

PRIVACY NOTICE

Townsville Community Legal Service respects clients' rights to privacy and confidentiality and complies with the Australian Privacy Principles (APPs) contained in the Commonwealth *Privacy Act 1988* (Cth) (as amended). These principles govern the collection and treatment of sensitive and personal information. In particular, the principles deal with accuracy of such recorded information, the disclosure of this information, the storage of this information and the destruction of these private information records.

In order to assist you, we need to keep certain records (client files), which typically include certain personal details about you, private information about your legal needs and our legal advice to you.

You have the option to interact with us anonymously or using a name other than your own (a "pseudonym"). However, we may not be able to provide you with all our services, such as providing legal assistance, if we do not have enough information.

We try to ensure that the personal information we hold about you is accurate, complete, relevant and up-to-date. Please help us to do this by letting us know if your details change or if we send you an email or letter than contains incorrect details.

The only people who have any access to our confidential client information are our staff and our volunteers, who are all asked to sign confidentiality undertakings when they commence work at our centre. If a barrister is retained to act in your matter, that barrister would also be given relevant information about your case. In court matters, of course, relevant private information will also be disclosed to the court and other parties. In a very limited number of cases, we may need to deal with a party or court overseas.

We use and disclose your personal information as part of performing our services and activities. We may also disclose your personal information if you have expressly or impliedly consented to that use or disclosure, or if it is required under Australian law.

Where necessary, we use and disclose your information in confidence. We also de-identify the personal information of our applicants and clients where possible. For example, your information is de-identified in our any external publications or reports.

The information that you provide to us is treated carefully and confidentially. It will not be given to anyone else without your consent, unless we are legally required to do this.

The centre is also committed to protecting your personal information from misuse or loss, from unauthorised access, modification and disclosure, and will take reasonable

PRIVACY NOTICE

steps to do so. Your information is kept securely in our office storage and/or in our electronic database.

In order to run our free legal advice and related services, we must have professional indemnity insurance. If a professional negligence claim is made against us, we have to notify our insurers about the relevant case. Our professional indemnity insurance scheme also helps us to continue to provide a quality service to you through independent systems and quality audits.

By speaking with us about your case, you are accepting that your rights to privacy are subject to such additional considerations.

You are entitled to request a copy of any information we hold about you, and your request will be dealt with as soon as possible. If you wish to take your file to another solicitor, we can release your file once we have a formal written consent from you, although we need to keep a copy of the file for our insurance records. In some circumstances, you will need to provide identification.

If you believe that we have incorrectly recorded information about you, you can ask us to add any corrected information to our records.

As part of our funding agreement, we are required to provide to funding bodies statistical information about our services. Our clients' personal information and details of individual legal matters will not be provided to funding bodies; however, this information is necessary for our internal records.

Once your file has been closed, we are required to keep it for a period of seven years, after which time your file will be destroyed.

When you first fill out your client intake sheet, this information is advised to you and you are asked to sign our form consenting to this file destruction.

There are some situations where files are kept for longer than seven years: where you were under 18 years of age when you obtained advice at our centre; where you have lost capacity for some period; or where the file involves a will or enduring power of attorney matters.

Please contact the centre's Director if you wish to make a complaint about our handling of your private information. We will try to deal with your complaint as soon as possible.

If you are dissatisfied with any action we then take, you can also make a complaint to the Office of the Australian Information Commissioner.