



THE ADVOCATE...

JANUARY 2019

FEATURE ARTICLES: **PREASIDIUM – BACKGROUND CHECKS**
 RESOLUTIONS
 INDEX (ARTICLES OF INTEREST IN PAST NEWSLETTERS)

Welcome to **THE ADVOCATE**....dedicated to all Council Advocates but to be shared with the Council Executive, and all District Deputies. Please do share this with all the members in your Council but it relates strictly to your responsibilities in the Council. I will endeavour to keep every missive short but they are designed to inform and educate. Remember...it is your responsibility, Worthy Council Advocates, to ensure that you and your Council knows and follows our Charter, Constitution, Laws and Rules, and also your Council's By-Laws.

Please refer to the *INDEX* section ... it lists articles published in previous issues of this newsletter.

FIRST OFF, I WISH TO EXTEND BEST WISHES FOR A HEALTHY, HAPPY AND PROSPEROUS NEW YEAR TO EVERYONE.

PREASIDIUM – BACKGROUND CHECKS

A number of Councils have expressed concerns surrounding the disclosure of personal information on the Background Check Authorization Form and its submission to Supreme and Praesidium both of which reside in the U.S.A.

After some investigation and conversations with Supreme and Praesidium, our State Deputy and I received this letter from the Office of Youth Protection.

We understand that some Canadian members have expressed concerns with respect to their personal information being transferred to and stored in the United States in connection with background checks for members who are screened through the Knights of Columbus Safe Environment Program. Please know that the Knights of Columbus takes seriously the privacy and confidentiality of our members' personal information.

The Knights of Columbus does not share with non-affiliated third parties personal information related to a member's application for volunteer service in roles requiring background

checks without express consent unless compelled by law or when there is an indication of a threat to public safety. Similarly, the Order's safe environment program partner, Praesidium, does not share consumer information with third parties without consent unless specifically compelled by law or under circumstances where there is a clear threat to public safety.

It is important to remember that the purpose of obtaining personal information and doing the requisite screening in the first place is to ensure that all children, young people, and other vulnerable persons served by the Knights of Columbus are served in the safest environment possible. Members who are not comfortable in authorizing Praesidium to conduct a background check on behalf of the Knights of Columbus because of data privacy or other concerns, or concerns relating to the terms of such authorization, are free not to serve in roles that require background checks. That said, we hope that the following summary of our Canadian background screening process will provide the necessary assurances to help our Canadian members feel confident in authorizing the Knights of Columbus and Praesidium to conduct a background check.

The Canadian member background check packet (attached) is sent to a private United States-based organization called Praesidium Inc. [<https://www.praesidiuminc.com>] that is under contract to provide background check services to the Knights of Columbus. Praesidium's Privacy Policy is available online at <https://website.praesidiuminc.com/praesidium-privacy-policy>. Upon receipt of a Canadian member's completed authorization, Praesidium engages another United States company called SJV and Associates LLC [<https://sjvassoc.com/index.html>], which then uses a Canadian vendor called People Tracks Inc. [<https://www.peopletracks.com/>] to facilitate the screening. People Tracks maintains a memorandum of understanding with the Cobourg Police Service, Ontario, Canada [<https://www.cobourgpolic.com/>]. People Tracks and the Cobourg Police Service work together to conduct Canadian Police Information Centre ("CPIC") criminal record checks [<http://www.cpic-cipc.ca/index-eng.htm>]. CPIC is maintained by the Royal Canadian Mounted Police [<http://www.rcmpqrc.qc.ca/en>]. If People Tracks' screening comes back "clean" on a Canadian member, the only disclosure made up the chain through SJV to Praesidium is the "clean status," which is then reported in Praesidium's system to the Knights of Columbus as "no reportable records found." If People Tracks' screening results in something other than "clean," the status "hits" is disclosed to SJV and by extension to Praesidium and Knights of Columbus. This "hits" status is stored in Praesidium's systems and databases maintained in the United States without any disclosure of the underlying substantive reasons for the "hits" status.

We believe that the underlying purposes for requesting background checks on Canadian members serving in certain leadership roles are reasonable in order to ensure that all children, young people, and other vulnerable persons served by the Knights of Columbus are served in the safest environment possible. In general, Canadian federal and provincial privacy laws do not prohibit the transfer of personal information outside of Canada, provided that (a) adequate notice of such transfer is given to affected individuals and (b) where a third party service provider is used to process the transferred data, adequate contractual and technological safeguards have been put in place to help ensure a comparable level of protection while the information is being processed by the service provider. The Knights of Columbus has subjected its Canadian Background Check

process to multiple legal reviews, including a review conducted by a prominent Canadian law firm, and firmly believes it has met or exceeded both of these criteria.

A few key points:

- **Many Canadians are under the mistaken belief that they have a right to prevent their personal information from being sent to the United States. This is not the case.**
- *If a member does not wish comply with the background check requirement of the Knights of Columbus Safe Environment Program, the member need not submit to the background check process described above. Accordingly, the member will be removed from the role that requires a completed background check. This removal does not affect his overall membership status.*
- *A Canadian member may withdraw his consent at any time and the Knights of Columbus will abide by such action upon written notice. However, the member will be removed from the role that requires a completed background check. Again, this removal does not affect his overall membership status.*

We understand that, currently, the provinces of Alberta, British Columbia and Quebec also have applicable provincial statutory privacy laws. We believe we are in compliance with the requirements of those provinces' statutes as well. We are aware that certain provinces do impose notification requirements where an organization such as ours uses service providers outside of Canada to collect, use, disclose or store personal information. Consequently, we have taken upon ourselves the responsibility of ensuring that appropriate notification is given. We invite you to contact Praesidium directly to obtain additional information.

Praesidium, Inc.

There are a number of (new) concerns that this letter raises. I highlighted one which I completely disagree. No one should be able to dictate what personal information we must submit to the U.S.

I am undertaking an initiative to have all our background checks performed in Canada and only advise Supreme of their outcome. This includes involving all 10 jurisdictions in a united front to approach Supreme.

Brothers, I would like to know your opinions / comments on not only this letter but.... more importantly I seek your support to not only represent our jurisdiction but all of Canada.

What say you?

RESOLUTIONS

Pursuant to Section 56(a) of the Charter, Constitution & Laws, each Subordinate Council in a jurisdiction may, on its own initiative, draft, discuss, and adopt resolutions to be considered by the delegates at the next State Council meeting. All Subordinate Council Resolutions must be submitted to the District Deputy for forwarding to the State Office in care of the State Secretary in the time and manner specified by the State Council By-Laws.

Additionally the State Executive Board may draft and submit Resolutions to be considered by the Resolutions Committee and the delegates.

In lieu of repeating previously published articles on Resolutions please refer to the January 2018 issue of "The Advocate" for Resolutions – Part I and the February 2018 issue for Resolutions – Part II.

For consideration all Resolutions must be received by our State Office by January 31, 2019.

Your feedback is invaluable. If anyone has any questions or comments on anything drop me a line. Also, if there is a topic you wish covered in future newsletters just send a note to SA2017@kofc.ab.ca

Thank you ...and God Bless.

Vivat Jesus
Sir Knight John Onyskiw
State Advocate

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