

Introduction

PERSONAL INFORMATION POLICY & PROCEDURE HANDBOOK

Introduction

Silverberg & Associates Inc. have made a commitment to respect the privacy rights of individuals by ensuring that their personal information is collected, used and disclosed in such a manner that a reasonable person would consider appropriate in the circumstances.

This Handbook is based on the principles and rules set out in the federal *Personal Information Protection and Electronic Documents Act* (PIPEDA) and Alberta's privacy legislation, the *Personal Information Privacy Act* (PIPA) in order to address both the federal and provincial concerns regarding privacy.

Following the Definitions section in this Handbook, there are 10 separate policy statements, along with a series of procedures which accompany each policy.

Definitions

"Broker" means Silverberg & Associates Inc. and includes the officers and employees of Silverberg & Associates Inc.

"Client" means an individual who engages Silverberg & Associates Inc. to acquire or renew a policy of insurance.

"Personal Information" means information about an identifiable individual but does not include an employee's name, title, business address or telephone number.

"Privacy Officer" means the individual or individuals appointed from time to time by the Silverberg & Associates Inc. to be accountable for Silverberg & Associates Inc. compliance with the policies and procedures contained in this Handbook.

Policy 1 - Accountability

Policy 1 - Accountability

We are responsible for all personal information under our control and will designate one or more individuals who will be accountable for the organization's compliance with the policies and procedures described in this Handbook.

Procedures

- 1.1 The individual appointed to be accountable for the Broker's compliance will be known as our *Privacy Officer*. We will appoint an appropriate person in this capacity who has sufficient authority within the organization to ensure compliance.
- 1.2 Our Privacy Officer may be contacted as follows:

Title:	Doug Silverberg
Name of Organization:	Silverberg & Associates Inc.
Address:	9913 – 112 Street Edmonton, AB T5K 1L6
Telephone:	(780) 448-0676
Fax:	(780) 453-1492
Email:	doug@silverberggroup.com
- 1.3 Our commitment is to:
 - protect personal information;
 - allow individuals to request information, seek amendments to their personal information;
 - train and educate staff; and
 - develop information which explains those procedures to the public.
- 1.4 We will use reasonable means to ensure that personal information is given a comparable level of protection while being processed by a third party.

Policy 2 – Identifying Purposes

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We will identify the purposes for which we collect personal information at or before the time the information is collected.

Procedures

- 2.1 We will identify the purposes for which we collect personal information at or before the time of collection.
- 2.2 We may choose to identify such purposes *orally* or in *writing*. This Handbook itself may be used to identify such purposes. Common purposes for collection include:
 - enabling the Broker to acquire or renew an insurance policy;
 - assisting and assessing ongoing needs for insurance;
 - assessing needs for other products, such as financial products;
 - ensuring that information is accurate and up-to-date;
 - protecting the Broker and/or insurer against inaccuracy;
 - to establish and maintain responsible commercial relations and to provide on-going services;
 - to understand needs and preferences;
 - to develop, enhance, market and provide products and services;
 - to enable the acquisition of a policy;
 - to assist and assess ongoing needs for service;
 - for any and all other lawful purposes which are reasonable and required.
- 2.3 We may choose to orally explain the purposes for which personal information is being collected and then simply place a note in the file indicating that this has been done. Alternatively, an application form may be used.

Note 1: There may be situations in which we are not required to explain purposes, including those situations outlined under paragraph 3.8 "Exceptions" in *Policy 3 - Consent*.

Policy 3 - Consent

Policy 3 - Consent

We will obtain the appropriate consent for the collection, use or disclosure of their personal information, except where the law provides an exemption.

Procedures

- 3.1 We may obtain *express* consent for the collection, use or disclosure of personal information, or we may determine that consent has been *implied* by the circumstances.
- 3.2 *Express* consent is a specific authorization given to the Broker, either *orally* or in *writing*. *Implied* consent is one in which the Broker has not received a specific authorization but the circumstances allow us to collect, use or disclose personal information.
- 3.3 Express *written* consent includes:
 - signing a consent form (such as the *Consent*); or
 - providing a letter, application form or other document authorizing certain activities; or
 - providing an authorization electronically (through a computer).
- 3.4 Express oral consent can be given in person or over the telephone.
- 3.5 We will often seek express consent at the onset of a new business relationship. However, we may determine that by seeking insurance coverage through our organization, consent has been implied for us to collect, use and disclose personal information in a reasonable manner.
- 3.6 Subject to legal exceptions, consent may be withdrawn at any time. We require such withdrawal to be in writing. There will be serious consequences to failing to provide or withdrawing consent, such as the Broker's inability to acquire or renew an insurance policy and/or in the cancellation of a policy.
- 3.7 *Exceptions* There are circumstances in which we are not required to obtain a consent or explain purposes for the collection, use or disclosure of their personal information. These include, but are not limited to:
 - Collection We may collect personal information without consent where it is in the individual's interest and timely consent is unavailable, or to investigate a breach of an agreement (such as *insurance fraud*) or a contravention of law, or as otherwise allowed by law;

Policy 4 – Limiting Collection

Policy 4 - Limiting Collection

The personal information we collect is limited to that which is reasonable for the purposes we have identified.

Procedures

- 4.1 We only collect personal information for reasonable purposes. We do not collect personal information indiscriminately.
- 4.2 We only collection information by fair and lawful means and not by misleading or deceiving individuals about the purpose for which information is being collected.
- 4.3 Our policies and procedures relating to the limitations on collection of personal information will be regularly communicated to our staff members who deal with personal information.
- 4.4 The Broker may need to obtain personal information *from* third parties.

Note: There may be situations in which we collect personal information for legitimate purposes not identified to the individual, including those situations outlined under paragraph 3.8 "Exceptions" in *Policy 3 - Consent*.

Policy 5 – Limiting Use, Disclosure and Retention

Policy 5 - Limiting Use, Disclosure and Retention

Personal information will not be used or disclosed for purposes other than those for which it was collected, except with consent or as required by law. We will only retain personal information as long as necessary for the fulfillment of those purposes.

Procedures

- 5.1 We will only use or disclose personal information for identified purposes.
- 5.2 We will retain personal information only as long as reasonably necessary for the fulfillment of the purposes for which it was collected.
- 5.3 Personal information that has been used to make a decision about an individual will only be retained for a reasonable period to allow the individual access to the information after the decision has been made.
- 5.4 Personal information that is no longer required to fulfill identified purposes will be destroyed, erased or made anonymous. See Policy 7 - *Safeguards*, paragraph 7.7.

Note: There may be situations in which we use, disclose or retain personal information for legitimate purposes not identified to the individual, including those situations outlined under paragraph 3.8 "Exceptions" in *Policy 3 - Consent*.

Policy 6 - Accuracy

Policy 6 -Accuracy

The personal information we collect will be as accurate, complete and up-to-date as is reasonable for the purposes for which it is to be used.

Procedures

- 6.1 Our organization will, on an ongoing basis take reasonable steps to ensure the accuracy and completeness of personal information under our care and control.
- 6.2 This may include *updating of client personal information* to ensure the accuracy of client files and to provide appropriate insurance coverage for clients.
- 6.3 The process for ensuring reasonable accuracy and completeness may involve:
 - initial collection;
 - verification of accuracy and completeness; and
 - verifying accuracy by contacting third parties (i.e., motor vehicle and driver licensing authorities, etc.).

As more particularly described in *Policy 9 - Individual Access*, we will provide recourse to individuals who appear to have legitimate corrections to make to their information on file. Once significant errors or omissions have been identified, we will correct or amend the information as appropriate. Where reasonable, we will send such corrected or amended information to third parties who have had access to the information in question (such as insurance companies).

Policy 7 - Safeguards

Policy 7 - Safeguards

We will safeguard the security of personal information under our control in a manner that is appropriate to the sensitivity of the information.

Procedures

- 7.1 We will take reasonable steps to protect the security of personal information, regardless of the format in which it is held, against loss or theft, and against unauthorized access, disclosure, copying, use or modification.
- 7.2 More sensitive information will be safeguarded by a higher level of protection.
- 7.3 In determining what safeguards are appropriate, we will consider the following factors:
- The sensitivity of the information;
 - The amount of information held;
 - The parties to whom information will be disclosed;
 - The format in which the information is held; and
 - The way in which the information is physically stored.
- 7.4 Our methods of protection include:
- physical measures, such as locked filing cabinets and restricted access;
 - organizational measures, such as security clearances and limiting access on a "need-to-know" basis; and
 - technological measures, such as the use of passwords and encryption.
- 7.5 We will ensure that our policies and procedures on safeguarding personal information are accessible to our employees by:
- training staff on the subject of personal information protection.
- 7.6 We will take reasonable precautions in the disposal or destruction of personal information to prevent unauthorized parties from gaining access to the information. These measures may include:
- shredding documents before recycling them; and
 - deleting electronically-stored information.

Policy 8 - Openness

Policy 8 - Openness

We will make available to individuals information about our policies and procedures relating to the management of personal information which is under our control.

Procedures

- 8.1 Individuals will be able to inquire about our privacy policies and procedures.
- 8.2 We will tell our receptionist and other staff members who our Privacy Officer is so that members of the public can easily be informed.
- 8.3 We may choose to make information about our policies and procedures available in a variety of ways; for example:
 - making this Handbook and brochures available;
 - mailing out information;
 - establishing a website; or
 - establishing a toll-free telephone number.
- 8.4 The information we make publicly available may include:
 - the name or title, and the address of our Privacy Officer;
 - the means of gaining access to personal information held by the organization; and
 - written information that explains our policy and procedures (such as this Handbook).

Policy 9 – Individual Access

Policy 9 - Individual Access

Upon receipt of a written request, an individual will be informed of the existence, use and disclosure of his or her personal information which is under our control and may be given access to and challenge the accuracy and completeness of that information.

Procedures

- 9.1 Upon written request, an individual will be informed as to whether or not we hold personal information about him or her. If we do hold such personal information, we will provide access to the information.
- 9.2 The manner in which access will be given may vary, depending on the format in which the information is held (i.e., hard copy or electronic), the amount of information held and other factors. For example, if there is a large volume of information, instead of providing a copy of the entire file, we may simply provide a summary of the information.
- 9.3 Upon written request, we may provide a list of third parties to whom we may have disclosed an individual's personal information. If we are unsure exactly which third parties may have received the information, we will provide a list of third parties *likely* to have received the information.
- 9.4 Individuals will be required to *provide sufficient information* to us to permit us to provide an account of the existence, use and disclosure of personal information.
- 9.5 The procedure for making a request is as follows:
 - (1) All requests must be made in writing using a form.
 - (2) We will respond to a request *within 30 days after receipt of the request*, unless we first advise you that we need a longer period to respond.
 - (3) If we refuse a request, we will inform the individual in writing of the refusal, explaining the reasons and any recourse the individual may have, including the possibility that they may file a complaint.
 - (4) Costs for responding - The Broker may require payment of a modest fee to cover our administrative costs associated with preparing a response.
- 9.6 There are also *exceptions* which will prevent us from providing access, including where:
 - personal information about another person might be revealed;
 - commercially confidential information might be revealed;
 - someone's life or security might be threatened;

Policy 9 – Con't

- the information was collected without consent for the purposes related to an investigation of a breach of an agreement or contravention of the law;
- the information was generated during the course of a formal dispute resolution process; or
- such other exceptions where access is prohibited by law.

Policy 10 – Challenging Compliance

Policy 10 - Challenging Compliance

An individual may address concerns with the above policies and procedures to our Privacy Officer.

Procedures

- 10.1 To file a complaint, an individual must provide basic information and a description of the nature of the complaint.
- 10.2 We will document complaints made, as well as our actions in response to complaints.