ECLC PRIVACY POLICY
(Client and Community)

1. Purpose

Eastern Community Legal Centre ABN 89 833 124 364 (**ECLC, we, us, our**) has prepared this Privacy Policy to inform you about the types of personal information that ECLC usually collects, the purposes for which ECLC collects it, to whom ECLC discloses it, how ECLC holds and keeps it secure, and your rights in relation to your personal information, including how to complain and how ECLC deals with complaints.

2. Scope

This Policy applies to all personal information (including sensitive information) ECLC collects from clients and/or community members. This includes information collected from individuals applying for roles with ECLC. This Policy does not apply to the personal information of ECLC's current or former employees.

3. Policy Overview

ECLC recognises the importance of treating your personal information confidentially. ECLC is committed to satisfying all legal and ethical obligations regarding the protection of your personal information.

In this Policy:

- **personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not. It does not include information that is de-identified.
- **sensitive information** is a subset of personal information that is given a higher level of protection because of its sensitive nature. It includes health information, as well as personal information that is about an individual's racial or ethnic origin; political opinions; membership of a political association, a professional or trade association, or trade union; religious beliefs or affiliations; philosophical beliefs; sexual orientation or practices; and criminal history.

4. What information does ECLC collect?

The types of personal information that ECLC collects about you will depend on how and why you interact with ECLC, but if you become the client of an ECLC service, it is likely to include:

- your personal details: your name, date of birth, postal address, email address, telephone number and details of your guardian (if applicable), residency status and suburb of residence;
- your employment and financial details: your employment status, occupation and approximate annual income;
- details of any Centrelink payments,
- demographic information: your age, sex, religion, family type, country of birth, year of arrival in Australia (if applicable) and language(s) spoken at home;

- health information: any mental health conditions, disabilities that you may disclose; your use of alcohol and other drugs;
- information/documents about your query/appointment and the matter with which you are seeking assistance; and
- other support services with which have engaged or are engaging.

If you are applying for an employment, volunteer or contract position with us, ECLC will usually also collect your:

- details of emergency contacts/next of kin;
- employment history, qualifications, membership of a professional association and other information on your CV;
- academic records;
- references;
- health information relevant to the position, such as a disability or medical conditions, medical reports, and an assessment of your fitness for duty;
- banking and financial information, including tax file number and superannuation fund details;
- working with children clearance and criminal record check (not retained); and
- evidence of right to work in Australia.

5. Why does ECLC collect your personal information?

We will only use your personal information for the purposes for which it is given to us, or for the purposes which are related to one or more of our functions or activities, unless required or authorised by law. For example, we may collect, hold and use your personal information for the following purposes:

- to provide our legal and related services, including assessing eligibility criteria;
- to consider your suitability for employment and/or volunteering;
- to manage and conduct our business;
- to comply with our legal obligations to provide legal services, resolve any disputes and enforce our arrangements and rights with third parties;
- to promote ECLC, our services, products and activities, including through events and forums;
- to obtain feedback;
- to conduct research and statistical analysis; and
- to seek and process donations which support the work of ECLC.

6. Can I interact with ECLC anonymously?

Where possible and lawful, you may interact with ECLC anonymously or by using a pseudonym. For example, if you contact us with a general question, ECLC will not record your name unless we need it to adequately answer your question.

However, for many of ECLC's functions and activities, we will usually need your name, contact information and other details to enable us to provide our services or products to you.

7. How does ECLC collect your personal information?

Information ECLC collects from you

ECLC may collect personal information that you provide to us orally or in writing. For example, ECLC may collect information from you:

- when you call us;
- when you complete an intake form;
- when you contact us with an enquiry through the website or post;
- when you subscribe to our newsletter, updates and alerts;
- when you email us; or
- when you otherwise interact with us.

If you are applying for a job, volunteer or contract position with ECLC, we may also collect information from:

- recruiters;
- government departments to verify your entitlement to work in Australia;
- police agencies to obtain your criminal history record;
- Working with Children's Check;
- academic institutions;
- your current or previous employers; or
- your referees.

Information we collect from third parties

We may also collect your personal information from or through third parties with whom we interact with in order to provide our services. This includes:

- from organisations you have provided consent to pass your personal information on to us (e.g., Centrelink, the Federal Court Registry, or referrers); and
- from publicly available sources (e.g. social media).

Unsolicited information

If we receive personal information that we did not request and we could not have obtained by lawful means, we will destroy or de-identify the information in accordance with our obligations at law.

Retention

We store personal information for as long as it is needed for the purpose for which it was collected or otherwise as required by law. If you are a client, personal information will generally be kept for 7 years after the date that your file has been closed.

8. Who does ECLC disclose your personal information to?

The type of services ECLC provides means that it is often necessary for us to disclose your personal information to other parties.

ECLC will not disclose any information that is confidential or protected under legal professional privilege, except with your consent.

We may disclose your personal information to:

- people or organisations you have authorised ECLC to interact with on your behalf;
- other relevant services, most commonly other legal, health or social service providers;
- service providers with whom ECLC contracts to provide it services (e.g. IT service providers, mail houses and other third-party providers);
- professional advisers engaged to provide us advice (e.g. other lawyers, accountants and auditors);
- anyone to whom part of or all of our assets or businesses are transferred or merged;
- government agencies, regulatory bodies and law enforcement agencies, or other similar entities; and
- any other person or organisation with your express consent.

Except in the cases listed above, ECLC will not use or disclose your personal information unless one of the following applies:

- you (or your authorised representative) consent to the use or disclosure; or
- the use or disclosure is otherwise required or authorised by law.

Cross border disclosures

Some of these organisations to whom ECLC discloses your personal information may be located overseas or may store that personal information on servers located overseas. We will take reasonable steps to ensure that any overseas recipients deal with personal information in a manner that is consistent with the Australian Privacy Principles.

9. How does ECLC store and keep your personal information safe?

ECLC stores personal information in both hardcopy and electronic formats.

We take all reasonable steps (including organisational and technological measures) to protect your personal information from misuse, interference and loss, as well as from unauthorised access, modification and disclosure.

ECLC is committed to the protection of your personal information. In the unlikely event that we suffer a notifiable data breach, we will comply with the requirements of applicable privacy law, including (where appropriate) by providing you with a description of the breach, the kinds of information concerned, and recommendations about the steps you can take to mitigate the impact of any breach.

10. Does ECLC engage in direct marketing?

We may use your personal information to identify products or services that you may be interested in, or to contact you about news and events current to ECLC. Direct marketing is the promotion of products or services directly to you. This may be through email, SMS, telephone or post.

However, we will never use or disclose your personal information for direct marketing related purposes without your consent. You can withdraw your consent to receiving direct marketing communications from us at any time by unsubscribing from the mailing list using our 'opt out' function, advising us that you no longer wish to receive these calls, or by contacting our Privacy Officer using the Contact Us details below.

11. Does ECLC use cookies?

When you visit ECLC's website, we may use 'cookies' or other similar tracking technologies that help us track your website usage and remember your preferences. Cookies are small files that store information on your computer, mobile phone or other device to recognise you across different websites, services, devices and/or browsing sessions.

The following non-personal information (i.e. clickstream data) is automatically recorded by our site's web server for statistical and system administration purposes only:

- your server address;
- your top-level domain name (e.g. .com, .au, .gov);
- the date and the time of your visit to the site;
- the pages you accessed and downloaded;
- the address of the last site you visited;
- your operating system; and
- the type of browser you are using.

The cookies we use typically enhance ECLC's services to you. Some of our services need cookies to work; others simply make our services easier for you. You can disable cookies through your internet browser, but our website may not work as intended for you if you do so.

Our website may also use electronic images, known as web beacons. These electronic images enable us to count users who have visited certain pages on our website. Web beacons are used in combination with cookies to monitor and collect user data such as IP address, session time and type of browser used while visiting the site. Web beacons are not used by us to access your personal information, they are simply a tool we use to analyse which web pages are viewed, in an aggregate number.

12. Access or correction of your personal information

If you wish to access or correct any of the personal information that ECLC holds about you (e.g. because you think it is out of date, incomplete or incorrect), please contact ECLC's Privacy Officer using the **Contact Us** details below.

We will need to verify your identity before processing your request. We will usually respond to your request within 30 days.

Requests to access or correct information may be declined in limited circumstances. If any request is declined, we will provide you with our reasons and available complaint mechanisms in writing.

13. How can you make a complaint?

If you have a complaint about how we have collected or handled your personal information, please contact our Privacy Officer using the **Contact Us** details below.

We will usually respond to your complaint within 30 days. We will keep you updated on the progress of your complaint.

If you are not happy with our response, you can refer your complaint to the Office of the Australian Information Commissioner.

14. Contact Us

If you have any questions about this Policy, or wish to make a complaint or exercise your privacy rights, please contact our Privacy Officer using the details below:

Mail:	Attn: Privacy Officer Eastern Community Legal Centre Suite 3, Town Hall Hub 27 Bank Street Box Hill VIC 3128
Email:	privacy@eclc.org.au
Telephone:	1300 32 52 00