



kimberley community
legal services

PRIVACY POLICY



Privacy Policy

Reference number	ORG-009
Approval date	March 2023
Policy owner	Chief Executive Officer
Next review	March 2025

KCLS is committed to protecting the privacy of personal information which the organisation collects, holds and administers. Personal information is information which directly or indirectly identifies a person.

1. Purpose

The Privacy Policy (Policy) recognises the importance to KCLS of protecting your privacy, and the commitment to uphold KCLS' responsibilities under the Privacy Act 1988 and the Australian Privacy Principles. This Policy sets out what personal information KCLS gathers and how it is used.

2. Scope

This Policy applies to all KCLS Board members, employees, interns, and volunteers, unless otherwise specified.

3. Policy Provisions

3.1. Responsibilities

The CEO is responsible for keeping this Policy up to date, through continuous review affected by changes in government policy, laws, technology, funding sources, employment, operations, or any other relevant issues.

The CEO will conduct an annual review of KCLS' organisation behavioural systems as part of KCLS overall compliance system, that may result in recommended changes.

This Policy, as amended, will be made available electronically to employees, the Board and relevant service providers.

3.2. Review Procedures

This Policy is to be reviewed by the CEO every two years and submitted to the Board for approval.

4. Policy Implementation

What is "Personal Information"?

"Personal information" is information that identifies or can be used to identify an individual, whether the information is true or not and regardless of how it is collected.

Examples of personal information include a person's contact details, their ethnicity, political or religious affiliations or beliefs, memberships, and health and criminal records.



Personal Information Collection

KCLS collects personal information to:

- Deliver legal and support services to our clients.
- Comply with legal and contractual obligations, such as requirements by government funding bodies to report information.
- Provide information and engage with our members and supporters.
- Participate in collaborative advocacy and reform projects.
- Operate our service generally, for example by having employees, operating accounts, and collaborating with other organisations.

The types of personal information that KCLS collects include:

- Information for identification purposes, such as names, dates of birth, driver's license numbers and contact details (including address, phone numbers and email addresses).
- Information about our clients needed to assess eligibility for our services and to deliver those services. This includes a wide range of information including, depending on the client's circumstances, demographic, and family details, living arrangements, financial and health details, bank accounts and Centrelink details, and facts related to the client's legal matter and / or support needs. All information about our client's is kept strictly confidential and is covered by our professional duty as a legal practice to maintain confidentiality for our clients.
- Information about employees, volunteers and others involved in our organisation and operations. This may include, for instance, information needed for payroll, other human resource records, and personal contact information.
- Information about donors and supporters, including contact details and banking / credit card details. All payment card details are handled in strict compliance with the Payment Card Industry Data Security Standard.

Some of this information is highly sensitive, such as details about court proceedings or health and financial records. We only collect this information with your consent and will only use this information for the reasons we have explained.

You may choose not to provide us with personal information. However, without all the information we need, we may not be able to provide you with the full range of services you require or are eligible for.

We may send you direct marketing communications and information about the work we do. This may be done by telephone, post, email, or SMS. We will endeavour to use the method that you most prefer, and, at any time, you may opt-out of receiving marketing materials by contacting us.

Collection Process

We generally collect your personal information from you directly, for example, when you fill in an application form or when we meet with you. Sometimes it may be necessary for us to collect your personal information from a third party, for example, from Centrelink or a support agency, or from external organisations that assist us with fundraising. We will always seek a client's consent before collecting information from third parties.

We may also collect personal information about you from your use of our websites and information you provide to us through online requests, surveys, petitions, or other online platforms.

In some cases, we may collect information electronically using cookies, for example, when providing online services or for website or survey analytics. A cookie is a short piece of data which is sent from a web server to a web browser on the user's machine when the browser visits the website and is stored on the user's machine. The information collected by these cookies is not capable of identifying you. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.



Holding Personal Information

We may store your personal information in hard copy or electronic format, in storage facilities that we own and operate ourselves, or that are owned and operated by third parties. We take all reasonable measures to ensure the privacy and security of your information, including physical and technical security controls, such as locks, passwords, and restricted access.

When your personal information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your personal information. However, most of the information stored in client files will be kept by us for a minimum of 7 years in line with current legislation.

Disclosing Personal Information

We may share your personal information to others in the following circumstances:

- When you as a client has provided consent for information to be shared, such as to support agencies, someone representing you, because you have applied for some service or benefit, or in the process of legal proceedings.
- When we are required to do so by law.
- Where you have consented to the disclosure.
- When we have strong reason to believe that you or another person is in serious and imminent harm.
- When necessary for the purpose for which the information was collected - for example, providing your information to a financial institution where necessary to process a donation you have agreed to make to us.

When we do share your personal information, we will endeavour to ensure that the recipients are under an obligation to maintain the confidentiality of that information as appropriate.

We will not provide your personal information to other organisations for the purposes of direct marketing for other organisations.

Accessing Your Personal Information

You may request access the personal information that we hold about you and correct any errors by contacting us. We will respond to your request in a timely manner, no later than 30 days after the request is made. In some cases, we may be legally obliged to restrict access. We will not charge a fee for responding to a request to access your personal information.

We will take reasonable steps to make sure that your personal information is accurate and up to date. If you find that any information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records.

Privacy Complaints

If you have a privacy complaint, you may contact us directly and the matter will be responded to promptly. You are also able to lodge a complaint with the Office of the Australian Information Commissioner (www.oaic.gov.au).

5. Legislative Context

Payment Card Industry Data Security Standard

6. Definitions

Term	Definition
CEO	Chief Executive Officer



KCLS	Kimberley Community Legal Services Incorporated
N/A	Not Applicable
SMS	Short Message Service

7. Revision History

Version	Date	Authorised	Note
1	April 2014	Board	Updated
2	January 2018	Board	Updated
3	Mid 2020	N/A	Reviewed
4	March 2023	Chief Executive Officer	Updated

