



# Historical Armored Combat Sports Association HACSA

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## HACSA CONFIDENTIALITY POLICY

### Statement

Organizations are entrusted with information that is of a confidential nature. To be following privacy legislation in Canada, it is crucial that organizations and nonprofit societies maintain confidentiality and limit disclosure of such information. The right to maintain all confidential information constitutes a proprietary right which the Society is entitled to protect. The Historical Armored Combat Sports Association (hereafter referred to as “HACSA”) takes the confidentiality of its members seriously.

Confidential information must be treated with respect and care by any member who is authorized to have access to this information. Members who are authorized to use or disclose confidential information also have the responsibility to safeguard access to such information. Members who are authorized by HACSA to access confidential information have a responsibility to limit access to those that are allowed by permission and/or by law. The access must be appropriate to the member's job responsibility. A breach is a violation of this policy and/or provincial or federal regulatory requirements resulting in the unauthorized or inappropriate use, disclosure, or access of confidential information.

### Purpose

It is the policy of the Society to limit the disclosure of confidential information that could be detrimental to the best interests of the Society, its beneficiaries or its members or to any active investigation whether internal or external. The directives as defined within this policy are intended to enhance public confidence in the integrity of the Society and its members, volunteers, delegates, students, and third-party service or equipment providers.

### Scope

This policy applies to all members, volunteers, students, and third-party service or equipment providers of the Society. The duty to preserve the confidentiality of society information extends beyond, and continues after the individual's termination of membership, legal recourse, or contract with the Society.

### Definitions

**Breach:** Accessing, sharing, reviewing, or disclosing oral, paper or electronic confidential information by an individual for purposes other than his/her responsibility or for which s/he is authorized.



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**Confidential Information:** refers to information that, if disclosed without authorization, could be prejudicial or detrimental to the interests of the Society and/or individual(s) in or associated with the Society. Confidential information is any communication,

information, or reception of knowledge and includes facts, documents, data, or opinions that may consist of numerical, confidential information or narrative forms - whether oral, printed, or electronic including in databases or on paper.

Confidential information includes but is not limited to the following:

- Any document which identifies a donor, member, participant or fighter by name.
- Any document which contains personal representative, member, vendor, or volunteer information beyond the name, title, business address, business e-mail and business phone number(s).
- In-camera (limited attendance by directors or advisors who customarily attend meetings) minutes, or other minutes marked 'Confidential', resulting from Board meetings and/or their committees.
- Information of a sensitive nature such as grievances, complaints, or issues of sensitive nature such as illegal activities or observations brought to the board.
- Incoming and outgoing e-mails, hard-copy mail, and faxed documents marked 'Private' or 'Confidential', including copies.
- Documents that contain trade secrets, personal information, information of a sensitive nature about members or directors, or proprietary information such that the sharing of said documents that may assist a competitor(s).
- Board member chats, or personal correspondence (social media, chats, online engagements) that deal with personal or crucial issues to the society.
- Any other document marked confidential by the sender. The sender will use discretion to identify what should be designated confidential in addition to the documents listed.

### Procedure or Application

Individuals employed by or engaged with the Society may, through normal day-to-day provision of services, be entrusted with confidential information. Individuals are responsible for ensuring the privacy of confidential information and for exercising discretion in the handling of such information. It is the responsibility of all members, including the directors to steward to the following rules:

- Individuals will not knowingly, or willfully, directly or indirectly, misuse, disclose or disseminate to any third party any confidential information belonging to the Society which the individual acquired in connection with or as a result of their recourse with the Society.
- All records containing confidential information created or received by individuals must be protected against unauthorized access, collection, use, disclosure,



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retention, or disposal through the use of reasonable security measures and effective records management.

- All member and volunteer medical information will remain confidential except by written release or where the release is required by law. However, some types of insurance require the member or volunteer to release information to insurer(s) in order to validate claims or eligibility or help understand risks to themselves and the society, especially in terms of liability.
- Members, volunteers, delegates, students, third party service or equipment providers, clients, donors, and suppliers will be made aware that no information beyond that which is included on his or her business card (name, title, business address, email, phone number) will be disclosed to anyone outside the organization unless specific written authorization is given by the individual, or as required by law.

At all times, judgment and discretion must be used when asked to disclose confidential information. Unless required in the fulfillment of duties or with prior authorization, disclosure of confidential information (see definition above) to individuals outside the Society who are not authorized to receive such information, is strictly prohibited unless required by law.

### **Breach of Confidentiality**

All individuals must comply with the following standards as failure to do so will be considered a breach of confidentiality:

- i. Individuals must not place themselves in a position of obligation to persons who might benefit or appear to benefit from disclosure of confidential information.
- ii. Individuals must not benefit or appear to benefit from the use of information not generally available to the public and which was acquired during the course of their official Society duties.
- iii. Individuals must consult with their regional director when they are requested to provide any information which may breach the confidentiality standards defined in this policy.
- iv. Individuals who receive unsolicited information, misdirected mail, or who have access to confidential information without authorization must notify their supervisor immediately.
- v. Any person working for/engaged with the Society, who for any reason, deliberately accesses or misuses confidential information not required in the performance of their duties is in breach of confidentiality, whether or not the information is disclosed to another person(s).



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## Corrective Action

Corrective action, if warranted, will be imposed based on the nature and severity of the violation, whether intentional or not, circumstances surrounding the privacy breach or whether the violation demonstrates a pattern or practice of improper use or disclosure of confidential information on the part of the workforce member.

The HACSA Board of Directors, in possible collaboration with:

- Safety Committees
- Member Committees
- Team Captains
- Other Committees

will determine the level of corrective action in accordance with this policy. Corrective action relating to this policy shall be applied fairly and consistently and be applicable as per the societies bylaws and follow best practices towards resolution of breaches.

The President or a designated authority by the Board in consultation with the aforementioned committees will review the facts and circumstances of the potential breach. In consultation with the HACSA Board of Directors and the designated Appropriate Authority, based upon the nature and severity of breach, actions may result in progressive corrective actions for any member that violates this policy.

All corrective actions will be documented in writing and maintained in the appropriate member record. If warranted, corrective actions, up to and including termination of membership may be warranted, including further legal action.

For any breach, the involved member(s) will be subject to corrective action, up to and including termination, based on the nature and severity of the violation, pattern or practice of such behavior and prior discipline. Breaches are divided into four levels with the corresponding corrective action for each level. Such factors as the circumstances surrounding the breach and the member's history of non-compliance, the frequency of non-compliance, and the impact of non-compliance (e.g. probability that a member or other is compromised or harm caused to any person by the breach) will be taken into consideration in determining the appropriate level of sanction.

## Termination of Membership/Legal recourse

At the conclusion of their membership, individuals must return all equipment, materials or intellectual property, such as documents, papers, computer files and other materials in their possession or control that relates to the Society. Ownership of all documents, computer files and all other electronic or hard-copy material, will remain the property of



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the Society. Individuals are not permitted to make copies, in part or in whole, manually or electronically, of any confidential or proprietary information belonging to the Society.

The duty to respect the directives as defined within this policy continues after the individual's termination of membership, legal recourse, or contract with the Society. The Society shall have the right to enforce its lawful rights and seek legal remedies against any offending individual(s) who fail to comply with the directives as defined within the policy following termination of membership, legal recourse, or contract with the Society.

### **Breach of Policy**

Individuals who fail to comply with this policy during the course of their membership, contract with the Society, or following the conclusion of said services, will be subject to disciplinary action, up to and including termination of membership and/or legal action, as applicable.

#### **Level 1: Carelessness**

This level of breach occurs when a member unintentionally or carelessly fails to exercise appropriate care and safeguards in handling confidential information. Examples include, but are not limited to:

- Discussing personal member information in a public area.
- Leaving a copy of member information in a public area.
- Leaving a computer with an application accessible unattended in an open area.
- Transmission of electronic communication without ensuring the recipient is correct (includes sending, replying to or forwarding) to a messenger, social media or email address of an unintended recipient.
- Faxing, emailing, or sending documentation to a wrong office or telephone number.
- Emailing documentation to a wrong email address or personally replying to a social media post with slang, hints or eluding to sensitive decisions made by the Board of Directors.

A Level 1 Carelessness breach does not include unintentional access to confidential information that is non-repetitive.

Depending on the facts and circumstances of the event, corrective action may be administered in the following order:

- First Offense: Documented counseling session
- Second Offense: Written warning
- Third Offense: Final written warning and two (2) weeks unpaid suspension



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- Fourth Offense: Termination of membership, ineligible for membership for a period of no less than 5 years

### Level 2: Reckless Disregard

This level of breach occurs when a member's actions result in inappropriate use, disclosure or access to confidential information or when the action is not part of the member's area of responsibility. Examples include, but are not limited to:

- Sharing user IDs and/or passwords with other members/colleagues or permitting another to access personal information through one's computer or access.
- Inappropriate disposal of personal or society information, (e.g. failure to shred labels or records); or permitting an unauthorized third party to use a personal computer or system.
- Removing HACSA information from policies or standards.
- Releasing personal information to a third party without proper verification of the person's identification.
- Faxing documentation to a wrong office or telephone number (not a covered entity).
- Sending, replying, or forwarding of electronic communication to an unintended recipient (e.g. wrong email address).
- Mailing personal information to a wrong person or address.

Depending on the facts and circumstances of the event, corrective action may be administered in the following order:

- First Offense: Written warning
- Second Offense: Final written warning and two (2) weeks unpaid suspension
- Third Offense: Termination of membership, ineligible for membership for a minimum of 5 years

### Level 3: Willful Disregard

This level of breach occurs when a workforce member deliberately accesses, uses or discloses confidential information without need. Examples include, but are not limited to:

- Posting or participating in communication containing confidential information on a social networking/open source site.
- Sharing of personal messages or other electronic communications such as director discussions to persons outside of the society or the public.
- Sharing of personal messages, social media, or other electronic forms of communication such as director discussions or electronic correspondence to members of the society.



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- Accessing another person's confidential information, without a justified need or the persons authorization. This includes friends, relatives, members, volunteers, or any other person (e.g. accessing an estranged spouse's society record, obtaining a phone number of a relative, "check on" a co-worker that is rumored to be a specific location, etc.).
- Sharing confidential information with the media without authorization from the President.
- Sharing confidential information obtained from a third party that is not necessary for the member's responsibilities.
- Discussing confidential information with individual(s) not involved in the Society's business.

Depending on the facts and circumstances of the event, corrective action may be administered in the following order:

- First Offense: Final written warning and two (2) week unpaid suspension
- Second Offense: Termination of membership, ineligible for membership for a minimum of 5 years

### **Level 4: Willful Disregard with Malicious Behavior**

This level of breach occurs when a member knowingly and maliciously takes actions or omissions causing unauthorized access, use, or disclosure of confidential information, regardless of whether the actual use or disclosure occurred. Such level also includes access to confidential information as described in Level 3, and/or is excessive in number, distribution, or scope. Examples include, but are not limited to:

- The member inappropriately and repeatedly accessing, using, or disclosing individual screen(s) or information from individual or multiple member records
- Disclosing confidential information for a personal gain
- Theft or sale of confidential information
- Disclosing confidential information to cause harm to a member, the society or any third party

Depending on the facts and circumstances of the event, corrective action may be administered in the following order:

- First offense: Termination of membership, ineligible for membership for a minimum of 5 years

Depending on the facts of the offense, a member that receives discipline at Levels 1 through 3 may also be asked to conduct a review of all correspondence, resign of documentation regarding confidentiality and sign separate agreements safeguarding confidential information and the appropriate uses/disclosures.



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## HISTORICAL ARMORED COMBAT SPORTS ASSOCIATION

### Declaration - Confidentiality

I have read the “Historical Armored Combat Sports Association Confidentiality Policy”, and hereby declare that I will maintain the integrity of the organization by ensuring I hold to the highest standards and maintain the security of all confidential information passed to me unless otherwise approved by the board of directors. I also agree to be bound by the decision of the board of directors under this Policy and agree to follow all HACSA applicable bylaws, conflict of interest statutes and policies which may affect my membership status should any part of this document be found to apply.

Signature:

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Date Signed:

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