

**Personal Information Protection**  
**Private Sector Privacy Legislation**  
**Personal Information Protection Policy**

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**WHITE & COMPANY FAMILY LAW**  
**Personal Information Protection Policy\***

*\*In the event that portions contained herein this policy do not meet standards prescribed and/or mandated by the Law Society of British Columbia in relation to the Solicitor- Client relationship, the Law Society of British Columbia Code of Conduct and Rules will supersede this policy.*

*W&C retains the right to refuse provision of any and all personal information that has been incorporated into the work product of the lawyer as this is privileged and proprietary information. W&C will provide in substance any collected information from any person upon request by that person of their information.*

At White & Company Family Law, we are committed to providing those who provide us information with exceptional service. As providing this service involves the collection, use and disclosure of some personal information about those that provide us information, protecting their personal information is one of our highest priorities.

While we have always respected the privacy of those who provide us information, and champion the safeguarding of their personal information, we have strengthened our commitment to protecting personal information as a result of British Columbia's *Personal Information Protection Act* (PIPA). PIPA, which came into effect on January 1, 2004, and sets out the ground rules for how B.C. businesses and not-for-profit organizations may collect, use and disclose personal information, regardless of whether those who provide us with information consent fully to clientele.

We will handle the information of those who provide us with information in a manner that a reasonable person would consider appropriate in the circumstances.

This Personal Information Protection Policy, in compliance with PIPA, outlines the principles and practices we will follow in protecting those who provide us with information. Our privacy commitment includes ensuring the accuracy, confidentiality, and security of those who provide us with information, regardless of whether it is provided by a non-client or someone who is not yet a client.

**Scope of this Policy**

This Personal Information Protection Policy applies to White & Company Family Law.

## Definitions

**Personal Information** –means information about an identifiable individual [E.g., including name, age, home address and phone number, social insurance number, marital status, religion, income, credit history, banking information, medical information, education, employment information]. Personal information does not include contact information (described below).

**Person providing information** –includes all clients, non-clients, prospective clients, and those who have not yet perfected their retainers as prospective clients.

**Contact information** – means information that would enable an individual to be contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number. Contact information is not covered by this policy or PIPA.

**Privacy Officer** – means the individual designated responsibility for ensuring that White & Company Family Law complies with this policy and PIPA.

## Policy 1 – Collecting Personal Information

- 1.1 Unless the purposes for collecting personal information are obvious and the person providing information voluntarily provides their personal information for those purposes, we will communicate the purposes for which personal information is being collected, either orally or in writing, before or at the time of collection.
- 1.2 We will only collect information from those who provide information that is necessary to fulfill the following purposes, but not limited to the following purposes in all circumstances:
  - To verify identity.
  - To understand the legal needs of those who provide us with information and determine whether it is possible to provide them with the requested services.
  - To conduct a conflict check
  - To ensure a high standard of service to those who provide us with information.
  - To meet regulatory requirements including the Law Society of British Columbia.
  - To comply with all duties of confidentiality to clients who engage the Solicitor-Client relationship fully resulting in a perfected retainer.

## Policy 2 – Consent

- 2.1 We will obtain the consent of those who provide with information to collect, use or disclose personal information (except where, as noted below, we are authorized to do so without consent) either passively, or actively or both.
- 2.2 Consent can be provided orally, in writing, electronically, through an authorized representative or it can be implied where the purpose for collecting using or disclosing the personal information would be considered obvious and the

those who provide information voluntarily provides personal information for that purpose.

- 2.3 Subject to certain exceptions (e.g., the personal information is necessary to provide the service or product, or the withdrawal of consent would frustrate the performance of a legal obligation), those who provide information can withhold or withdraw their consent for White & Company Law to use their personal information in certain ways. Those who provide information's decision to withhold or withdraw their consent to certain uses of personal information may restrict our ability to provide a particular service or product. If so, we will explain the situation to assist those who provide us information in making the decision.

*\*For clients: only in the circumstances explicitly outlined in the Law Society and permitted in the Solicitor-Client relationship which endures beyond termination once perfected.*

### **Policy 3 – Using and Disclosing Personal Information**

- 3.1 We will not use or disclose the personal information of those who provide us with information for any purpose.
- 3.2 We will not sell personal information of any individual who provides us with information

### **Policy 4 – Retaining Personal Information**

- 4.1 Subject to policy 4.1, we will retain client personal information only as long as necessary to fulfill the identified purposes or a legal or business purpose such as requirements outlined by the Law Society of British Columbia.

### **Policy 5 – Ensuring Accuracy of Personal Information**

- 5.1 We will make reasonable efforts to ensure that the personal information of those who provide us with information is accurate and complete where it may be used to make a decision about those who provide us information.
- 5.2 Clients are the only persons who may request correction to their personal information in order to ensure its accuracy and completeness. A request to correct personal information by a non-client may be made in writing and must provide sufficient detail to identify the personal information and the correction being sought which may be corrected by the company.

### **Policy 6 – Securing Personal Information**

- 6.1 We are committed to ensuring the security of the information of those who provide us with information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks.
- 6.2 The following security measures will be followed to ensure the information of those who provide us with information is appropriately protected:
- the use of locked filing cabinets.
  - physically securing offices where personal information is held
  - the use of user IDs, passwords, encryption, and firewalls.
  - contractually requiring all employees to sign a Confidentiality Agreement, committing them to this Privacy Policy.
  - Keeping all client information and information from those who provide it us out of view of third-party providers who may enter our office.
- 6.3 We will use appropriate security measures when destroying client' personal information such as use of secure shredding services.

- 6.4 We will review and update our security policies and controls as technology changes to ensure ongoing personal information security on a regular ongoing, basis.
- 6.5 We will ensure our staff complete IT security training where applicable, such as testing them with phishing campaigns to ensure that we protect against software infiltration so they are able to recognize risks when presented with them.

### **Policy 7 – Providing Those Who Provide Us Information with access to Personal Information**

- 7.1 Those who provide us with information have a right to access their personal information, subject to exceptions.
- 7.2 A request to access personal information must be made in writing and provide sufficient detail to identify the personal information being sought.
- 7.3 Upon request, we will also tell those who provide us with information, how we use their personal information and to whom it has been disclosed if applicable.
- 7.4 We will make the requested information available within 30 business days, or provide written notice of an extension where additional time is required to fulfill the request.
- 7.5 A minimal fee may be charged for providing access to personal information. Where a fee may apply, we will inform those who provide us information of the cost and request further direction from the client on whether or not we should proceed with the request.
- 7.6 If a request is refused in full or in part, we will notify those who provide information in writing, providing the reasons for refusal and the recourse available to the individual.

### **Policy 8 – Questions and Complaints: The Role of the Privacy Officer or designated individual**

- 8.1 The Privacy Officer (the Managing Lawyer) is responsible for ensuring White & Company Family Law's compliance with this policy and the *Personal Information Protection Act*.
- 8.2 Those who provide information should direct any complaints, concerns or questions regarding White & Company Family Law's compliance in writing to the Privacy Officer. If the Privacy Officer is unable to resolve the concern, those who provide information may also write to the Information and Privacy Commissioner of British Columbia.

Contact information for the Privacy Officer is as follows:

Betti White

626 Martin St, Penticton, BC, V2A5L6

[admin@wandcfl.com](mailto:admin@wandcfl.com)

778-800-8660