

# Freedom of Information & Protection of Privacy

## Policy

Legal Aid BC (LABC) is committed to protecting and respecting the personal information entrusted to us by our clients and applicants, and to providing applicants, clients, and the general public access to information in accordance with statutory requirements.

## Purpose

To comply with the Freedom of Information and Protection of Privacy Act (FOIPPA) and protect personal information as required by FOIPPA and the Legal Services Society Act (LSS Act).

## Application

This policy applies to LABC employees.

## Definitions

**“Personal Information”** means any information about an identifiable individual. It does not include (and this Policy does not apply to) business contact information, such as name, position, title, business telephone number, business address, business email or business fax number, except as required by applicable law.

## Collection and Use of Personal Information

LABC collects Personal Information when individuals apply for legal aid, when managing legal aid services provided to individual clients, and when individuals access or use our websites or its features.

The Personal Information collected may include an individual’s identification and contact information, financial information, information relating to legal proceedings, information relating to an individual’s family, community and support structures, information relating to an individual’s background and self-identification, and any other information necessary to evaluate and facilitate the provision and administration of legal aid services.

LABC will only use or disclose personal information for the purposes for which that information was collected, or as otherwise permitted or required by law. The purposes for which we collect, use or disclose personal information include:

- To evaluate applications for legal aid;
- To administer the provision of legal aid services to eligible individuals;
- To evaluate, audit, plan, improve or coordinate the design and structure of legal aid services within the province of British Columbia;
- To process financial administration and billing related to legal aid services;
- To carry out obligations and enforce legal and/or contractual rights relating to the provision of legal aid services;

# Freedom of Information & Protection of Privacy

- To identify and eliminate systemic racism and advance racial equity;
- To comply with legal and regulatory requirements;
- To detect, prevent or address fraud or other security concerns, to protect against personal or property harm, or to obtain legal or other professional advice; and
- As otherwise required or authorized by law.

LABC may collect some Personal Information described above from third party sources, including from appointed legal counsel and provincial court services, where necessary to fulfill the purposes described above or with individual consent where required by legislation.

## Accuracy of Personal Information

LABC uses reasonable efforts to keep personal information collected directly from you accurate and up to date. It is important that the information the organization holds is accurate and current. LABC relies on applicants and clients to provide up-to-date and accurate information. If you believe your personal information on file at LABC is incorrect, you can ask the organization to correct its records.

To do this, please write to the General Counsel and Corporate Secretary at Legal Aid BC:

General Counsel & Corporate Secretary  
Legal Aid BC  
400 – 510 Burrard Street  
Vancouver, BC V6C 3A8  
Email: [foi@legalaid.bc.ca](mailto:foi@legalaid.bc.ca)

If you notify us of the inaccuracy or incompleteness of Personal Information, we will review and amend the information as required. We will annotate the Personal Information under our control to indicate the requested amendment and whether or not it was made.

## Access to Personal Information

Anyone can request access to information in LABC's custody or control. We will provide applicants with any information they are entitled to have under FIPPA — you don't have to indicate why you want the information.

Applicants may not be entitled to receive all information requested, in accordance with legislative requirements. Note that, under the LSS Act, all information provided to LABC by applicants and clients is protected by solicitor-client privilege.

Individuals may be able to access some information simply by asking for it at your local legal aid location — for example, reports and policies, or a document from your own active file.

For general requests for access to information, individuals can submit a Freedom of Information Request. Requests should be made in writing, and provide as much detail as possible about what records or information are being sought.

# Freedom of Information & Protection of Privacy

To submit a formal request, write us a letter or complete the Request for Access to Records form and send it to LABC's Privacy Officer at:

General Counsel & Corporate Secretary  
Legal Aid BC  
400 – 510 Burrard Street,  
Vancouver, BC V6C 3A8  
Email: [foi@legalaid.bc.ca](mailto:foi@legalaid.bc.ca)

For some requests to access information, fees may apply. LABC has adopted the fee schedule contained in FIPPA. People who have received legal representation through LABC in the past 12 months are exempted from the first \$50 of any applicable fee.

Fees will not be charged for:

- providing you with your own personal information
- the time we spend removing information from record, or
- for the first three hours of time we spend processing requests for general information.

## Privacy and Website Use

When you browse or use our website, LABC collects some information automatically through the use of cookies and other similar tracking technologies on our website (e.g. web beacons, pixels, and software tokens). This information includes pages opened, length of visit, type of browser used, and — possibly — the city where the browser is located.

Information about use of our website is used to provide a better user experience, and to help LABC understand the ways in which the website is used to evaluate and improve our services.

By continuing to browse the site, you are agreeing to our use of cookies.

Our website also includes some embedded resources which are provided to assist and inform you, including links to videos hosted by YouTube, Vimeo and other video sharing platforms, as well as optional Google Translate assistance. LABC does not share information with those organizations directly, however they may also collect cookies or similar analytical data related to your use of embedded resources.

What is a cookie?

A cookie is a packet of data that is sent and stored in your browser or on your computer. Cookies keep track of your visits and activities on a website to help improve your experience on the site.

We use the following cookies:

**Absolutely necessary cookies.** These cookies are essential to enable you to move around a website and use its features. Without these cookies, services and offerings you have asked for cannot be provided.

**Analytical/performance cookies.** These allow us to recognize and count the number of visitors and to see how visitors move around our Websites when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.

Most internet browsers are set up by default to accept cookies. However if you want to refuse or delete them (or similar technologies), please refer to the help and support area on your browser for instructions on how to block or delete cookies.

Keep in mind that each browser has a different procedure for managing and configuring cookies. However, if you use your browser settings to block all cookies (including necessary cookies), you may not be able to access all or parts of our Websites, or certain features or functions on the Websites.

You can find more information about cookies at <http://www.allaboutcookies.org>.

# Freedom of Information & Protection of Privacy

## Confidentiality and Security of Personal Information

We are committed to protecting personal information in order to prevent unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks. We use reasonable physical, technical and security measures to protect personal information.

LABC does not sell the personal information it collects and will not disclose an individual's personal information to a third party unless the disclosure is for the purposes outlined above, authorized under FIPPA, and/or in writing by the individual.

We will continually review and update our security policies and controls as technology changes to ensure ongoing personal information security.

## How Long do we Retain Personal Information?

Personal information is retained only for the period of time necessary to meet the purposes set out in this Privacy Policy, or as long as otherwise required or permitted by applicable law or contract.

Personal Information used to make a decision affecting an individual will be retained for a minimum of one (1) year following the date of the decision, or as otherwise required by applicable law.

## Questions, Corrections or Requests for Access

Requests to access, correct, or delete personal information will be handled as promptly as possible, in accordance with applicable legal requirements.

We have designated a Privacy Officer who is accountable for our compliance with this Policy. Questions about this Privacy Policy, requests for access to or corrections of personal information may be made in writing to:

General Counsel & Corporate Secretary  
Legal Aid BC  
400 – 510 Burrard Street,  
Vancouver, BC V6C 3A8  
Email: [foi@legalaid.bc.ca](mailto:foi@legalaid.bc.ca)

## Changes to Policy

Information technology tools and privacy requirements are constantly changing, and LABC may revise this Policy from time to time to take into account those changes. Any revisions to this Policy will be posted on our website. Please review this Policy regularly to stay informed of any updates.

# Freedom of Information & Protection of Privacy

## History

Revised **November 2023**.

**April 27, 2015:** Reformatted and updated terminology. **October 2013** — Updated job titles.

**EMC Approved February 13, 2007** – addition of statement indicating that LABC collects information from clients and applicants to: determine eligibility for legal aid services, refer them to lawyers, and help resolve legal problems.

Reformatted **December 2006**. Revised **January 2006** (PPC Approved) Revised **November 2004**. Revised **November 2003**.

**EMC Approved September 1997**

**SEE ALSO:** [Freedom of Information and Protection of Privacy Act](#), [Legal Services Society Act](#) (Section 23), [Law Society of BC Professional Code of Conduct Handbook](#) (Chapter 5)

**SEE [POLICY](#) AND [FORMS](#) PAGES FOR:** Other policies and forms referenced in this document.