



CABWA Privacy Policy

1. Purpose

Citizens Advice Bureau of WA Inc (**CAB**) collects and administers a range of personal information for the purposes of conducting business as a community legal centre and providing legal, mediation, and information and referral services. CAB is committed to protecting the privacy of personal information collected, held and administered in relation to clients, potential clients, staff, volunteers, Board of Management members, suppliers, service contractors, and representatives of agencies CAB deals with. This Policy explains how CAB collects, uses, discloses and otherwise handles that information.

2. Scope

This Policy applies to all personal information that is collected and all records containing personal information about individuals, whether hard copy or electronic.

3. Type of Information Collected

The type of information collected will depend on the nature of the person's interaction with CAB. It may include personal information concerning clients and potential clients who contact CAB, as well as suppliers, consultants, employees and applicants for employment, CAB's legal and non-legal volunteers, and applicants for legal and non-legal volunteer placements. **Personal information** is information which identifies the individual it relates to, or where an individual can be reasonably identifiable based on the information.

The personal information CAB collects may include:

- identification and contact details, such as name, date of birth, mailing address, email address, and telephone number
- photographs including photo ID documents
- financial information, such as housing status, occupation, financial status and income

- details of the services a person has requested or enquired about, or services provided, together with any additional information necessary to respond to or deliver those services
- any facts or opinions that are connected to an enquiry that CAB is conducting on behalf of a client or potential client
- other personal information that is provided through the CAB website or is otherwise requested by us or provided by an individual, and
- information relevant to the provision of legal services under legal profession laws.

CAB may also need to collect sensitive information. **Sensitive information** refers to some types of personal information that are given a higher level of protection under the Australian Privacy Principles. Sensitive information CAB collects may include but is not limited to:

- information about racial or ethnic background, or criminal history, and
- health information and information about English proficiency, the need for an interpreter, or any disability.

The personal information (including sensitive information) collected and managed by CAB is referred to in this Policy as **Information**.

4. Collection, use and disclosure of Information

CAB may collect, store (in hard copy or electronic form), use, disclose and otherwise process Information that is reasonably necessary for the purposes of:

- conducting and supporting CAB functions or activities as a community legal centre
- contacting and communicating with an individual
- assessing whether CAB is able to assist an individual
- providing legal, mediation, and information and referral services
- effectively conducting and managing CAB business, including maintaining business records and system administration
- research, reporting and business development
- recruiting staff, contractors and volunteers
- assisting in a referral process to another service or organisation
- processing and responding to any complaints
- meeting CAB's reporting obligations, including non-identifiable information to funding providers and for peer review of service with member community legal

centres, and

- complying with any law, or lawful and binding determination.

CAB may also de-identify, aggregate, analyse, and use Information to inform our operations, advocacy, and planning.

CAB collects Information from individuals at the pre-client stage when a legal enquiry is made so that it can identify and assess whether CAB is able to assist that individual. CAB cannot assist any individual who does not properly identify themselves as this might lead to a conflict of interest developing between CAB clients in the future.

In some instances, CAB may also need to collect Information at the initial stage of an enquiry if it is directly relevant to the provision of the service being sought. For internal business purposes, CAB retains and safely stores the Information that is provided at the pre-client stage as this enables CAB to respond more efficiently and to inform the person concerned of CAB's other legal and related services.

CAB may also collect, hold, use and disclose Information for other purposes explained at the time of collection or which are required or authorised by law, for which the person concerned has provided their consent.

5. Method of Collection

CAB collects Information directly from the individual unless it is unreasonable or impracticable to do so. This may be in person; by letter, email or telephone; on hard copy or electronic forms; through the CAB website; from referring or third parties (with consent); by participating in a survey or questionnaire, or at events or forums organised by CAB.

In the context of providing legal or mediation services, CAB may collect Information from external professional sources (ie, health professionals, financial advisors, accountants, courts, other legal parties and their legal advisors). Except for Information that may be obtained from opposing legal parties, this Information will, in the usual course, be obtained under the individual's express authority and will be securely stored on their file.

6. What happens if CAB can't collect Information?

Given the nature of CAB's work, often it is not possible to provide services or deal with individuals in an anonymous way. If Information requested is not provided, CAB may not be able to fulfil the purpose of collecting the relevant Information, such as to provide assistance or services including legal or mediation services.

7. Information Security

Information that is provided to CAB is stored on computer and/or paper-based files, as appropriate. CAB takes reasonable steps to ensure that Information collected, used and disclosed is accurate, up-to-date, complete and relevant. CAB will endeavour to keep all Information safe by taking all reasonable precautions to protect Information from misuse, loss and unauthorised access, modification or disclosure.

CAB is required to keep the relevant files for a minimum period of 7 years from the conclusion of a legal or mediation file unless instructed to the contrary by an appropriate party.

8. Use of Cloud Service Providers

CAB may use cloud computing services for e-mail and document storage, for software applications used in our business, and to store Information that is collected. Confidentiality of Information is of paramount concern to CAB, so it will seek confirmation that such service providers comply with the Australian Privacy Principles or are subject to a binding law or scheme that offers substantially similar protection.

9. Disclosure of Information

CAB will not disclose Information to third parties, other than as set out in this Policy or without the individual's consent, unless it becomes necessary to lessen or prevent a serious and imminent threat to life, health or safety or unless we are otherwise compelled or authorised by law or a lawful and binding determination.

In the course of, and for the purposes set out in this Policy, CAB may disclose the Information to third parties, including agents, service providers or sub-contractors who assist CAB in providing information, products, or services for the business.

Information may be accessed by personnel within CAB at any of its offices. CAB personnel are bound by the same confidentiality laws and standards that govern the legal profession and mediation services within Australia. All staff and volunteers are required to sign confidentiality agreements on commencement of their employment or placement.

Third party service providers may also come into contact with Information when they perform certain functions or work for CAB such as audits, the provision of business software and support services, and information technology support. CAB has contractual arrangements in place with its third party service providers to protect Information from unauthorised use or disclosure.

10. Website

For statistical purposes CAB collects information on its website activity (such as the number of users who visit the website, the date and time of visits, the number of pages viewed and location). CAB does not use this information to identify individuals, but it does provide CAB with statistics that can be used to analyse and improve the website and CAB services.

11. Access and Correction Processes

An individual may request access to any Information CAB holds about them at any time by contacting CAB (see the Contacting CAB details below). Where CAB holds Information that they are entitled to access, CAB will try to provide the Information in the manner requested (for example, photocopies or by viewing a file) and in a timely way.

In some circumstances, CAB is permitted to deny the request for access, or limit the access that provided, for example where granting access would interfere with the privacy of others or result in a breach of confidentiality. If that happens, CAB will advise the reasons for the decision and any available complaint mechanisms.

If an individual believes that Information CAB holds about them is incorrect, incomplete or inaccurate, then they may ask CAB to amend it. If CAB agrees that it requires amendment, it will take reasonable steps to correct that Information.

If the individual is a legal client and requests access to Information held by CAB, the Principal Legal Officer will first review the file and approve any copies of material to be given to them. A copy of the relevant part of the file will be made available to them as soon as practicable after this.

12. Contacting CAB

For questions about this Privacy Policy, as well as any concerns or a complaint, please contact the CAB Chief Executive Officer or Principal Legal Officer by email at queries@cabwa.com.au or by telephone on (08) 9221 5711.

13. Complaints

CAB treats all complaints confidentially and will try to resolve any complaint in a timely, fair and reasonable way.

If the individual is an existing client, CAB recommends that privacy related complaints are initially made directly to their lawyer or mediator - often a telephone call or email is all that is needed to resolve concerns. They may also contact CAB's Chief Executive Officer or Principal Legal Officer (see the Contacting CAB details above).

If not satisfied with CAB's response, an individual may seek advice from the Federal Privacy Commissioner on 1300 363 992 or by email to enquiries@oaic.gov.au.

14. Changes to this Policy

CAB may amend this Privacy Policy from time to time, in its sole discretion. The current version will be posted on the CAB website and a copy may be obtained by emailing the request to queries@cabwa.com.au