatory and legal authorities, other organizations with whom the CCES or Individuals have dealings, such as government agencies, credit reporting agencies, recruitment agencies, information or service providers, and from publicly available records. The CCES may also collect information from third parties or public sources in the context of an investigation or CSSP process.

1.8 Purpose

The purposes for which Personal Information is collected by the CCES are enumerated in Appendix A. The CCES will inform the Individual of the purposes for collecting and using their Personal Information by referring them to this Policy at or before the time of collection. The CCES will not sell any Personal Information obtained.

1.9 Obtaining Valid, Informed Consent

When to Seek Consent

Except when it is reasonable to think that implicit consent was given, in case of emergency or when not required by law, the CCES shall obtain consent from the Individual, or Authorized Representative, at or before the time of collection for the use and disclosure of Personal Information.

Except when permitted by law, if the Personal Information collected is to be used for purposes not

originally agreed upon by the Individual, the CCES will notify and obtain consent for any new purposes for which it intends to use such information.

1.10 Express and Implied Consent

An individual or their Authorized Representative's provision of Personal Information to the CCES means that they agree to the collection, use and disclosure of their Personal Information under this Policy. If they do not agree to these terms, they shall not provide any personal information to the CCES. However, while providing some Personal Information to the CCES is optional, certain services can only be provided if the Individual's Personal Information is provided and the CCES may not be able to deliver certain services if the Individual chooses not to provide the required Personal Information.

Consent can either be Express Consent or Implied Consent and may be provided by the Individual or by an Authorized Representative. In determining the form of the consent required, the CCES will take into account the sensitivity of the Personal Information and the reasonable expectations of the Individual. Notwithstanding the above, except when permitted by law, the CCES shall seek Express Consent when the Personal Information is likely to be considered sensitive.

1.11 Detailed Consent Procedures

Standardized Consent Forms: The CCES shall develop and utilize standardized consent forms for obtaining express consent. These forms will be available in both digital and paper formats and shall be agreed to by the Individual or their Authorized Representative.

Digital Consent Mechanisms: For digital interactions, the CCES will implement secure digital consent mechanisms, such as electronic signatures or checkboxes, to ensure that express consent is clearly documented.

Revocation of Consent: Individuals have the right to revoke their consent at any time, however a request to revoke consent will not terminate an ongoing process under the CSSP. The CCES shall provide a clear process for revocation, including a standardized form and a dedicated contact point for submitting revocation requests.

1.12 Limiting Collection

Collection

The CCES shall only collect Personal Information by fair and lawful means reasonably necessary for the identified purposes.

1.13 Limiting Use: Use and Disclosure

General Principle

The CCES shall only use and disclose Personal Information for the identified purposes and such purposes shall be limited, as reasonably necessary, solely to fulfilling the necessary functions of the CCES, as set out in the terms of the CSSP.

1.14 Applications of the Principle

Last name and given name may be shared with other Parties involved in the same dispute or CSSP process and with their Authorized Representatives during a CSSP proceeding(s).

Personal Information described in section 1.7(iii) may, at the sole discretion of the CCES and/or by any Contractor in the course of an investigation, adjudication, appeal, mediation or other process under the CSSP, be disclosed in the investigation report and/or adjudicator's decision when reasonably necessary to provide reasoning for the decisions rendered or findings made.

Any Personal Information described in section 1.7(iii) that is disclosed in a decision issued by the CCES and that allows for the identification of an Individual against whom a violation has been asserted shall

be published, retained and distributed in accordance with the CSSP Rules.

Personal Information described in section 1.7(iv) shall be used strictly for purposes of human resources management, governance and activities of the CCES respectively.

Where possible and if it can serve the same purpose, the Personal Information described in sections 1.7(v) and 1.7(vi) will be used in aggregate forms.

Access to, use and disclosure of Personal Information outside of the CCES will be limited to the CCES's Contractors in accordance with the reasonable limits required to fulfill their duties and responsibilities with the CCES.

Personal information that is subject to a request by an Individual or their Authorized Representative shall be retained for as long as is reasonably necessary to allow the Individual to exhaust any recourse that he/she may have, provided the request is made prior to its deletion.

Any Personal Information collected by the CCES shall be managed in accordance with the Safeguards and Security standards stated in Section 1.17.

1.15 Retention

Personal Information collected under the CSSP shall be retained for a minimum period of two years and shall be retained only as long as reasonably necessary and still relevant for the purposes for which it was collected.

1.16 Accuracy of Information

The CCES will take reasonable steps to ensure that Personal Information is accurate, complete, and as up to date as is necessary for the identified purpose for which it was collected.

The CCES requires that each Individual be responsible to provide accurate Personal Information and to ensure it remains current by communicating any changes promptly to the CCES.

The CCES is not responsible for any loss of services or benefits resulting from Individuals who fail to advise the CCES in writing of any changes to their Personal Information on file.

1.17 Safeguards and Security

General Provisions

The CCES has implemented safeguards to protect against loss, theft, unauthorized access, disclosure, copying, use or modification of Personal Information. The CCES commits to maintain those measures or equivalent ones as they may be modified from time to time.

The security methods employed by the CCES are described in the CCES IT Security Policy.

Specific Areas of Safeguarding

Access to Personal Information stored on the CCES's CSSP Case Management System and Document Management System is restricted to each employee's or Contractor's responsibilities and needs.

The CCES's CSSP Case Management System and Document Management System deploy the data protection measures outlined in the CCES IT Security Policy in Part IV.

Any necessary transfer of Personal Information held by the CCES shall be transferred through the CSSP Case Management System and Document Management System. Transmission of Personal Information via email will be avoided, where possible. All transmissions of Personal Information will be in non-downloadable, non-printable formats. Documents sent via email shall be password protected. A password will not be sent within the same email as the password protected document.

Privacy Education, Training and Agreements

All employees and Contractors are made aware of the importance of maintaining the security and confidentiality of Personal Information by the CCES.

All employees and Contractors shall execute an agreement which binds them to this Policy and the relevant provisions of the policy under which the Reports(s) they are addressing are administered.

Parties and their Authorized Representatives are bound by the relevant provisions of the CSSP Rules and the UCCMS which stipulate that they and any other persons attending the proceedings on their behalf shall not disclose any information or document obtained through their participation in the resolution process, unless required by law.

All employees and Contractors of the CCES shall undergo mandatory security training upon onboarding and at least annually thereafter. This training will cover the latest security threats, best practices for data protection, and the CCES's specific security policies and procedures.

The CCES will maintain records of all security training sessions, including attendance and training materials. These records will be reviewed periodically to ensure compliance and effectiveness.

1.18 Destruction, Deletion or De-Identification

Personal information will be destroyed, deleted, permanently anonymized or, in the case of paper files, shredded, once it is no longer relevant or necessary for the purposes of the collection.

1.19 Openness

Amendments

Amendments to the Policy shall be made publicly available, after their adoption but at least one month prior to becoming effective, through the CCES's website or upon request. It is recommended to Individuals sharing Personal Information with the CCES to check the Policy regularly for changes and updates.

Discrepancies

In the event that there are any discrepancies or inconsistencies between applicable privacy legislation and the Policy, the applicable privacy legislation shall take precedence.

1.20 Individual Access and Correction

Access and Corrections to Information

Subject to section 1.18 above:

- It is the right of any Individual to access their Personal Information upon written request to the Privacy Officer;
- The CCES shall also provide, upon written request, basic information regarding the use of the Individual's Personal Information, including disclosure to third parties, subject to the terms of the CSSP Rules;
- The Individual is entitled to request the correction of any demonstrable errors with respect to their Personal Information, in writing; and
- Where necessary for the conduct of its operations or the maintenance of services and benefits to the Individual, the CCES shall transmit the corrected Personal Information to Contractors and third parties with authorized access.

Identification

Only requests made in writing (by Individuals having properly identified themselves or by Authorized Representatives having the proper authority on behalf of such Individual to obtain the requested Personal Information) may be fulfilled.

Proper identification of the requestor shall include two government-issued identification documents (passport, driver's license, birth certificate, etc.), at least one of which will bear a photo of the requestor.

Time to Respond to Request

The CCES shall respond no later than 30 days from the date of receipt of a written request by an eligible individual or their Authorized Representative.

Under reasonable circumstances including, but not limited to, requests of voluminous information, impracticable requests, or requests requiring a conversion of information, the CCES may require an extension of time beyond the 30-day time limit. In such cases, the requestor will be notified in writing

before the expiration of the 30 days, of the reasons for extending the time limit and of their right to make a complaint to the Privacy Officer in respect of the extension.

Cost

The CCES may require the Individual requesting a response to pay a cost for the response. The Individual will be advised of the approximate cost and shall make payment before the requested information will be provided.

Refusing a Request

The CCES may refuse a correction request, with brief reasons, under certain limited instances including, but not limited to, where the Individual fails to provide sufficient proof that such information is incorrect, or where disclosure would be contrary to the terms or purposes of the CSSP. When it is impossible to amend a document, the correction shall be made by a note to file.

Despite a general right to access Personal Information upon request, the CCES may refuse an access request with reasons provided. That decision is for CCES to make in its absolute discretion, is final and binding, and is not subject to internal review or appeal.

The CCES may deny an access request in certain situations such as, but not limited to:

- i) Fulfilling the access request may cause harm to the Individual or to another Individual;
- ii) Fulfilling the access request may compromise the administration, investigation or preparation for adjudication of a Report;
- iii) Fulfilling the access request would disclose Personal Information of another Individual, which cannot be separated from the requested information without their consent, unless such disclosure is necessary to protect that other Individual from harm; or
- iv) Any reasonable doubt exists in the proper identification or authority of the requestor, whether the Individual or the person alleged to have authority to act on behalf of the Individual.

The CCES may, where reasonable and possible, allow access to Personal Information in a redacted form in order to avoid harm.

The CCES will be deemed to have refused an access request if it does not respond within the 30-day time limit.

Appendix A to CSSP Privacy Policy

The CCES collects Personal Information in respect of Individuals for the purposes set out in the CSSP, CSSP Rules as well as for the following purposes:

From and about all Individuals:

- to assist the Individuals with administrative or technical support in the use of the CCES's Document Management System and CSSP Case Management System and services;
- to collect the Individuals' opinions and comments in regard to the CCES's operations;
- such other collections and uses of Personal Information from such persons and for such purposes for which the CCES may obtain consent from time to time; and
- as otherwise required or permitted by law.

From Individuals other than Contractors:

- to respond to the Individuals' Reports or inquiries;
- to receive, process, administer, investigate, mediate and adjudicate Reports and enforce decisions made under the CSSP. This may include publishing Personal Information on the public registry;
- to advise Individuals about new programs and services that may be of interest to them or to their organizations;
- to monitor the use of the CSSP Case Management System and Document Management System and detect possible fraudulent attempted use; and
- for the purposes of statistical reporting.

From Contractors:

- to organize events involving their participation;
- for the purpose of recruitment for positions at the CCES;
- for the purpose of the administration of the CCES's policies and procedures regarding the training, retention and evaluation of Contractors;
- for the purposes of coaching, mentoring and professional development;
- for the purposes of managing productivity, including making accommodations and allowances;
- to refund admissible expenses incurred by Contractors in the form of invoices, receipts and travel information;
- from Third Party providers of benefits, pension arrangements and insurance and other related Contractor services, for the purpose of providing compensation and such services and fulfilling taxation requirements in respect of same; and
- to comply with other requirements imposed by law including, but not limited to, collecting Personal Information as required by applicable workplace insurance and safety legislation and occupational health and safety legislation.