



Confidentiality and Privacy

* This policy is based off policies from Community Foundations of Canada and The Winnipeg Foundation.

This document serves as a tool for your community foundation to build a relevant policy applicable to your foundation's context. The function of each policy is listed in the footer on the left, and on the right is Endow Manitoba's numerical organizational structure, which needs to be modified to reflect the organizational structure of your community foundation's policies.

Policy Template

Policy name: 1.05 Confidentiality and Privacy	Effective date:
Policy type: Organizational	Monitoring frequency: (Suggested: 2 years)
Policy owner: (This is who is responsible for this policy. It can be the board of directors, the board chair, a specific staff person, senior management team, etc.)	Revision history: (History of revisions)
Who approves: (Board of Directors)	Next review date:

Background and purpose

(Explains relevant historical information and the purpose of the policy).

Sample: During the work of the community foundation, the organization frequently gathers and uses information that is personal and confidential. Anyone from whom we collect such information should expect that it will be carefully protected and that any use of, or other dealings with, this information is subject to consent. The community foundation values public trust and recognizes the importance of transparency, accountability, and legal requirements for confidentiality. This policy defines confidential information and provides guidelines for directors and staff on handling sensitive information, ensuring it is protected even from immediate family members.

Scope

The policy applies to all board, committee and staff members, and other volunteers of the foundation.



Policy statement

(Outlines the community foundation's intent, principles, and expectations regarding a specific subject or area of operation. It is a guiding framework for the community foundation's decisions, actions, and behaviours.)

Sample: This policy protects the privacy and confidentiality of personal, financial, and sensitive information. Directors, staff, and volunteers must safeguard this information and ensure it is only accessed or shared by authorized individuals, in compliance with applicable laws, to maintain trust and integrity.

Things to consider for inclusion in the policy

This is not a comprehensive list but rather a list of ideas to start a meaningful conversation about policy development. Each of the following could be a subheading in your policy.

General considerations

- How do you define confidentiality? Does it refer to a duty to refrain from sharing confidential information with others, except with the express consent of the other party?
- How do you define personal information? Is it any information that can be used to distinguish, identify or contact a specific individual? Such as an individual's opinions or beliefs, as well as facts about, or related to, the individual.

Procedures

- Will board members be required at all times to respect the confidentiality of a donor's name, level of gift and personal circumstances that might identify a donor, if asked to do so by the donor or by a motion of the Board?
- Shall board members agree to an oath of confidentiality upon joining the board of directors (see sample in the policy below).
- Who is authorized to access personal information? What constitutes a need for access to this information?
- What safeguards are put in place to ensure that the information is not disclosed or shared more widely than is necessary to achieve the purpose for which it was gathered?
- Are measures set in place to ensure the integrity of this information is maintained and to prevent its being lost or destroyed?

Donors and Grant Recipients

- Are board members, volunteers and staff required at all times to respect the confidentiality of a donor's name, level of gift and personal circumstances that might identify a donor, if asked to do so by the donor or by motion of the board?



- Can donors request confidentiality and/or anonymity?
- Are donor lists shared with other fundraising organizations?
- Does the foundation use outside contract fundraisers.
- Is the information collected from charities in the grant making process, to provide detailed project and organizational information to be kept confidential?
- Will the foundation support the naming of a fund as Anonymous? In all other circumstances, will the personal and identifying circumstances of a donor remain confidential? Similarly, will the circumstances regarding grant distributions remain confidential?

Meetings

- Will board members be required to hold in the strictest confidence all matters dealt with by the board during in-camera meetings and matters related to personnel and property?
- Are the opinions of individual board and committee members to be kept confidential?

Sample Oath of Confidentiality form

I, _____ hereby certify that I understand and appreciate the confidential nature of the information administered by [insert name of community foundation] (hereinafter referred to as [community foundation initials]). I will not, during the term of my employment/ volunteering with [insert name of community foundation], or any time thereafter, disclose any confidential information*, to any third party except where disclosure is necessary: to properly discharge my duties as employee or volunteer; by order of lawful authority or other legal proceedings; or when the donor, employer [community foundation initials] or employee has consented disclosure.

*Confidential information includes but is not limited to:

- Manual or electronic information regarding donors, their families, grant applications, and information in the [community foundation initials]'s database;
- All manual or electronic information regarding [community foundation initials]'s existing donors and clients, including donor lists, contracts, computer printouts, and other similar information;
- All manual or electronic information concerning [community foundation initials]'s potential donors and clients, including mailing lists, and other similar information;
- Board discussions pertaining to board decisions;
- Third party opinions provided with respect to grant applications;
- Personnel information regarding specific employee remuneration and benefits; and
- Personal information as defined in the Personal Information Protection and Electronic Documents Act under Canadian Law.

Employee / Volunteer Signature

Date



Policy Review

- Who is responsible to review this policy?
- Will the review be done every [2-3] years?