

PRIVACY POLICY

Version: February 2023

This Privacy Policy explains how the Auckland Community Law Centre (“ACLC”) collects, uses, stores, shares, discloses and otherwise handles personal information in accordance with the New Zealand Information Privacy Principles (“**the Privacy Principles**”) which are contained in the Privacy Act 2020.

For purposes of this Policy, “personal information” means information about an identifiable individual.

If you have any questions or feedback about this Policy or the way in which ACLC handles personal information you can contact us using the details below. You can also request a hard copy of this Policy using the details below.

Contacting Us

Privacy Officer
Auckland Community Law Centre
Mail: PO Box 3137, Shortland Street, Auckland City
Email: info@aclc.org.nz
Telephone: (09) 377 9449

Types of information ACLC may collect

The types of personal information that we collect about you will depend on the type of dealings you have with us. For example, if you:

1. **seek legal assistance**, we may collect your name, contact details, details of your guardian (if applicable), financial details (if necessary to confirm your eligibility for our services), information about your circumstances, and information about the matter you are seeking assistance with.
2. **provide legal assistance to our clients**, we may collect your name, organisation and contact details.
3. **become a volunteer**, we may collect your name, contact details and confirm whether you are a student.
4. **make a donation to ACLC**, we may collect your name, organisation, contact details, the amount of your donation and payment details.
5. **attend a professional development or training program or attend another ACLC event**, we may collect your name, organisation, contact details, payment details (if applicable) and any dietary and accessibility requirements.
6. **participate in our surveys**, we may collect your name, organisation contact details and your survey responses.

7. **send us an enquiry**, we may collect your name, contact details, information about your circumstances and details of your query.
8. **make a complaint**, we may collect your name, contact details, the details of your complaint, information collected in any investigation of the matter and details of the resolution of the complaint.
9. **apply for a role as an employee or contractor at ACLC**, we may collect the information you include in your application, including your cover letter, resume, contact details and referee reports.

The protection of personal information

Some personal information recorded is private and subject to the requirements of Privacy Principles. This includes information relating to racial or ethnic origin, health and welfare information (including mental health information and information about a disability), substance abuse, genetic information and whether or not you have a criminal record.

We may collect your personal information from you when the collection is necessary for a lawful purpose for us to carry out one or more of our functions or activities. Personal information is generally relevant to an assessment of whether a person is eligible for our legal services and is relevant for the delivery of legal services.

Example – financial and legal merit eligibility assessment

For many of our legal services for individuals, the personal situations of the individual are relevant to assessing whether that person falls within the financial and legal merit eligibility criteria of that service. These services will need to collect information that is relevant to the eligibility criteria to make an assessment about whether a person is eligible to receive legal assistance.

What if you don't provide us with your personal information?

In some circumstances we allow individuals the option of not identifying themselves, or of using a pseudonym, when dealing with us (for example, when viewing our website or making general phone queries).

The nature of the business carried on by ACLC means that, generally, it is not possible for us to provide services to our clients in an anonymous way.

How do we collect personal information?

We collect personal information by lawful means in a number of ways, including:

- when you correspond with us (for example by telephone, letter, email)
- on hard copy forms
- in person (for example at job interviews and where we meet with a client to take instructions)
- at events and seminars
- from third parties who are referring you to us for assistance with your consent, such as other Community Law Centres, Citizens Advice Bureau, Women's Refuge or other agencies.

Why do we collect personal information?

The main purposes for which we collect, hold, use, share and disclose personal information are as follows:

1. Providing free legal services

- assessing whether clients meet our eligibility criteria
- determining whether clients have any special requirements, such as an interpreter or disability assistance
- endeavouring to arrange for the provision of legal and non-legal assistance to eligible clients
- referring clients to external lawyers where the lawyer has agreed to provide assistance
- referring clients to other external organisations where the organisation is better suited to provide assistance
- Reporting case work numbers and demographics as part of our reporting obligations to the Ministry of Justice

2. Advocacy and law reform

- carrying out law reform and policy work
- promoting ACLC and its activities, including through events and seminars
- conducting and participating in research and statistical analysis relevant to ACLC's activities
- preparing client stories for use in advocacy and law reform work and in publications (clients will not be individually identified without their consent)

3. Education, information and outreach

- providing legal information or resources
- running professional development programs for lawyers
- running community training programs about the law

- outreach activities, including community-based activities and online campaigns to promote our services

4. Fundraising

- seeking funding and donations
- organising fundraising events
- reporting to funding providers

5. General administration

- recruiting staff, contractors and volunteers
- answering queries and resolving complaints
- evaluating our work and reporting externally

6. Direct marketing

Direct marketing is the promotion of goods and services directly to you including through emails, SMS, phone calls and the post. We will only send you direct marketing materials if you would reasonably expect to receive them or you have consented. If it is impractical to gain your consent, we will always provide a simple means for you to request not to receive the material (“opting out”). We will not use your personal information for the purposes of direct marketing unless you have given us prior consent.

Opting out

You can opt out of receiving marketing communications from us by:

- advising us if you receive a marketing call that you no longer wish to receive these calls;
- contacting us by email at info@aclc.org.nz or by phone on (09) 377 9449

Who do we disclose your personal information to?

The nature of the services provided by ACLC means that it may be necessary for us to disclose your personal information to other parties. We will ordinarily let you know who we will disclose your personal information to when we collect the information from you (unless there are practical reasons for not informing you).

Common third parties we might need to disclose your personal information to include:

- external legal providers that give legal assistance to our clients
- Other Community Law Centres (with your consent)
- Citizens Advice Bureau, Women’s Refuge (with your consent)



- other community legal service providers (with your consent)
- health and social service providers (with your consent)
- our funding providers (although personal information will only be provided with consent)
- referees whose details are provided to us by job applicants
- our contracted service providers which include:
 - information technology service providers
 - conference, function and training organisers
 - marketing, communications and research agencies
 - freight and courier services
 - printers and distributors of direct marketing material
 - external business advisers (such as recruitment advisors, auditors and lawyers)
 - a court (for obtaining copies of documents relevant to your matter)

In the case of these contracted service providers, we may disclose personal information to the service provider and the service provider may in turn provide us with personal information collected from you in the course of providing the relevant products or services.

Storage and security of the information we hold

We hold personal information in electronic format and, in some cases, also in hard copy.

Paper files are stored in secure boxes onsite. They may also be archived in boxes and stored offsite in secure facilities. Copies of your documents will remain on your file with us for no longer than necessary and will generally be kept for seven (7) years after the date that your file has been closed. The security of your personal information is important to us and we use the recommended industry standards when storing and dealing with your personal information.

The steps we take to secure personal information against loss, access, use or unauthorised disclosure include:

- website protection measures (such as encryption, firewalls and anti-virus software)
- access restrictions to our computer systems (such as login and password protection)
- restricted access to our office premises
- staff training and implementation of workplace policies and procedures that cover access, storage and security of information

Third party websites

Links to third party websites that are not operated or controlled by ACLC are provided for your convenience. ACLC is not responsible for the privacy or security practices of those websites. Third party websites should have their own privacy and security policies, which we encourage you to read before supplying any personal information to them.

Access and correction of personal information

We will take reasonable steps to provide you with **access** to your personal information. We may however charge a fee to cover our reasonable costs of locating the information and providing it to you. We will take reasonable steps to correct your personal information if we are satisfied that it is inaccurate, out of date, incomplete, irrelevant or misleading. If we have provided your personal information to third parties we will also notify them of the correction if you ask us to do so, unless it is impracticable or unlawful. Requests to access and correct your information should be made by email, post or phone using the details provided under the “Contacting Us” heading. Note that we will need to verify your identity before processing your request. We will endeavour to respond to your request within 30 days. If we do not agree with your request to access or correct your information, we will provide you with written reasons for our decision and available complaint mechanisms.

Notifiable privacy breaches

We are required to notify the Office of the Privacy Commissioner and the affected individual(s) as soon as practicable after becoming aware of a notifiable privacy breach, or give public notice if we are unable to notify the affected individual(s).

Complaints

If you have a complaint about how ACLC has collected or handled your personal information, please contact our Privacy Officer using the details provided under the heading “Contacting Us.”

We will endeavour to respond to your complaint within 30 days of receipt. Complex cases may take longer to resolve but we will keep you updated on the progress of your complaint.

If you are unhappy with our response, you can refer your complaint to the Office of the Privacy Commissioner.