

3.1 Client Privacy Policy

1. Introduction

Midland Information Debt and Legal Advocacy Service Inc. ('Midlas') ("we"/ "us"/ "our") recognises the importance of protecting the privacy of personal information. Midlas is committed to complying with the Australian Privacy Principles.

By visiting our website or otherwise dealing with us you agree to this policy and to the collection of your information by the website or otherwise and to the holding, use and disclosure of your information by us in accordance with this policy and the Australian Privacy Principles.

In this policy, personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable. Personal information may include sensitive information as defined in the *Privacy Act 1988* (Cth) for example, information about a person's racial or ethnic origin, sexual orientation or practices, criminal record or health information.

2. The kinds of personal information we collect and hold

The kinds of personal information we may collect and hold includes your name; contact information (such as your address, email address and phone number); date of birth; employment details; financial circumstances and any other information you choose to provide to us.

The kinds of sensitive information we collect and hold may include your: race or ethnic origin; health information including about your disability; and criminal record.

We also collect and store information about your visits to our website, through the use of technologies such as cookies, including: the domain name and IP address of the computer from which you access the internet, the date and time you access the website, the internet address of the website from which you linked directly to our website, the pages you access whilst visiting the website and your interactions with the website. If you set your internet web browser to block or limit technologies such as cookies, some features of our website may not work as efficiently or at all.

3. How we collect and hold your personal information

Where possible we will collect your personal information directly from you. We may collect personal information about you if you:

- enquire about our services or about becoming a client;
- explain your circumstances to us;
- become a client of Midlas;
- apply for a position with Midlas or agree to work for or with us;
- become a member of Midlas; or
- otherwise deal with us.

Under the Australian Privacy Principles, you have the option of not identifying yourself, or of using a pseudonym, when dealing with us unless: (i) Midlas is required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves; or (ii) it is impracticable for the Midlas to deal with you if you have not identified yourself or have used a pseudonym. Midlas anticipates that clients will have to identify themselves before information or services are provided.

We may also collect or receive information from third parties. We will not collect sensitive information from third parties without your consent. For other personal information it is

presumed that you have provided your consent for the third party to provide us with the information. In the case of clients these third parties may include:

- the other party or parties to litigation or to a dispute;
- a client's guardian or carer;
- a family violence service;
- court and tribunal services;
- banks or financial institutions;
- credit card providers;
- credit services providers;
- disability services providers;
- insurance providers;
- utility providers including electricity and gas providers;
- telephone services providers;
- landlords and their agents; and
- government departments.

If we receive unsolicited personal information about you, we will only retain that information if we could have collected it in accordance with the Australian Privacy Principles.

Midlas takes steps to ensure the security of personal information and to manage risks.

These measures include:

- password protection of all computers;
- files are stored in a lockable filing cabinet;
- monitoring of internal workers;
- external auditing; and
- external cross checks by other Community Legal Centres.

All personal information is de-identified, deleted or destroyed securely when no longer required by us.

4. Why we collect and hold your personal information

We will only collect and hold your personal information where it is reasonably necessary to enable us to carry on our business or provide services to you. If you do not provide this information it may not be possible for us to carry on business or interact with you or to provide you with the services that you require.

5. Why we use and disclose your personal information

We will only use and disclose your personal information in accordance with the Australian Privacy Principles and this policy. We do not give out any of your personal information to third parties except as required or authorised by law and as set out below.

We reserve the right to disclose personal information when we believe disclosure is appropriate in order to:

- comply with the law;
- enforce our rights under any agreement we may have with you; or to
- protect the rights, property or safety of Midlas, its customers and other third parties.

We may use or disclose your personal information for the purposes for which it is provided including:

- to provide services to you;
- to provide information to you and to enable you to resolve your issues;
- to manage your rights and obligations;
- to process and maintain membership records; and
- to process any job application submitted by you.

We may also use or disclose your personal information for related purposes including:

- to satisfy regulatory requirements;
- to carry out administrative tasks;
- to conduct research in order to identify and analyse the ongoing needs of clients and the community in the north east region of Perth, Western Australia and Australia;
- to satisfy the requirements of the National Association of Community Legal Centre and the Community Legal Centres' Association (WA) of which Midlas is a member. These organisations require us to undergo annual cross checks for the purpose of compliance. Personal information from your file may be reviewed as part of the annual cross check; and
- to satisfy the requirements of the Commonwealth and State Government as well as other charitable institutions from whom Midlas receives grants. Midlas has reporting and audit requirements to these organisations. Your file may be reviewed to ensure compliance or personal information from your file may be used as part of the reporting requirements of these entities.

Midlas may use or disclose your personal information to third parties as set out above and to other third parties including our agents, contractors and service providers, insurers, advisors, your agents and other entities (some of whom may be overseas).

6. How you can access your personal information and correct it

You have the right to request access to your personal information. You also have the right to request that your personal information be corrected, completed, made accurate or removed from our records (subject to any exemptions which may be applicable under the relevant privacy laws). In certain circumstances we might not allow you access to your personal information. These circumstances include, where:

- it would have an unreasonable impact on the privacy of others; and
- where we are required by law not to disclose the information.

If you believe that any information that we hold about you is inaccurate or out of date, please contact us and we will review and update the relevant information.

Please see Contact Details for requesting access to, or correction of, your personal information. We will respond to any request for access to or correction of personal information within 21 days. If we refuse or limit your request, we will explain why we have done so.

7. Privacy complaints and enquiries

If you have a complaint or enquiry about the treatment of your personal information, please let us know. Please see Contact Details for making a complaint or enquiry. It would assist us if you could indicate that you are making a privacy complaint or privacy enquiry. We will investigate the matter and respond within 21 days setting out the steps we will take to resolve your concerns. If you are not satisfied with the outcome you may ask the Australian Information Commissioner (Oaic) to investigate your complaint. Further information on the Oaic complaint process is available at www.oaic.gov.au.

8. Contact details

For privacy complaints or any enquiries about your personal information please contact our Chief Executive Officer in writing at Midlas, 23 Old Great Northern Hwy, MIDLAND WA 6056 or PO Box 5002 Centrepont Post Office, MIDLAND WA 6056.

This policy was last updated in August 2019. If we change this policy, we will post the updated policy on our website.

3.4 Client Privacy Policy Endorsement

Frequency	Responsibility	Ratified	Next Review
4 yearly	Board	August 2019	August 2023