

# PRIVACY STATEMENT



LEGAL AID ONTARIO  

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# 1 Introduction

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Legal Aid Ontario (LAO) gathers personal information from clients and other individuals, to provide services, and support its operations, programs and activities.

We recognize and accept our responsibility to protect the personal information of people who interact with LAO. This privacy statement includes information on:

- Our commitment to manage personal information with the greatest responsibility and care
- Your rights and how you can contact us if you have questions about how we handle your information
- How we collect, use, and disclose personal information

## 2 What is personal information

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In this privacy statement, personal information means information about a person that is recorded, and can be used to identify that person. *Ontario's Freedom of Information and Protection of Privacy Act* includes, but does not limit the meaning of personal information to the following:

- Cases where knowing the name of a person would reveal information about that person
- A person's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, or marital or family status
- Medical, educational, financial, employment and criminal history
- Address, telephone and other numbers assigned to the person, such as social security numbers
- Private correspondence with us
- Views or opinions

## 3 Our legal authority

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The *Legal Aid Services Act* (LASA) permits us to collect personal information so we may carry out our duties. LASA and the *Freedom of Information and Protection of Privacy Act* (FIPPA) governs how we manage your personal information. Our CEO and president is responsible for all personal information that we collect and use.

## 4 How we use your personal information

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### 4.1 Purposes

We will only use personal information for the reasons we collected it or for a use consistent with that purpose except for where we have your consent or as FIPPA allows. We may collect, use or disclose your personal information as required or permitted by law to:

- Decide if you qualify for legal aid services
- Provide legal aid services
- Communicate with you
- Operate a legal aid program or activity, including to improve how we provide legal aid services

We will only use, collect or disclose your information for the reasons described above, or as FIPPA or LASA allows. We will not sell your personal information to other agencies or people.

Under FIPPA, when we collect personal information, it must provide people with notice. Notice includes:

- The legal authority to collect the information
- Principle purposes for which the information is intended to be used
- Title, business addresses and telephone numbers of someone who can answer your questions about the collection of information.

## 4.2 Your consent

We must have your knowledge and consent to collect, use and disclose personal information, except where otherwise provided by law.

## 4.3 When we disclose your personal information to others

FIPPA and LASA governs how or when we provide personal information. Some circumstances that permit us to disclose personal information include:

- When a person gives us permission to provide the information
- If it is the reason we collected the information
- When an employee or consultant needs the information to perform their duties and we need the information to administer our operations and activities.
- Obeying a law
- Enforcing a law
- If a person's health, safety or well-being is at risk
- When the Information and Privacy Commissioner (IPC) is dealing with a complaint or an IPC investigation
- When the Government of Canada audits certain programs

LASA permits our board of directors to authorize specific staff to provide information to third parties, so we may carry out our operations or activities. These are the situations when we would disclose your personal information:

Who we would provide information to	The type of information we may provide
<ul style="list-style-type: none"><li>• The court (before a hearing, preliminary inquiry, trial or appeal)</li><li>• A Crown attorney (before a hearing, preliminary inquiry, trial or appeal)</li></ul>	<p>To help the court or tribunal and its administrative process, we would tell the court:</p> <ul style="list-style-type: none"><li>• If a person has applied for a legal aid certificate</li><li>• If we gave a person a legal aid certificate</li><li>• The stage of a legal aid application</li></ul>

Who we would provide information to	The type of information we may provide
<ul style="list-style-type: none"> <li>• A lawyer providing services for another lawyer (e.g. as an agent)</li> <li>• A third party who provided services for a lawyer and is owed money.</li> </ul>	<ul style="list-style-type: none"> <li>• If we have paid a lawyer who has accepted a legal aid certificate, and the amount we paid</li> </ul>
<ul style="list-style-type: none"> <li>• A third party who has signed a contribution agreement for a client. For example, a parent or a spouse</li> </ul>	<ul style="list-style-type: none"> <li>• Information about the legal aid debt for each outstanding certificate</li> </ul>
<ul style="list-style-type: none"> <li>• A service provider who is enforcing their legal right to demand payment directly from LAO</li> </ul>	<ul style="list-style-type: none"> <li>• Payment details and information of other creditors who are also claiming against the funds LAO is to pay.</li> </ul>
<ul style="list-style-type: none"> <li>• Law Society of Ontario</li> </ul>	<ul style="list-style-type: none"> <li>• Information relating to the integrity or professional misconduct of a lawyer providing legal aid services</li> </ul>

# 5 Safeguards, accuracy and retention

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## 5.1 How we protect your information

We have put appropriate processes and safeguards in place in our offices, and information storage facilities to prevent loss, misuse, unauthorized access, disclosure or changes to personal information in our care. Our safeguards apply to how we dispose or destroy personal information.

We strive to make sure all personal information is current, accurate and complete. To help us do this, please let us know of any changes in the information that you have provided us as soon as possible.

## 5.2 Where we keep your information

We store the personal information we use and access on servers in Canada.

## 5.3 How long we keep your information

We keep your personal information only as long as we need it for our relationship with you, or as federal and provincial laws require. When our relationship with you ends, we will destroy your information, in line with our policies about keeping records. How long it will take to destroy your information depends on the type of information and why we collected it.

## 5.4 Access to your personal information

### Access

You have the right to access and correct any of your personal information, and before we provide it, we will ask you to confirm your identity. Please contact us if you need documents in an accessible format. For more information about this process and to request general records, visit our [freedom of information request](#) page.

Although you have the right to access your information, FIPPA gives us the right to deny access in some instances. For example, we may not disclose personal information, if it reveals confidential or personal information about someone else.

## Fees

FIPPA states that you must pay fees to copy or locate records. This includes the amount of time to manually search and to make copies. We may decide to waive some or all payment if we decide it is fair and reasonable to do so. If you do not agree with our decision, you may contact the privacy and access to information officer to request a review.

## 5.5 Answering your privacy questions

For questions, comments or complaints about how we have handled personal information, please contact us by mail or email:

Legal Aid Ontario  
Privacy and Access to Information Officer  
40 Dundas Street West  
Toronto, ON  
M5G 2H1  
Email: [fippa@lao.on.ca](mailto:fippa@lao.on.ca)

If you are not satisfied with how we have resolved your matter, you may contact:

Office of the Information and Privacy Commissioner of Ontario  
2 Bloor Street East  
Suite 1400  
Toronto, ON  
M4W 1A8