



Shoalcoast Community Legal Centre Inc. *Client Privacy Information Handout*

This document explains how Shoalcoast Community Legal Centre meets our obligations under the Commonwealth *Privacy Act 1988* and, in particular, the National Privacy Principles set out in the Act.

We will ensure that:

- your privacy is protected when using our service
- the personal information in our records is correct and up-to-date, and
- you can access your personal information if you ask us.

Collection, use and disclosure of personal information

We may collect personal information about you to provide legal services. The type of personal information we collect will depend on what we do for you. If you do not provide the personal information requested, we may not be able to provide you with the legal advice and/or assistance you request.

Before we offer you legal advice, we will generally ask for your name, address, telephone number and date of birth. We also need to ask you the name of any other parties involved in your legal matter, so we can ensure we can assist you.

As our organisation is provided with funding by the government, we are required to pass on statistical information about our clients. Therefore, we will also ask for some information about you that is used for statistical purposes. Information that can identify you is always treated as confidential and is not included as part of our statistical reporting. The kind of statistical information we collect includes:

- your gender
- who referred you to our service
- your country of birth and year of arrival in Australia (if applicable)
- whether or not you identify as Aboriginal or Torres Strait Islander
- your income level and source
- your disability type
- your family type
- your accommodation type

During the process of giving you legal advice, our solicitors will ask you for further personal information that is reasonably necessary to provide you with legal advice and assistance and is relevant to your legal issue and this will be recorded on your file. We recognise that the personal information we collect is often of a highly sensitive nature. We have adopted the highest privacy compliance standards to ensure such information is protected.

We will keep your information confidential and will not provide any identifying information to people outside Shoalcoast without your permission. All employees and volunteers are required, as a condition of service, to treat personal information held by Shoalcoast as confidential and sign a confidentiality agreement. It is possible that your file may be

included in a random sample of files that is checked annually by lawyers from another NSW community legal centre. The purpose of the check is to ensure that professional standards are being adhered to and is necessary for our insurance. These lawyers are also required to keep your information confidential.

There are occasions when examples of non-identifying legal casework are used by Shoalcoast to inform others of our work or to lobby for changes to unjust laws and policies. These may appear, for example, in our Annual Report, on our website, in media releases or submissions to Parliamentary enquiries. When a particular client's case is chosen, the client's name and any other information which could identify that client is removed. If your case is selected as a good example of the work we do, we will first seek your permission before publishing your case.

Security and storage of personal information

We make all reasonable efforts to ensure that information about you is protected from misuse, loss, and unauthorised access, modification or disclosure, other than in accordance with this policy or the *Privacy Act 1988*.

Your personal information may be stored in our files or computer systems. We keep it for a minimum of 7 years from the date of last entry in our records. Your information is kept on our premises which are securely locked and the office is protected by a burglar alarm system when not staffed. All possible security precautions are taken with computer records to ensure that they are not accessible by anyone other than relevant staff members.

Accessing information

We will, upon your request and within a reasonable time period, provide you with access to the personal information we hold about you, unless there is an exception which applies under the *Privacy Act 1988*, such as where we have a legal duty not to disclose the information or where doing so will prejudice the taking of appropriate action in relation to your legal matter.

You are welcome to read your personal information in the privacy of our office. A copy of your personal information may be obtained for a small fee.

If we decide not to provide you with access to the information, we will let you know our reasons for making that decision, including any exceptions in the *Privacy Act 1988* that we might have relied on. Please see 'How to contact us' below if you have any questions or want to make a complaint.

Correction of personal information

We take reasonable steps to ensure your personal information is accurate, complete and up-to-date when we collect it or use it.

If you think any of the personal information we hold about you is inaccurate, incomplete, irrelevant, misleading or out of date, please contact us to correct your personal information free of charge. We will respond to your request to correct your personal information within a reasonable time period.

How to contact us

If you wish to access any personal information we hold about you, correct your personal information, find out more about how we deal with personal information or complain to us about a breach of your privacy, please contact:

The Coordinator
Shoalcoast Community Legal Centre
PO Box 1496
NOWRA 2541
Phone: (02) 4422 9529 or 1800 229 529

Additional privacy information

You can get more information about privacy in Australia by visiting the website of the Office of the Australian Information Commissioner at www.oaic.gov.au or telephoning 1300 363 992.