

PRIVACY INFORMATION FOR LAA CLIENTS

FREQUENTLY ASKED QUESTIONS

1) What is Privacy Legislation?

Privacy Legislation are the laws that govern how an organization handles and protects the personal information you provide to them. In Alberta, Privacy Legislation is either the Freedom of Information and Protection of Privacy Act (**FOIP**) or the Personal Information Protection Act (**PIPA**).

PIPA applies to Legal Aid Alberta. **FOIP** does not.

PIPA is an act about privacy in the private sector which helps protect the personal information of the public (customers and clients) and employees.

2) What is personal information?

Personal Information is any information about you (including personal details such as date of birth), your circumstances (such as have you applied to Legal Aid Alberta for help or who is your employer), your family (such as your marital status, do you have children, the names of your spouse and/or children) and any other type of information that could be used to identify who you are.

Some personal information may be public. For example, agreeing to have your telephone number listed in a telephone directory. Or, if it has been depersonalized and combined with similar information to arrive at statistical data, such as how many people of a certain age were provided service by Legal Aid Alberta in a given time frame.

3) What is a Privacy Policy and does Legal Aid Alberta have one?

A Privacy Policy is a plan that an organization prepares that tells clients generally how it will manage and protect personal information they provided. Legal Aid Alberta has a Privacy Policy, which you can see on its website (click on the header: Rules and Policies) or if you are speaking with a Legal Aid Alberta representative, you can ask for a copy to be sent or given to you.

4) Why does Legal Aid Alberta need to collect, use or disclose my personal information?

With your consent, Legal Aid Alberta collects, uses or discloses your personal information for the purposes of providing the legal services for which you qualify. It may also collect, use and disclose aspects of your personal information that has been depersonalized to create statistical information for legitimate business reasons such as operational funding.

5) What is consent and how do I give it to Legal Aid Alberta?

Consent is agreeing to and freely letting something happen. You can provide consent in two ways. The first way is by a direct action such as saying yes if a Legal Aid Alberta staff person asks if you are willing to give them your personal information so they can see how to help you. A second way to give consent is by volunteering to provide personal information without being directly asked, knowing you are giving personal information because it is required in order to receive help from Legal Aid Alberta. No matter how your consent is given, you only need to provide as much personal information as necessary to see what type of service Legal Aid Alberta can provide you.

6) What kind of personal information does Legal Aid Alberta collect?

Legal Aid Alberta only collects personal information that is needed to:

- a) properly identify you;
- b) verify information such as address, telephone number and email address for contact purposes;
- c) give a reliable picture of your financial situation including your current job, wages, and work history to ensure you receive all of the services available based on your income (this is called assessing financial eligibility); and,
- d) identify the type of matter you have, the people involved in the matter and their role in the matter, the legal issues relating to your matter, and whether there is merit (a good legal reason) for pursuing your matter (this is called assessing service eligibility).

7) What does Legal Aid Alberta use my personal information for?

Legal Aid Alberta only uses your personal information described above to:

- a) make sure we are dealing with the right person when you contact us;
- b) contact you when we need to get information to you or receive information from you;
- c) assess your financial eligibility [see answer in 6 (c) above];
- d) assess your service eligibility [see answer in 6 (d) above]; and,
- e) to assist you with any other necessary purposes, with your consent.

8) Who does Legal Aid Alberta disclose or share my personal information with?

With your prior consent, Legal Aid Alberta may disclose or share your personal information with:

- a) a Legal Aid Alberta lawyer for the purpose of providing brief services, which includes giving necessary legal information and advice as well as helping fill out court forms;
- b) a private bar lawyer for the purposes of appointing that lawyer to represent you;
- c) any Legal Aid Alberta lawyer or private bar lawyer acting as Duty Counsel;
- d) any Crown Prosecutor in a criminal matter or the lawyer on the other side in a civil, family, or child welfare matter for the sole purpose of identifying the lawyer representing you;

- e) a named family member or other individual, particularly if you are under 18 years of age and wish to have help in finding out your lawyer's name or when your next court date is;
- f) a Court or Judge for the purposes of letting them know how your Legal Aid Alberta application is going or who your lawyer is;
- g) any health or health related facility where you are a patient or you are being held waiting for a Court or other hearing for any purpose regarding Legal Aid Alberta providing service to you;
- h) any Provincial or Federal Institution where you are being held either before your Court hearing or after your matter has been heard for the purpose of scheduling institutional disciplinary hearings or for the purpose of providing further services to you; or,
- i) any other person, facility, organization, institution or entity for a specific purpose as instructed by you and permitted by law.

9) *Who at Legal Aid Alberta has access to my personal information?*

Personal information is confidential. Legal Aid Alberta restricts access to your personal information to authorized staff on a need-to-know basis necessary to process and help you with your legal matter.

10) *What does Legal Aid Alberta expect of me?*

Legal Aid Alberta expects all those who contact us for help to:

- a) be pleasant and polite when speaking with a staff member;
- b) be truthful at all times when providing information to any staff member; and,
- c) provide updated contact, financial and other important information relating to your legal matter should your situation or circumstances change.

