

McDonald Law Office

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PRIVACY POLICY

Privacy of personal information is an important principle to McDonald Law Office. We are committed to collecting, using and disclosing personal information responsibly and only to the extent necessary for goods and services we provide. We also try to be open and transparent as to how we handle personal information. This document describes our privacy policies.

PERSONAL INFORMATION

Personal information is information about an identifiable individual. Personal information includes information that relates to their personal characteristics (i.e. gender, age, income, home address or phone number, ethnic background, family status), their health or their activities and views. Personal information is to be contrasted with business information, which is not protected by privacy legislation.

MCDONALD LAW OFFICE

Our organization, McDonald Law Office includes, Bruce A. McDonald, barrister, solicitor and notary, and support personnel. We use bookkeepers, accountants, agents, bailiffs, consultants, technicians, other lawyers, office security and maintenance, landlords, file storage and shredders, collection agencies and the courts that may, in the course of their duties, have limited access to personal information we hold. We have their assurance that they follow appropriate privacy principles. We may also be compelled to disclose some personal information to governmental regulators or pursuant to court order. We restrict their access to any personal information we hold as much as is reasonably possible.

PRIMARY PURPOSE

Information About Clients

We collect, use and disclose personal information in order to serve our clients. The primary purpose for collecting personal information about our clients is to provide legal advice and services. Where our client is an individual, we directly and indirectly (from the client and from third parties) collect information about the client's legal issue(s) including anything the client might have done or said that might affect their legal position, so that we can advise the client as to their legal rights and responsibilities and their options for addressing the issue(s) in order to carry out their instructions. A second purpose is to obtain home and other contact information so that we can contact the client. It would be rare for us to collect any personal information without the client's implied or express consent, but this might occur in a case of expediency or urgency or where we believe the client would consent if asked and it is impractical to obtain consent.

Information About the General Public

For members of the general public, our primary purpose for collecting personal information is usually to gather and review evidence that is relevant to a legal issue affecting our client. Thus the personal information is usually incidental to our providing services and advice to our client. Generally this collection, use and disclosure is done without the individual's consent because their interests are adverse or potentially adverse to those of our own client and obtaining their consent would compromise our client's position.

Information About Support Staff, Consultants and Agents

For people who do work for us, our primary purpose for collecting personal information is to ensure we can contact them in the future and for necessary work-related communication. Examples of the type of personal information we collect for those purposes include home addresses and telephone numbers. It is rare for us to collect such information without their prior implied or express consent, but it might happen in the case of a health emergency or to investigate a possible breach of law.

Investigations

When we act as an investigator for clients, our primary purpose for collecting personal information is to gather the necessary information and evidence to express a sound opinion on the issue for our client and represent them in legal proceedings. In such circumstances, we generally act without the consent of the subject of the investigation because their interests are adverse or potentially adverse to those of our client and obtaining their consent would compromise the investigation.

SECONDARY PURPOSE

We also collect, use and disclose information for purposes related to, or secondary to, our primary purposes. The most common examples of our related and secondary purposes are as follows: to invoice clients for goods and/or services that are not paid for at the time; to collect unpaid accounts; to advise clients and others of new developments in the law; pursuant to voluntary or mandatory audits; for third party account payment; and, pursuant to regulatory authority demand or court order.

PROTECTION

We understand the importance of protecting personal information. For that reason, we have taken the following steps: paper information is either under supervision or secured in a locked or restricted area; electronic hardware is password protected and either under supervision or secured in a locked or restricted area; staff are trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with our privacy policy; and, external agents and consultant with access to personal client information will be required to enter into privacy agreements with us.

RETENTION & DESTRUCTION

We need to retain personal information for some time to ensure that we can answer any question you might have about the services provided and for our own accountability to external regulatory bodies. However, we do not want to keep personal information too long in order to protect your privacy. We keep our client files for about ten years. Our client and contact directories are much more difficult to systematically destroy, so we remove such information when we can if it does not appear that we will be contacting you again. However, if you ask, we will remove such contact information right away after completion of the file where the work is completed and payment in full is verified. We destroy paper files containing personal information by shredding. Alternatively, we may send some or all of our client file to our client. We destroy electronic information by deleting it and, when the hardware is discarded, we ensure that all the hard drive data is securely erased beforehand.

DISCLOSURE/REVIEW/CORRECTION

With some exceptions, you have the right to see what personal information we hold about you. Often all you have to do is ask. We can help you identify what records we might have about you. We will also try to help you understand the information you do not understand. We will need to confirm your identity, before providing you with this access. We may however ask that you put your request in writing. If we cannot give you access, we will tell you within 30 days if at all possible and tell you the reason, as best we can, as to why we cannot give you access. If we collected personal information about you for a client, there is a good chance that the information is protected by solicitor and client privilege and you will not be given access to it without our client's written consent. If you believe there is a mistake in the information, you have the right to ask for it to be corrected. This applies to factual information and not to any professional opinions we may have formed. We may ask you to provide documentation corroborating your claim that our files are wrong. Where we agree that we made a mistake, we will make the correction and notify anyone to whom we sent this information. If we do not agree that we have made a mistake, we will still agree to include in our file a brief statement from you on the point and we will forward that statement to anyone else who received the earlier information. We reserve the right to charge a normal fee for any and all of these disclosure and notice services.