



Macleod Savings
& Credit Union Ltd.

CODE FOR THE PROTECTION OF PERSONAL INFORMATION

Introduction

Alberta Credit Union's and its employees have always been committed to keeping our member personal information accurate, confidential, secure and private. The Privacy Code is based on the Alberta Personal Information Protection Act – Bill 44. This code describes how Macleod Savings & Credit Union Ltd. subscribes to the principles set out in this Act.

Principles

1. Accountability

Macleod Savings & Credit Union Ltd. is responsible for personal information under its control and will designate a Privacy Officer who is accountable for the credit union's compliance with the principles of the Code.

2. Identifying Purposes

The purposes for which personal information is collected will be identified by the credit union at or before the information is collected.

3. Consent

The knowledge and consent of the Member are required for the collection, use, or disclosure of personal information, except in specific circumstances as described within this Code.

4. Limiting Collection

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

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 Member or as required by law. Personal information will be retained only as long as necessary for the fulfilment of those purposes.

6. Accuracy

Personal information will be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

7. Safeguards

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

8. Openness

The credit union will make readily available specific, understandable information about its policies and practices relating to the management of personal information.

9. Individual Access

Upon request, a Member will be informed of the existence, use, and disclosure of their personal information, and will be given access to that information. A Member is entitled to challenge the accuracy and completeness of the information and have it amended as appropriate.

10. Compliance

A Member will be able to question compliance with the above principles to the credit union's [Privacy Officer](#). The credit union will have policies and procedures to respond to the Member's questions and concerns.

Definitions

The following definitions apply in this Code:

Collection

The act of gathering, acquiring, or obtaining personal information from any source, including 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 Macleod Savings & Credit Union Ltd.. Implied consent arises where consent may reasonably be inferred from the action or inaction of the Member.

Disclosure

Making personal information available to others outside Macleod Savings & Credit Union Ltd.

Organization

Includes an organization, partnership, association, business, charitable organization, club, government body, institution, professional practices and unions.

Privacy Officer

The person within the credit union who is responsible for overseeing the collection, use, disclosure and protection of the members' personal information, and the credit union's day-to-day compliance with the Code.

Personal information

Any information that is about or can be linked to an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization.

Third Party

Any person or organization other than Macleod Savings & Credit Union Ltd. or the Member.

Subsidiary

A company or organization wholly-owned or controlled by the credit union.

Use

The treatment and handling of personal information within Macleod Savings & Credit Union Ltd.

Person

Includes an individual and an entity.

Member

Includes members and nonmembers that receive financial services from the credit union.

ACCOUNTABILITY

Macleod Savings & Credit Union Ltd. is responsible for personal information that is in its custody or under its control and will designate a [Privacy Officer](#) who is accountable for Macleod Savings & Credit Union Ltd.'s compliance with the PIPA (Personal Information Protection Act – Bill 44). Macleod Savings & Credit Union Ltd. will act in a reasonable manner in meeting its responsibilities for compliance with the PIPA.

- 1.1 Ultimate accountability for Macleod Savings & Credit Union Ltd.'s compliance with the policies and procedures rests with the Macleod Savings & Credit Union Ltd. Board of Directors, who delegate day-to-day accountability to a [Privacy Officer](#). Other persons within Macleod Savings & Credit Union Ltd. may be accountable for the day-to-day collection and processing of personal information, or to act on behalf of the [Privacy Officer](#).
- 1.2 Macleod Savings & Credit Union Ltd. will identify to its employees and to other persons, where appropriate, the [Privacy Officer](#), who is responsible for the day-to-day compliance with the policies and procedures.
- 1.3 Macleod Savings & Credit Union Ltd. will implement policies and procedures to give effect to the PIPA, including:
 - (a) procedures to protect personal information;
 - (b) procedures to receive and respond to concerns and inquiries;
 - (c) training staff to understand and follow Macleod Savings & Credit Union Ltd.'s policies and procedures: and
 - (d) annual review of the effectiveness of the policies and procedures to ensure compliance with the policy and procedures and consideration of any revisions as deemed appropriate.

IDENTIFYING PURPOSES

The purposes for which personal information is collected will be identified by Macleod Savings & Credit Union Ltd. when or before the information is collected.

- 2.1 Macleod Savings & Credit Union Ltd. will document the purposes for which personal information is collected prior to the information being collected.
- 2.2 Macleod Savings & Credit Union Ltd. will make reasonable efforts to ensure that members are aware of the purposes for which personal information is collected, including any disclosures to third parties.
- 2.3 The identified purposes should be specified to the person from whom the personal information is being collected. This can be done orally, electronically 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 will be identified prior to use. Unless the consent to the new purpose is not required by law, the consent of the member is required before information can be used for that purpose.

2.5 Identifying the purposes for which personal information is being collected at or before the time of collection also defines the information needed to fulfill these purposes. Macleod Savings & Credit Union Ltd. will collect personal information for the following purposes:

- To meet regulatory and legal requirements.
- To establish member's identification.
- To protect members and the credit union from illegal activity.
- To determine the suitability of products and services to the member, and their eligibility for products and services (including determining the member's eligibility for credit and receiving and exchanging credit information on an ongoing basis with other credit suppliers and credit reporting agencies).
- To operate and administer products and services which members have requested, including providing information to related services providers involved in the operation and administration of those services on behalf of the credit union.
- To provide members with information or advice on products and services that may be of interest to them (whether they currently have a product or service with us).
- To conduct research to assist the credit union in designing products and services, and determining products and services that may be of interest to members, and to obtain member's feedback on current products and services
- To disclose information to third parties in connection with the ongoing management of our assets (including the assignment or sale of loans), and the further subsequent collection, use or disclosure of that information by those third parties and any of their agents or assignees for the purposes of managing those assets.
- To provide ombudsman or mediation services to address concerns with Credit Union products or services raised by members.

CONSENT

The knowledge and consent of the member are required for the collection, use, or disclosure of personal information, except in specific circumstances as described within this policy.

Note: In certain circumstances personal information may be collected, used, or disclosed without the knowledge or consent of the member. These circumstances include, but are not limited to (as identified in Section, 14, 17 and 20 of the Personal Information Protection Act (PIPA)):

- where a reasonable person would consider that the collection, use or disclosure of the information is clearly in the interests of the member and consent of the member cannot be obtained in a timely way or the individual would not reasonably be expected to withhold consent;
- where the collection, use or disclosure of the information is pursuant to a statute or regulation of Alberta or Canada that authorizes or requires the collection;
- where the collection, use or disclosure of the information is reasonable for the purposes of an investigation or a legal proceeding;
- where the information is publicly available;
- where the collection, use or disclosure of the information is necessary to determine the individual's suitability to receive an honour, award or similar benefit, including an honorary degree, scholarship or bursary;
- where the information is collected by a credit reporting organization to create a credit report where the individual consented to the disclosure to the credit reporting organization by the organization that originally collected the information and the information is not used by the credit reporting organization for any purpose other than to create a credit report;
- where the collection, use or disclosure of the information is necessary in order to collect a debt owed to the organization or for the organization to repay to the individual money owed by the organization;
- where the use or disclosure of the information is necessary to respond to an emergency that threatens the life, health or security of an individual or the public;
- where the disclosure of the information is in accordance with a provision of a treaty that authorizes or requires its disclosure and is made under an enactment of Alberta or Canada;
- where the disclosure of the information is for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body having jurisdiction to compel the production of information or with a rule of court that relates to the production of information;
- where the disclosure of the information is for the purposes of contacting the next of kin or a friend of an injured, ill or deceased individual;
- where the disclosure of the information is to the surviving spouse or adult interdependent partner or to a relative of a deceased individual if, in the opinion of the organization, the disclosure is reasonable;
- where the disclosure of the information is to a public body or a law enforcement agency in Canada to assist in an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result;
- where the disclosure of the information is for purposes of protecting against or for the prevention, detection or suppression of fraud and the organization disclosing the information is permitted or otherwise empowered or recognized under an enactment of Alberta or Canada to carry out those purposes.

3.1 Consent is required for the collection of personal information and the subsequent use or disclosure of this information. In certain circumstances, consent may be sought after the information has been collected but before use (for example, when existing

information is to be used for a purpose not previously identified). Macleod Savings & Credit Union Ltd. may be required to collect, use, or disclose personal information without a member's consent for certain purposes, including the collection of overdue accounts, legal or security reasons.

- 3.2** Consent is required prior to the collection of personal information from a third party unless the member consents to the collection of that information from the third party.
- 3.3** Macleod Savings & Credit Union Ltd. will make a reasonable effort to ensure that members are aware of the purposes for which the information will be used. To make the consent meaningful, the purposes must be stated in such a manner that the member can reasonably understand how the information will be used or disclosed. The member will also be notified how to contact the [Privacy Officer](#).
- 3.4** Macleod Savings & Credit Union Ltd. will not, as a condition of the supply of a product or service, require a member to consent to the collection, use, or disclosure of personal information beyond that required to fulfill explicitly specified and legitimate purposes.
- 3.5** In determining the form of consent to use, Macleod Savings & Credit Union Ltd. will take into account the sensitivity of the information. Although some information (for example, medical and financial records) is almost always considered to be sensitive, any information can be sensitive depending on the context.
- 3.6** In obtaining consent, the reasonable expectations of the member are relevant. For example, a credit union, its clients or other members dealing with Macleod Savings & Credit Union Ltd. should reasonably expect Macleod Savings & Credit Union Ltd. to periodically supply information on credit union developments, products and services, and to provide ongoing services. Similarly, further consent will not be required when personal information is transferred to agents of Macleod Savings & Credit Union Ltd. to carry out functions such as data processing. In this case, Macleod Savings & Credit Union Ltd. can assume that the member's request constitutes consent for specifically related purposes. On the other hand, a member would not reasonably expect that personal information given to Macleod Savings & Credit Union Ltd. would be given to a third party company selling insurance products, unless consent was obtained. Consent will not be obtained through deception.
- 3.7** The way in which Macleod Savings & Credit Union Ltd. seeks consent may vary, depending on the circumstances and the type of information collected. Macleod Savings & Credit Union Ltd. will seek express consent when the information is likely to be considered sensitive. Implied consent would generally be appropriate when the information is less sensitive.
- 3.8** Members can give consent:

- (a) in writing, such as when completing and signing an application;
- (b) through inaction, such as failing to check a box indicating that they do not wish their names and addresses to be used for optional purposes;
- (c) orally, such as when information is collected over the telephone or in person;
- (d) at the time they use a product or service; and
- (e) through an authorized representative (such as a legal guardian or a person having power of attorney).

3.9 A member may withdraw or vary consent at any time, subject to legal or contractual restrictions, provided that:

- (a) reasonable notice of withdrawal of consent is given to Macleod Savings & Credit Union Ltd.;
- (b) consent does not relate to a credit product requiring the collection and reporting of information after credit has been granted; and
- (c) the withdrawal of consent can be provided in the same manner as consent may be given and includes understanding by the member that withdrawal of consent could mean that Macleod Savings & Credit Union Ltd. cannot provide the member with a related product, service or information of value.

Macleod Savings & Credit Union Ltd. will inform the member of the implications of such withdrawal.

LIMITING COLLECTION

The collection of personal information will be limited to that which is necessary for the purposes identified by Macleod Savings & Credit Union Ltd.. Information will be collected by fair and lawful means.

4.1 Macleod Savings & Credit Union Ltd. will not collect personal information indiscriminately. Macleod Savings & Credit Union Ltd. will specify both the amount and the type of information collected, limited to that which is necessary to fulfill the purposes identified, in accordance with Macleod Savings & Credit Union Ltd.'s policies and procedures.

4.2 Macleod Savings & Credit Union Ltd. will collect personal information by fair and lawful means, and not by misleading or deceiving members about the purpose for which information is being collected.

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 member or as required by law. Personal information will be retained only as long as necessary for the fulfillment of those purposes.

- 5.1** When Macleod Savings & Credit Union Ltd. uses personal information for a new purpose, the purpose will be documented.
- 5.2** Macleod Savings & Credit Union Ltd. will maintain guidelines and procedures with respect to the retention of personal information. Personal information that has been used to make a decision about a member will be retained long enough to allow the member access to the information after the decision has been made. Macleod Savings & Credit Union Ltd. may be subject to legislative requirements with respect to retention of records.
- 5.3** Subject to any requirement to retain records, personal information that is no longer required to fulfill the identified purposes will be destroyed, erased, or made anonymous. Macleod Savings & Credit Union Ltd. will develop guidelines and implement procedures to govern the destruction of personal information.
- 5.4** Macleod Savings & Credit Union Ltd. will protect the interests of members by taking reasonable steps to ensure that:
- (a) orders or demands comply with the laws under which they were issued;
 - (b) only the personal information that is legally required is disclosed and nothing more; and
 - (c) casual requests for personal information are denied.

Macleod Savings & Credit Union Ltd. will make reasonable efforts to notify members that an order has been received, if not contrary to the security of Macleod Savings & Credit Union Ltd. and if the law allows it. Notification may be by telephone, or by letter to a member's usual address.

- 5.5** A member's health records at Macleod Savings & Credit Union Ltd. may be used for employment purposes, credit applications and related insurance purposes. A member's health records will not be collected from, or disclosed to, any other organization.

ACCURACY

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 uses of the information, taking into account the interests of the member. Macleod Savings & Credit Union Ltd. relies on members to keep certain personal information, such as address information, accurate, complete and up-to-date. 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 a member.

- 6.2** Macleod Savings & Credit Union Ltd. 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 on-going basis, including information that is disclosed to third parties, will generally be accurate and up-to-date unless limits to the requirement for accuracy are clearly set out.

SAFEGUARDS

Personal information will be protected by security safeguards appropriate to the sensitivity of the information. Macleod Savings & Credit Union Ltd. will apply the same standard of care as it applies to safeguard its own confidential information of a similar nature.

- 7.1** The security safeguards will protect personal information against loss or theft, as well as unauthorized access, use, copying, modification, disclosure or disposal. Macleod Savings & Credit Union Ltd. will 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, amount, distribution and format of the information, and the method of storage. More sensitive information will be safeguarded by a higher level of protection.
- 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, controlling entry to data centres and limiting access to information to a "need-to-know" basis;
 - (c) technological measures, for example, the use of passwords and encryption; and
 - (d) investigative measures, in cases where Macleod Savings & Credit Union Ltd. has reasonable grounds to believe that personal information is being inappropriately collected, used or disclosed.
- 7.4** Macleod Savings & Credit Union Ltd. will periodically remind employees, officers and directors of the importance of maintaining the confidentiality of personal information. Employees, officers and directors are required to sign a "Declaration of Office and Oath of Secrecy" stating that they review Macleod Savings & Credit Union Ltd.'s Code of Conduct annually, including a commitment to keep all personal information in strict confidence.
- 7.5** Care will be taken in the disposal or destruction of personal information, to prevent unauthorized parties from gaining access to the information.

- 7.6** Third parties will be required to safeguard personal information disclosed to them in a manner consistent with the policies of Macleod Savings & Credit Union Ltd.. Examples include cheque printing, data processing, credit collection, credit bureaus and card production.

OPENNESS

Macleod Savings & Credit Union Ltd. will make readily available specific, understandable information about its policies and procedures relating to the management of personal information.

- 8.1** Macleod Savings & Credit Union Ltd. will be open about privacy policies and procedures with respect to the management of personal information and will make them readily available in a form that is generally understandable.

8.2 The information made available will include:

- (a) the name or title, and the address of the [Privacy Officer](#) who is accountable for compliance with Macleod Savings & Credit Union Ltd.'s policies and procedures and to whom inquiries or complaints can be forwarded;
- (b) the means of gaining access to personal information held by Macleod Savings & Credit Union Ltd.;
- (c) a description of the type of personal information held by Macleod Savings & Credit Union Ltd., including a general account of its uses;
- (d) a copy of any brochures or other information that explains Macleod Savings & Credit Union Ltd.'s policies, procedures, standards or codes; and
- (e) the types of personal information made available to related organizations such as subsidiaries or other suppliers of services.

- 8.3** Macleod Savings & Credit Union Ltd. may make information on its policies and procedures available in a variety of ways. The method chosen depends on the nature of its business and other considerations. For example, Macleod Savings & Credit Union Ltd. may choose to make brochures available in its place of business, mail information to members, provide on-line access, or establish a toll-free telephone number.

INDIVIDUAL ACCESS

Upon request, a member will be informed of the existence, use, and disclosure of their personal information, and will be given access to that information. A member is entitled to challenge the accuracy and completeness of the information and have it amended as appropriate.

Note: In certain situations, Macleod Savings & Credit Union Ltd. may not be able to provide access to all the personal information it holds about a member. Exceptions to the access requirement will be limited and specific. The reasons for denying access include,

but are not limited to the following (as identified in Section 24 of the Personal Information Protection Act (PIPA)):

- the information is protected by any legal privilege;
- the disclosure of the information would reveal confidential information that is of a commercial nature and such confidential commercial information can not be reasonably severed from the requesting individual's personal information (for example, the credit union may use a scoring formula, form of assessment of risk, or make a collection recommendation that is confidential to the credit union);
- the information was collected for an investigation or legal proceeding;
- the disclosure of the information might result in that type of information no longer being provided to the organization when it is reasonable that that type of information be provided;
- the disclosure of the information could reasonably be expected to threaten the life or security of another individual and such confidential information can not be reasonably severed from the requesting individual's personal information
- the information would reveal personal information about another individual and such information can not be reasonably severed from the requesting individual's personal information ;
- the information would reveal the identify of an individual who has provided an opinion about another individual and the individual providing the opinion does not consent to disclosure of his or her identity and such information can not be reasonably severed from the requesting individual's personal information.

9.1 Upon request, Macleod Savings & Credit Union Ltd. will inform a member of the existence, use, disclosure, and source of personal information about the member held by Macleod Savings & Credit Union Ltd., and will allow the member access to this information.

9.2 For Macleod Savings & Credit Union Ltd. to provide an account of the existence, use, and disclosure of personal information held by Macleod Savings & Credit Union Ltd., a member may be asked to provide sufficient information to aid in the search. The additional information provided will only be used for this purpose.

9.3 In providing an account of third parties to which it has, or may have, disclosed personal information about a member, Macleod Savings & Credit Union Ltd. will be as specific as possible, including a list of third parties.

9.4 Macleod Savings & Credit Union Ltd. will respond to a member's request within a reasonable time and at reasonable cost to the member. The requested information will be provided or made available in a form that is generally understandable. For example, if Macleod Savings & Credit Union Ltd. uses abbreviations or codes to record information, an explanation will be provided.

9.5 When a member successfully demonstrates the inaccuracy or incompleteness of personal information, Macleod Savings & Credit Union Ltd. will 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 will be transmitted to third parties having access to the information in question.

- 9.6** In the case where Macleod Savings & Credit Union Ltd. determines the correction will not be made, the decision will be documented along with an explanation of the correction that was requested but not made and placed in the member's file.
- 9.7** When a challenge is not resolved to the satisfaction of a member, the substance of the unresolved challenge will be recorded by Macleod Savings & Credit Union Ltd. and the member will be advised they can request a review by the Alberta Information and Privacy Commissioner.

CHALLENGING COMPLIANCE

Although the PIPA directs individuals to take complaints directly to the Alberta Information and Privacy Officer, Macleod Savings & Credit Union Ltd. will have a formal complaint handling process in place and encourage member's to use this process as the first line in the complaint handling process. All effort will be made to resolve the complaint to avoid member's addressing complaints about Macleod Savings & Credit Union Ltd. with the [Alberta Information and Privacy Commissioner](#).

A member will be able to question compliance with the PIPA policies and procedures to Macleod Savings & Credit Union Ltd.'s [Privacy Officer](#).

- 10.1** The name of the [Privacy Officer](#) will be known to staff. Information on how to contact the [Privacy Officer](#) will be identified to members periodically.
- 10.2** Macleod Savings & Credit Union Ltd. will maintain procedures to receive and respond to inquiries or complaints about their policies and procedures relating to the handling of personal information. The complaint procedures will be easily accessible and simple to use.
- 10.3** Members who make inquiries or lodge complaints will be informed by Macleod Savings & Credit Union Ltd. of the existence of relevant complaint procedures. Macleod Savings & Credit Union Ltd. will also inform members of their right to file a complaint directly with the [Alberta Information and Privacy Commissioner](#).
- 10.4** Macleod Savings & Credit Union Ltd. will investigate all complaints. If a complaint is found to be justified, Macleod Savings & Credit Union Ltd. will take appropriate measures, including revision of the personal information and, if necessary, amending Macleod Savings & Credit Union Ltd.'s policies and procedures.