
ECLC PRIVACY POLICY

1. Purpose

We have prepared this Privacy Policy to inform you about the types of personal information that we usually collect, the purposes for which we collect it, to whom we disclose it, how we hold and keep it secure and your rights in relation to your personal information, including how to complain and how we deal with complaints.

2. Scope

This Policy applies to all personal information (including sensitive information) we collect from or about you. This Policy does not apply to the personal information of our former or current employees.

3. Policy Overview

Eastern Community Legal Centre ABN 89 833 124 364 (ECLC, we, our, us) recognises the importance of treating your personal information confidentially. We are committed to satisfying all legal and ethical obligations regarding the protection of your personal information.

By providing your personal information to us, you agree to the collection, use, disclosure and storage of that information by us as outlined in this Policy and in accordance with the *Privacy Act 1988* (Cth) and other relevant laws.

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, or criminal history.

4. What information do we collect?

The types of personal information that we collect about you will depend on how and why you interact with us, and may include:

- personal details, such as your name, date of birth, postal address, email address, telephone number and details of your guardian (if applicable);
- financial details, such as your employment status, occupation and annual income;
- demographic information, such as age, sex, religion, family type, country of birth, year of arrival in Australia and language(s) spoken at home; and
- information about the matter you are seeking assistance with.

If you are applying for an employment, volunteer or contract position with us, we may also collect your:

- employment history, qualifications and other information on your CV;
- academic records;
- references;
- health information relevant to the position, such as a disability or medical condition, a medical report, an assessment of your fitness for duty, or membership of a professional association;
- financial records, including superannuation fund details; and
- working with children clearance.

5. Can I interact with ECLC anonymously?

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

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

6. How do we collect personal information?

Information we collect from you

We may collect personal information that you provide to us orally or in writing. For example, we 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 us, 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;
- academic institutions;
- consulting medical practitioners;
- superannuation fund providers;
- 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 (eg. Centrelink, the Federal Court Registry or referrers); and
- from publicly available sources (eg. 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 as soon as practicable and in accordance with the law.

Retention

We store personal information for as long as it is needed for the purpose for which it was collected or 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.

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

8. Do we engage in direct marketing?

We may use your personal information to identify a product or service 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.

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.

9. Who do we disclose your personal information to?

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

We may disclose your personal information to:

- people or organisations you have authorised us to interact with on your behalf;
- other community legal service or health service providers;
- our business service providers we contract to provide services on our behalf (eg. IT systems administrators, software suppliers and mail houses);
- professional advisers who we engage to provide advice (eg. other lawyers, accountants and auditors);
- anyone to whom part of or all of our assets or businesses are transferred or sold;
- 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, we will not use or disclose your personal information unless one of the following applies:

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

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

Cross border disclosures

Some of these organisations which we routinely disclose your data to may be located overseas or store their data on servers located overseas. We will take reasonable steps to ensure that any overseas recipient deals with personal information in a way that is not inconsistent with the Australian Privacy Principles.

10. How do we keep your information safe?

We hold personal information in both hard copy and electronic formats. We take all reasonable and appropriate steps (including organisational and technological measures) to protect your personal information from misuse, interference and loss, as well as unauthorized 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 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.

11. Do we use cookies?

When you visit our 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 this 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 our services to you. Some of our services actually 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 personal information

If you want to access or correct any of the personal information that we hold about you (e.g. because you think it is out of date, incomplete or incorrect), please contact our 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 however complex cases may take longer to resolve.

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.

There may be a fee associated with providing you with access to information held by us. We will let you know if this applies.

13. How can you make a complaint?

We try to meet the highest standards in order to protect your privacy. 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 set out below.

We will usually respond to your complaint within 30 days, however complex cases may take longer to resolve. 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](#) or the [Office of the Victorian 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