

[POLICY CODE OR NUMBER]	PRIVACY
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Applies to: All staff, Management Committee members, student volunteers and JusticeNet members.
Specific responsibility: Executive Director

Version: 1.1
Date approved:
Next review date:

Policy context: This policy relates to the handling of private information of clients, staff, student volunteers, Members and Management Committee Members.	
Standards or other external requirements	National Privacy Principles
Legislation or other requirements	Privacy Act 1988 (Cth), Freedom of Information Act 1991 (SA), Freedom of Information Act 1982 (Cth)
Contractual obligations	

POLICY STATEMENT

JusticeNet SA (JusticeNet) is committed to protecting and upholding the right to privacy of clients, staff, JusticeNet members (members), student volunteers, Management Committee members and representatives of agencies we deal with. In particular JusticeNet is committed to protecting and upholding the rights of our clients to privacy in the way we collect, store and use information about them, their needs and the services we provide to them.

JusticeNet requires staff, student volunteers, members and Management Committee members to be consistent and careful in the way they manage what is written and said about individuals and how they decide who can see or hear this information.

The organisation will follow the guidelines of the *National Privacy Principles* in its information management practices.

JusticeNet will ensure that:

- it meets its legal and ethical obligations as an employer and service provider in relation to protecting the privacy of clients and organisational personnel.
- clients are provided with information about their rights regarding privacy.
- clients and organisational personnel are provided with privacy when they are being interviewed or discussing matters of a personal or sensitive nature.
- all staff, Members, Management Committee members and student volunteers understand what is required in meeting these obligations.

This policy conforms to the Commonwealth *Privacy Act (1988)* and *the National Privacy Principles* which govern the collection, use and storage of personal information.

(Note: The Privacy Act does not apply to organisations with an annual turnover under \$3m, but many funding contracts require that funded organisations comply with the Privacy Principles.)

This policy will apply to all records, whether hard copy or electronic, containing personal information about individuals, and to interviews or discussions of a sensitive personal nature.

PROCEDURES

Dealing with personal information

In dealing with personal information, JusticeNet staff will:

- ensure privacy for clients, staff, members, volunteers or Management Committee members when they are being interviewed or discussing matters of a personal or sensitive nature
- only collect and store personal information that is necessary for the functioning of the organisation and its activities
- use fair and lawful ways to collect personal information
- collect personal information only by consent from an individual
- ensure that people know what sort of personal information is held, what purposes it is held it for and how it is collected, used, disclosed and who will have access to it
- ensure that personal information collected or disclosed is accurate, complete and up-to-date, and provide access to any individual to review information or correct wrong information about themselves
- take reasonable steps to protect all personal information from misuse and loss and from unauthorised access, modification or disclosure
- destroy or permanently de-identify personal information no longer needed and/or after legal requirements for retaining documents have expired.

Responsibilities for managing privacy

- All staff are responsible for the management of personal information to which they have access, and in the conduct of research, consultation or advocacy work.
- The Executive Director is responsible for content in JusticeNet publications, communications and web site and must ensure the following:
 - appropriate consent is obtained for the inclusion of any personal information about any individual including JusticeNet personnel
 - information being provided by other agencies or external individuals conforms to privacy principles
 - that the website contains a Privacy statement that makes clear the conditions of any collection of personal information from the public through their visit to the website.
- The Executive Director is responsible for safeguarding personal information relating to JusticeNet staff, Management Committee members, student volunteers, members and contractors.
- **The Privacy Contact Officer:** The Privacy Contact Officer will be the Executive Director (or where applicable a person nominated by the Executive Director to be the nominated Privacy Contact Officer). They will be responsible for:
 - ensuring that all staff are familiar with the Privacy Policy and administrative procedures for handling personal information
 - ensuring that clients and other relevant individuals are provided with information about their rights regarding privacy
 - handling any queries or complaint about a privacy issue

Privacy information for clients

At intake clients will be told what information is being collected, how personal information will be used and stored, how their privacy will be protected and their rights in relation to this

information. A client privacy policy will be attached to all client application forms and is annexed hereto (see Annexure A) and forms part of this Privacy Policy.

Privacy for interviews and personal discussions

To ensure privacy for clients or staff when discussing sensitive or personal matters, the organisation will conduct interviews or legal advice sessions in private interview rooms (where applicable).

DOCUMENTATION

Documents related to this policy	
Related policies	Code of Ethics and Conduct, Supervision of Legal Practice, Internal Grievance Complaints and Disputes
Forms, record keeping or other organisational documents	Client Application Forms Member/Volunteer Applications Forms

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Every two years	Executive Director	Management Committee

Policy review and version tracking			
Review	Date Approved	Approved by	Next Review Due
1	1 October 2019		
2			
3			

INDEXING

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ANNEXURE A – PRIVACY POLICY

JusticeNet SA (**JusticeNet**, '**we**', '**us**' or '**our**') recognises the importance of your privacy and understands your concerns about the security of your personal information. This privacy policy (**Policy**) describes generally how we collect, use, disclose and manage your personal information with a view to safeguarding your privacy.

At JusticeNet, we aim to make sure that:

- your privacy is protected when using our website, www.justicenet.org.au (**Website**), and services;
- any personal information we collect is up to date; and
- you are able to access your information if you wish.

You understand that by accessing and using our Website and / or services, we may collect, use, disclose and manage information that may identify you (including sensitive information) as set out in this Policy, and you consent and agree for your information to be so collected, used, disclosed and managed.

You should not access or use our Website or services if you do not consent and agree to the collection, use, disclosure and management of your information in accordance with this Policy.

Your personal and sensitive information

Your personal information refers to any information or opinion about you, whether in written form or otherwise, whether true or not, and from which you may reasonably be identified.

Sensitive information is a special subset of your personal information, and includes (but is not limited to) any information or opinion about your:

- race or ethnicity;
- gender;
- religious beliefs;
- membership of a political association, professional or trade association or trade union;
- health; and
- criminal record.

Collecting personal information about you

The kinds of information we collect and hold will ordinarily depend upon the information or services you request from us, and may include:

- any information you give us when you contact us, fill out a form or request a service from us, such as:
 - your name, address, email address, telephone number(s);
 - information about your race, languages spoken at home and any disability you have;

- information about your financial situation, such as bank statements, Centrelink or employer pay slips, Australian Tax Office information and any other financial information;
- information about any other legal matters you are or have been involved in; and
- information about you contained in any expert reports or opinions, such as medical reports;
- any information about any individuals we collect in the course of assessing your application and compiling a brief for referral;
- any information about third parties provided by you or collected from third parties, which is relevant to any matter you have with us; and

Use and disclosure of your personal information

Information we collect about you may be used by us:

- to answer your queries, process any applications you submit and supply you with any information or services you request;
- to contact you with information regarding our activities and opportunities we consider may be of interest to you;
- to compile statistics and undertake analytics to better understand the demographics of people who seek our services, and to improve access to, and the content of, our Website. We will de-identify any personal information before compiling such statistics;
- for reporting or other purposes incidental to the operation of our services. We will de-identify any personal information before using information for this purpose; and
- to undertake and improve our marketing activities;
- to enhance our services; and
- to comply with any applicable laws.

We may disclose information we collect about you to:

- any person you authorise us to disclose your information;
- any consultants and contractors who assist us in the provision of our services, and who are required to keep confidential your information and only to the extent such disclosure is reasonably necessary as determined by us; and
- law enforcement agencies, government agencies, regulators and other individuals and organisations, where we are permitted or required to do so by law.

We may also disclose non-personal information or personal information that has been de-identified publicly for reporting, lobbying and / or fundraising purposes; for example, when showing trends in the use of our services.

If you do not wish to provide us with certain information or for your information to be used for a particular purpose, you may contact us at by email admin@justicenet.org.au or by writing to the address below. This may, however, limit your ability to access our Website or services.

Storage and security of your information

At JusticeNet, all reasonable efforts are taken to ensure that any information about you is protected from misuse, loss, unauthorised access, modification or disclosure in any way other than in accordance with this policy. The information collected by us is securely stored either in electronic, cloud storage or hard copy form in files or computer systems for 7 years from the date the information was last updated. All JusticeNet

employees and volunteers are required, as part of their service, to treat any personal information they become aware of as highly confidential.

You understand that some of the cloud storage providers we use, such as Dropbox and Google Apps, may be located overseas, or have servers that are located overseas, in countries that may not be subject to a law or binding scheme that has the effect of protecting your information in the same manner required in Australia. In light of this, you acknowledge that while JusticeNet will take all reasonable efforts to keep your personal information secure, JusticeNet cannot guarantee the security of any information transmitted over the Internet or held in cloud storage, and you consent to JusticeNet storing your personal information (including sensitive information) via such mediums.

Access to your personal information

In most cases, you can gain access to personal information that we hold about you. We will handle requests for access to your personal information in accordance with this policy. We encourage all requests for access to your personal information to be directed to us by email admin@justicenet.org.au or by writing to the address below.

We will deal with all requests for access to personal information as quickly as possible. Requests for a large amount of information, or information which is not currently in use may require further time before a response can be given. In some cases, we may refuse to give you access to personal information we hold about you. This includes circumstances where giving you access:

- would be unlawful (for example, where a record which contains personal information about you is subject to a claim of legal professional privilege);
- would have an unreasonable impact on other people's privacy;
- would prejudice negotiations we are having with you;
- would prejudice an investigation of unlawful activity; or
- would prejudice activities carried out by, or for, a law enforcement agency.

If we refuse to give you access we will provide you with reasons for our refusal. We will never allow third parties access to information collected about them and any requests for dealing with third party information will be refused.

Keeping your information up to date

Generally, if you request us to do so we will amend any personal information about you held by us which is inaccurate, incomplete or out of date. If we disagree with your view about the accuracy, completeness or currency of a record of your personal information held by us, and you ask us to associate with that record a statement that you have a contrary view, we will take reasonable steps to do so.

Links to external websites

Our Website contains links to websites of individuals or organisations who may have provided financial assistance or support to us, or that we consider may be of assistance to you. We are not responsible for the content of or privacy practices of any such third parties or their websites.

Changes to our privacy policy

From time to time it may be necessary for us to review and revise our privacy policy. We reserve the right to change our privacy policy at any time. We may notify you about changes to this

privacy policy by posting an updated version on our website www.justicenet.org.au. We encourage you check our privacy page regularly to keep up-to-date with our privacy practices.

How to contact us

If you would like more information about the way we manage personal information which we hold about you, or are concerned that we may have breached your privacy and wish to make a complaint, please contact us by email, fax or mail at the following addresses:

- email: admin@justicenet.org.au
- post: Ligertwood Building, The University of Adelaide SA 5005
- facsimile: (08) 8313 0223

We will endeavour to respond to your enquiry as soon as possible.