

# Personal Information and Privacy Handbook

*Bencharnski Insurance Services Ltd.*

*o/a Beneficial Insurance Solutions*

## Table of Contents

<b>Section</b>	<b>Page #</b>
<i>Introduction</i>	3
<i>Definitions</i>	3
<i>Principle 1 – Accountability</i>	4
<i>Principle 2 – Identifying Purpose</i>	4
<i>Principle 3 – Consent</i>	5
<i>Principle 4 – Limiting Collection</i>	6
<i>Principle 5 – Limiting Use, Disclosure and Retention</i>	7
<i>Principle 6 – Accuracy</i>	7
<i>Principle 7 – Safeguards</i>	8
<i>Principle 8 – Openness</i>	9
<i>Principle 9 – Individual Access</i>	9
<i>Principle 10 – Challenging Compliance</i>	11

## **Introduction**

Effective January 1, 2004, All businesses in Canada are required to comply with the federal *Personal Information Protection and Electronic Documents Act* (PIPEDA). This handbook will outline Bencharski Insurance Services Ltd.'s policies and procedures relating to this act and our compliance with the act. The handbook follows the format of the act itself.

Following the Definitions, there are 10 separate principles, along with corresponding activities and procedures.

### ***Definitions***

*Broker* - means the brokerage organization responsible for abiding by and implementing the principles and procedures in this Handbook, and includes the officers and employees of the brokerage.

*Client* - means an individual who engages a broker 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 Broker to be accountable for the Broker's compliance with the principles and procedures contained in this handbook.

## **Principle 1 – Accountability**

*An organization is responsible for personal information under its control and shall designate an individual or individuals who are accountable for the organizations compliance with the following principles.*

The following individual has been named “Privacy Officer” for Bencharki Insurance Services Ltd. Contact information has been provided.

Title: Privacy Officer  
Name: Ronald (Ron) C. Farrell  
Business Address: 6210, 333 – 96 Avenue NE  
Calgary Alberta, T3K 0S3  
Telephone: (403) 250-3121  
Email: ron@beneficial-insurance.com

The above mentioned Privacy Officer will be responsible in his/her capacity as such for:

- Maintaining reasonable security measures as outlined in this handbook;
- Handling requests from individuals seeking amendments to their personal information;
- Receiving and responding to complaints of non-compliance with the Act;
- Making available information such as this handbook, our procedures for handling personal information and
- Training employees in the procedures of gathering, using and disclosing personal information for the purpose for which it was collected.

## **Principle 2 – Identifying Purposes**

*The purposes for which personal information is collected shall be identified by the organization at or before the time the information is collected.*

We will identify the purpose(s) for which information is being collected at the time that initial information is being collected.

During the course of business transactions, we will not identify again the purpose for which information is being requested unless the purpose is substantially different from that originally identified.

We may choose to identify the purposes for which we are collecting information either orally or in writing.

Common Purposes for Collection of Information Include:

- enabling the broker to acquire and renew an insurance policy or policies;
- processing transactions and amendments for existing clients and assessing a client's ongoing needs for insurance;
- assessing a client's needs for other products and services offered within our brokerage, including but not limited to auto and home insurance, commercial and farm insurance, travel coverage, life, disability and critical illness insurance, investments and other financial products;
- ensuring client information is accurate and up-to-date;
- protecting the Broker and the insurer against inaccuracy.

### **Principle 3 – Consent**

*The knowledge and consent of the individual are required for collection, use, or disclosure of personal information, except where inappropriate.*

Our Brokerage will as often as practicable seek express written or oral consent for the collection, use and disclosure of personal information. Where express consent is not received, we may determine that consent has been implied by the circumstances.

***Express written consent*** includes:

- a signed Personal Information Consent Form;
- a letter signed by the client, or other documents authorizing certain activities;
- electronic notification such as email or fax.

***Express oral consent*** can be given in person or over the telephone. We will make note of the consent to the client's electronic or paper file.

Consent is ***Implied*** when certain requests are made by a client such as a request for a quotation in which personal information would be required to comply with the request.

Subject to legal exceptions, **consent may be withdrawn at any time.** Due to the nature of our business, withdrawing of consent will not result in the destruction of information already received as this information may be required to respond to claims situations. *There may be serious consequences to failing to provide consent or withdrawing consent, including but not limited to the Broker's inability to acquire or renew an insurance policy, deletion of coverage, or inability to offer coverage, or cancellation of an insurance policy or policies.*

Regular updating and maintenance of information does not constitute a new purpose and therefore we will not seek new consent to obtain this information.

Exceptions - There are circumstances in which we are not required to obtain an individual's consent or explain purposes for the collection, use and disclosure of personal information. These are include but are not limited to:

- We may collect personal information without the consent where it is in the individuals interest and timely consent is unavailable.
- We may collect personal information to investigate a breach of an agreement (such as insurance fraud) or a contravention of law.
- We may use personal information in an emergency situation in which a person's life or health or security is threatened.
- We may disclose personal information for law enforcement and national security purposes, for debt collection and to a lawyer representing our organization.

#### **Principle 4 – Limiting Collection**

*The collection of personal information shall be limited to that which is necessary for the purposes identified by the organization. Information shall be collected by fair and lawful means.*

Personal Information will be collected for specific legitimate purposes. These purposes will be communicated prior to collecting the information.

Information will be collected by fair and lawful means.

Personal Information may occasionally be collected from third party organizations including but not limited to: banks; lending institutions; lawyers; motor vehicle and licensing organizations; insurance companies and other brokers.

## **Principle 5 – Limiting Use, Disclosure and Retention**

*Personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal Information shall be retained only as long as necessary for the fulfillment of those purposes.*

Personal Information will only be collected for the purpose that is reported to the individual. Any new purpose will be disclosed to the individual prior to the new information being collected or used.

Information will be retained in confidential files relative only to the individual(s) or corporation(s) concerned. Information will be retained for the full length of time that the individual(s) or corporation(s) remain active clients of Bencharski Insurance Services Ltd. and after they no longer do business with our brokerage for the amount of time that claims could continue to arise after a policy has terminated.

Information will be destroyed or disposed of when no longer required by shredding paper documents and where possible, deleting electronic documents from all systems.

Any personal health or medical records obtained to get a decision on health related products such as life or disability insurance will be retained until the decision is received. Information will be retained for a reasonable period thereafter to allow the individual access to the information after the decision has been made.

## **Principle 6 – Accuracy**

*Personal information shall be accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.*

We will be diligent in collecting accurate information from individuals during the initial contact.

We will have individuals verify their personal information prior to its use or disclosure to related organizations.

We will conduct regular reviews with our clients to ensure the accuracy of information as particulars change.

While we do our best to keep our information as up-to-date as possible, we rely on our clients to notify us of any changes to their particular situation. This includes changes to name, address, contact information

and any other changes that is material to the product(s) that has been purchased with our organization.

We may on occasion need to contact third party organizations to ensure accuracy and completeness. Examples of Third parties that may be contacted are motor vehicle and driver licensing authorities etc.

Any errors that are brought to our attention during individual reviews will be rectified immediately and the appropriate third parties with which the information has been shared and is relevant, will be notified.

## **Principle 7 – Safeguards**

*Personal information shall be protected by security safeguards appropriate to the sensitivity of the information.*

We will protect individual information in our control against loss by theft, unauthorized access, disclosure, copying, use or modification.

The protection provided will be reasonable based on the information on file.

We will only transfer to third parties the information that is relevant to them based on the products or services purchased.

We will protect information stored in paper format by keeping the files in a locked file room while not in use, and locked in individual offices while the files are in use by the broker.

All information stored electronically will be protected by passwords unique to each individual accessing the information. Access will only be granted to those employees that have a need for access.

Our safeguarding procedures will be clearly and effectively communicated to all staff with appropriate training and regular staff meetings.

We will dispose of information that is no longer relevant or required in a way that will prevent unauthorized parties from gaining access to the information being disposed or destroyed. The methods we will use to dispose of information will be as follows:

- shredding paper documents containing personal information and
- deleting electronically stored information from the server and individual workstations.



## **Principle 8 – Openness**

*An organization shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.*

Individuals will be able to inquire about how we manage personal information without unreasonable effort.

All of our staff members will know who the Privacy Officer is and will be able to provide the business contact information of the Privacy Officer to any individual that inquires.

Information about our practices and procedures of handling personal information will be available as follows:

- This handbook will be available to clients who request it in person or it may be mailed to clients upon their request;
- Other methods such as brochures or websites if they are established in the future. (currently not available)

Information that will be made available to the public will be:

- The name, title and address of our Privacy Officer;
- The means of gaining access to personal information held by the organization;
- A description of the type of personal information held by the organization, including its use;
- A copy of any printed information or other means of outlining the company's privacy standards and procedures;
- What personal information is made available to related organizations such as insurance companies.

## **Principle 9 – Individual Access**

*Upon request, an individual shall be informed of the existence, use and disclosure of his or her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.*

Upon written request, an individual will be informed if we have any personal information about him or her. If we do hold information about him or her, we will provide access to the information and a general account of its use.

The manner in which access is granted may vary depending on the format of the information held. We will allow paper files to be reviewed in the presence of a staff member (to ensure no altering or removing of information). There will be an appropriate time limit allotted to such reviews. Electronic data can be viewed in its current form in the presence of a staff member and, where possible, printed for viewing. In cases of large files or quantities of information, information summary sheets may be provided.

We will provide a list of third party organizations to which information has been disclosed upon written request.

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. This may require proof of identity such as a form of photo identification.

**Procedure for making a request for personal information:**

- All requests must be made by the individual about whom the information pertains;
- A signed authorization form must accompany any request made by someone else on behalf of an individual, by the person about which the information applies;
- The request must be made in writing. (Forms will be available to facilitate this);
- We will respond by complying to the request within 30 days **or**;
- We will advise the individual if an extension is required before the 30 days expires **or**;
- We will refuse the request and provide sufficient reason for the refusal, and any recourse the individual may have, including the possibility that they may file a complaint with the Privacy Commissioner of Canada;
- **Costs for responding** – The Broker may require payment of a modest fee to cover our administrative costs associated with preparing a response.

Exceptions to providing access to personal information are as follows:

- Personal information of another will be revealed;
- Commercially confidential information might be revealed;
- Someone's life or security might be threatened;
- The information was requested without consent for the purposes related to a breach of an agreement or a contravention of the law; or
- The information was generated during the course of a formal dispute resolution process.

## **Principle 10 – Challenging of Compliance**

*An individual shall be able to address a challenge concerning compliance with the above principles to the designated individual(s) accountable for the organizations compliance.*

Written formal complaints or challenges to our compliance to the privacy act, must be made in writing with specific details of the circumstances leading to the complaint and submitted to our Privacy Officer.

We will acknowledge the complaint within 2 business days;  
We will assign someone to investigate. This person will have access to the electronic and paper file and personnel to ensure a thorough investigation;  
The investigator will clarify facts with the complainant;  
Our Privacy Officer will advise the complainant in writing of the outcome of the investigation, including any steps taken to rectify the problem if applicable,

All complaints will be documented. A copy will be kept in the client's file in addition to a privacy file.

### **For More Information**

Questions on the matters addressed in this handbook should be directed to the Privacy Officer of Bencharski Insurance Services Ltd. Contact information concerning the Privacy Officer may be found on page 4 of this handbook.