

6.1	PRIVACY POLICY
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Version: 2		Approved by board on: 18 April 2024
Authority Level: Management Committee		Scheduled review date: 18 April 2027
Reviewing and approving this policy		
Frequency	Person responsible	Approval
Every 3 years	Director	Management Committee

POLICY STATEMENT

The Australian Centre for Disability Law (ABN 15 992 360 253) (**ACDL, we, us**) is committed to protecting and upholding the privacy and confidentiality of your Personal Information in accordance with the Australian Privacy Principles (**APP**), the *Privacy Act 1988* (Cth), and any other applicable state or territory privacy laws.

This Privacy Policy applies to the collection, use, disclosure and storage of Personal Information that is held by the ACDL. It applies to all records, whether hard copy or electronic. It also sets out how you can obtain access to or seek correction of your Personal Information.

PROCEDURES

WHAT IS PERSONAL INFORMATION?

Personal information is information or an opinion that relates to an individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not; and whether it is recorded or not.

Sensitive information is a category of Personal Information and includes health information, genetic and biometric information, racial or ethnic origin, political opinion or membership, religion, philosophical beliefs, professional or trade association membership, union membership, sexual orientation or practices and criminal record.

COLLECTION OF PERSONAL INFORMATION

The type of Personal Information we collect will depend on the nature of your interaction with ACDL. If someone:

- Seeks legal assistance either in person or by telephone: ACDL may collect your name, email address, home address, telephone number, details of your guardian (if applicable), financial details, employment status and information about the matter you are seeking assistance with.
- Provides legal assistance as a volunteer to ACDL clients: ACDL may collect your

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name, email address, telephone number, and employing organisation.

- Registers for a subscription to an ACDL publication: ACDL may collect your name, organisation, and email address.
- Makes a donation or becomes a member of ACDL: ACDL may collect your name, organisation, email address, phone number, bank account details, the amount and frequency of the donation and payment details.
- Attends a professional development or training program or another event: ACDL may collect your name, organisation, email address, phone number, bank account details (if applicable) and any dietary and accessibility requirements.
- Participates in a survey: ACDL may collect your name, organisation contact details and survey responses.
- Sends an enquiry: ACDL may collect your name, email address and details of your query.
- Makes a complaint: ACDL may collect your name, email address, phone number, details of complaint, information collected in any investigation and details of the resolution of complaint.
- Applies for a role: ACDL may collect the information included in your application (name, email address, phone number, details of supporting references).

Where ACDL collects Sensitive Information, including health information, ACDL will only do so with your consent unless we are authorised to do so by law. You may withdraw your consent to the collection, use or disclosure of your Sensitive Information at any time.

ACDL may also collect, use and disclose Personal Information in connection with lawful information requests from courts, government agencies and lawyers and in connection with suspected fraud, misconduct or unlawful activity.

USE AND DISCLOSURE OF PERSONAL INFORMATION

ACDL will use and disclose your Personal Information in order to provide you with its legal services.

We may also exchange your Personal Information with ACDL service providers, who may provide you with further assistance or assist us with archival, auditing, accounting, legal, business, banking, payment, delivery, data processing, storage and analysis, research, investigation, website or technology services.

COLLECTION OF PERSONAL INFORMATION THROUGH OUR WEBSITE

ACDL's website

When accessing ACDL's website, the system may record certain information including your browser type, operating system, date and time of access, pages accessed and note any

downloaded information. These records are used for the continuity of ACDL's website so that we can improve our services and the resources we provide.

Cookies

The ACDL website may use an internet browser feature from time to time called 'cookies'. Cookies are small data files created by a web server and placed on a user's computer (usually in the browser software folder) the first time that a computer visits a website that operates cookies. Cookies help ACDL maintain the continuity of your browsing session by remembering information about your visit and your preferences.

Cookies by themselves cannot be used to personally identify you. Cookies only identify the computer used to visit our website. You can configure your web browsing software to reject cookies, however this may limit the functionality of our website or prevent you from accessing some parts of our website.

Google Analytics

ACDL uses Google Analytics to inform and optimise content for our website based on your past uses and visits. Google Analytics informs us how visitors browse our website, helping us to improve our website functionality and allow easier access to information. Google also receives this information as you browse our website and other websites on the Google Display Network using remarketing.

If you would like to opt-out of the Google Display Network and or Google Analytics you can use ad settings or install the Google Analytics Opt-out Browser Add-on to disable tracking.

Third party websites

Our website may contain internal links to third party websites that are not owned or controlled by ACDL. ACDL is not responsible for the privacy practices or policies of those websites.

STORAGE AND SECURITY OF PERSONAL INFORMATION

We use all reasonable endeavours to maintain the security of your Personal Information from unauthorised access, modification, or disclosure. We cannot ensure or warrant that your Personal Information will always be secure during transmission by email, post or text message. Please contact us immediately if you become aware or have reason to believe there has been any unauthorised use of your Personal Information in connection with our services.

We will be required to notify you and the Australian Information Commissioner if we suspect that a data breach (relating to your Personal Information) has occurred and there is real risk of serious harm to you as a result of the breach. We have a data breach response plan.

We also require ACDL service providers to maintain the security of your Personal Information.

AMENDMENT AND ACCESS OF YOUR PERSONAL INFORMATION

We use all reasonable endeavours to keep your Personal Information accurate, complete, up-to-date, relevant and not misleading.

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ACDL has a Privacy Contact Officer to handle any queries or complaints about a privacy issue who can be contacted at info@disabilitylaw.org.au.

You may, by written application to our Privacy Contact Officer, request access to your Personal Information. Within 21 days following receipt of the written application, ACDL will make your Personal Information available. ACDL will require identification to be provided before releasing copies of Personal Information.

In rare circumstances, access may be denied to your Personal Information if ACDL has a valid reason. Examples of a valid reason include where ACDL reasonably believes:

- giving you access may endanger the life, health or safety of any individual, or endanger public health or safety;
- giving you access would have an unreasonable impact on the privacy of other individuals;
- your request is frivolous or vexatious; or
- your Personal Information is part of existing or anticipated legal proceedings.

If ACDL refuses you access to your Personal Information, ACDL will inform you in writing of the reasons for refusing access.

If you are not satisfied with our response, you may lodge a complaint with the Office of the Australian Information Commissioner (**OAIC**) by writing to the OAIC at GPO Box 5218, Sydney NSW 2001. For further information about the OAIC, please visit www.oaic.gov.au.

DELETION OF YOUR PERSONAL INFORMATION

ACDL will take reasonable steps to destroy or permanently de-identify Personal Information where it is no longer needed for a permitted purpose pursuant to the requirements of the APP. ACDL is however required to retain legal files for 7 years (for an adult), as provided by rule 14.2 of the LPUL *Australian Solicitors' Conduct Rules 2015* (NSW), however it is ACDL's policy to retain client files for 10 years. This is a permitted purpose pursuant to the APP.

CHANGE HISTORY

DATE	MODIFICATION
24/04/2018	Inclusion of client briefing information. Legislative & regulatory context added.
18 April 2024	Policy Updated

6.1.1	PRIVACY POLICY – Collection Notice
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Version: 1		Approved by board on: 18 April 2024
Authority Level: Management Committee		Scheduled review date: 18 April 2027
Reviewing and approving this policy		
Frequency	Person responsible	Approval
Every 3 years	Director	Management Committee

CONSENT TO COLLECT YOUR PERSONAL INFORMATION

We need to collect your personal information, and will only use your personal information, for the purpose of:

- (a) providing you with legal assistance services such as legal advice or tasks; or
- (b) if we have agreed to act for you in alternate dispute resolution (ADR) proceeding in the Australian Human Rights Commission or Anti Discrimination NSW, Fair Work Commission, or similar bodies, a Court, or a Tribunal, to provide legal representation.

We may have to share your information with our financial services provider and other outsourced entities that provide for the effective operation of the ACDL. We do not share your personal information with any other organisation or third party and take protecting your personal information very seriously. We will store your personal information securely and destroy it when it is no longer necessary.

You are able to make a request to:

- Access a copy of the personal information we hold about you;
- Correct your personal information if you believe it is incorrect, out of date or incomplete.
Note: It is important to understand that we can refuse your request in some circumstances.
- Delete some (or all) of your personal information.
Note: There is some personal information we must keep which is required by Australian law or our funding bodies, or if we are still providing you with legal advice and representation.

You can ask us anything about the personal information we hold about you at info@disabilitylaw.org.au. If you are unhappy with the way we deal with your personal information or respond to you then you can contact the Office of the Australian Information Commissioner at GPO Box 5288, Sydney, 2001 or online at www.oaic.gov.au.

There is more detail about how we collect, use, disclose and store your personal information and how you can access and correct your personal information in our Privacy Policy which you can access at www.disabilitylaw.org.au/privacypolicy.

CHANGE HISTORY

DATE	MODIFICATION
18 April 2024	New Collection Notice