

## **Waitematā Community Law Centre respects your privacy.**

Your privacy is important to Waitematā Community Law Centre. We are committed to protecting the personal information we may collect from time to time.

This Privacy Policy sets out how we collect, use, store and disclose the personal information (as defined in the Privacy Act 2020 – "Privacy Act") that you provide, or authorise others to provide to us, and to assist you to make informed decisions when using our services. You will also find information about how to contact us if you have any questions about privacy issues, including how to update or access your personal information or make a complaint.

By providing your personal information to us, you consent to our collection, storage, use and disclosure of your personal information in accordance with this policy.

We may change this policy from time to time and we will inform you of changes via our web site and newsletters.

### **What information do we collect?**

The personal information we collect will include your name, address, telephone number, e-mail address, gender, date of birth and other personal information you knowingly choose to disclose or authorise others to disclose to us for the purpose of providing legal advice and education or as supplied to enable us to carry out our business.

Any personal information we collect about you will be dealt with in accordance with this policy, unless we tell you that it will be dealt with in a more limited way on a particular form or website.

### **How and why, we collect information?**

We only collect information we consider necessary for our business activities. The information is provided to us by you, another person or organisation that you authorise to disclose information to us, or a party acting on your behalf for the purpose of:

- Considering and processing applications;
- Enabling us to assist you with any legal issue you come to us with (keeping in mind that lawyers are subject to the duty of lawyer-client privilege);
- Communication between us, including without limitation, by letter, telephone, e-mail, electronic means including via our website or social media, and the submission of forms and applications.
- Applying to us for employment.
- Meeting your obligations to us and our obligations to you.

### **What we do with the information we gather**

We use the information to understand and service your needs as well as meet our obligations, and in particular for the following reasons:

- To identify you so that we do not release or use your information inappropriately.
- To communicate with you or your authorised representative about any dealings we are having or may wish to have.
- To provide you with information about events and services.
- To carry out activities connected with the running of our business.
- To complete administrative transactions such as record keeping and the processing of payments.
- To assess any application, you may make to us.
- To navigate you towards any social services that may be requested.
- To improve the services, we provide to you.
- To contact you when we are doing research.
- To carry out functions associated with the performance of our business services such as induction or training, and to fulfil our obligations as an employer.
- Any other purpose that we may notify you of from time to time.

### **We may share your information.**

Your personal information will not be sold, traded, rented or otherwise provided to others without your consent. This information will only be shared in line with the requirements of the Privacy Act 2020.

In specific circumstances, some Privacy Act requirements may be limited or overridden by other legislation, usually where there is an overriding public interest factor (for example, the Oranga Tamariki Act 1989 and the Family Violence Act 2018). In addition, to enable us to conduct our business for your benefit, it may be necessary for us to share your information from time to time with:

- Any person where the information is already in the public domain.
- A person or service provider engaged by Waitemata Community Law Centre for the purpose of providing services to you, or on your behalf.
- Any third party where we are obliged by law to provide information.
- Any other party you have authorised us to provide your private information to.
- Any person dealing with a situation integral to your wellbeing in circumstances where you are not capable of providing the information yourself, including without limitation, medical emergencies.
- Any agency assisting us with the investigation or prevention of criminal activity including fraud.
- Any agency assisting us in monitoring the safety and security of our service.
- Any agency providing information about you as part of our assessment of your suitability for employment, including without limitation, the New Zealand Police.
- Other persons or organisations that we may notify you about from time to time.
- While others may have access to your personal information needed to perform and provide services, we will not authorise them to use your personal information for any purpose that is inconsistent with this policy.

### **What if you choose not to provide your personal information to us?**

Providing your personal information will always be optional for you. However, some services may not be available to you if you choose not to provide it.

The consequences of failing or refusing to provide personal information might be:

- An inability to assess your application for any services that you are applying for, or deliver services,
- Not being able to adequately respond to your correspondence, process payments or otherwise effectively administer our business and carry out our commercial obligations.
- Failure to provide information to you.
- Failure to meet the expectations we both have for the delivery of services, including those services that may be integral to your wellbeing.
- Not being able to consider your application for employment.

### **Email and other electronic communications**

We are committed to full compliance with the Unsolicited Electronic Messages Act 2007.

You may have the option to subscribe to certain promotional and marketing email and/or text communications. By subscribing to our email and/or text communications, or otherwise providing us with your email address and/or mobile number, you consent to receiving emails and/or texts (as the case may be) which promote and market our products and services, or the products and services of others, from time to time.

You can opt out of those communications at any stage by utilizing the corresponding "unsubscribe" facility. Once you have unsubscribed from our email or text communications, we will remove you from the corresponding marketing list as soon as is reasonably practicable.

### **Security and accuracy**

We are committed to ensuring that your information is secure. In order to avoid unauthorized access, modification or disclosure we have put in place suitable physical, electronic and organisational procedures to safeguard and secure the private information we collect.

We take all reasonable steps necessary to ensure that the information we record is accurate.

### **Privacy breach**

In the unlikely event that we become aware of a privacy breach resulting in unauthorised or accidental access to, or disclosure, alteration, loss or destruction of, personal information held by us, we are required to follow the procedures in the Privacy Act 2020 to assess whether the breach is a "notifiable privacy breach". This may also arise if we are prevented from accessing the personal information held by us on a permanent or temporary basis. If the breach is determined to be a notifiable privacy breach, we will ensure that we:

- notify the Privacy Commissioner as soon as practicable after we become aware that the breach has occurred; and
- notify any affected individuals as soon as practicable, unless we are not required to under the exceptions at section 120 of the Privacy Act.

A privacy breach is considered to be a notifiable privacy breach if it is reasonable to believe it has caused, or is likely to cause, harm to an affected individual, taking into account (for example):

- any action taken by us to reduce the risk of harm following the breach.
- whether the personal information is sensitive in nature.
- the nature of the harm that may be caused to the affected individuals.
- the person or body that has obtained or may obtain personal information as a result of the breach; and
- whether the personal information is protected by a security measure.

If you become aware of a privacy breach, whether or not you consider it is notifiable or not, please contact the Privacy Officer immediately. The Privacy Officer can be contacted using the details provided below.

### **Accessing and correcting your personal information**

You may obtain confirmation from us as to whether or not we hold personal information about you. You may request details of the personal information we hold about you and request that any inaccurate information is removed or corrected, subject to any exceptions set out in the Privacy Act. You can make changes to your personal information by contacting us using the details provided below:

**Phone:** 00 835 2130

**Mail:** 1 Trading Place, Henderson. AUCKLAND 0612

**Email:** [feedback@waitematalaw.org.nz](mailto:feedback@waitematalaw.org.nz)

We will respond to you as soon as practicable following receipt of such request but will not provide you with information unless we can establish evidence of identity and entitlement, and we may charge a fee to collate and provide the information requested.

### **How do you make a complaint?**

We take your concerns seriously. If you have any concerns about privacy or the use or collection of your personal information by Waitemata Community Law Centre please email us at [feedback@waitematalaw.org.nz](mailto:feedback@waitematalaw.org.nz) and include the words 'FOR THE ATTENTION OF THE PRIVACY OFFICER' or call us on **09 835 2130**.

We will respond as quickly as possible (our target response time to acknowledgement the complaint is two working days) and handle all complaints in a way that is fair and consistent.

However, if you remain dissatisfied, you can also make a formal complaint with the regulator responsible for privacy in New Zealand:

### **Office of the Privacy Commissioner**

#### **Complaints may be made:**

**Phone:** 0800 803 909

**Mail:** Office of the Privacy Commissioner, PO Box

10094, Wellington 6143

**Email:** [enquiries@privacy.org.nz](mailto:enquiries@privacy.org.nz)

Online: <https://www.privacy.org.nz/your-rights/making-a-complaint/complaint-self-assessment/>

### **How long do we hold personal information?**

Personal information is held amongst our current or archived records for as long as it is administratively necessary to do so, or for as long as prescribed by statute, including the Public Records Act 2005.

### **Policy changes**

It may become necessary for us to update the terms of this policy. Your continuing relationship with us following any updates constitutes acceptance of this policy as amended. We recommend that you check back from time to time to make sure you are aware of any updates. If you do not agree to any updated terms from time to time, you must immediately cease using any of our services.

This Privacy Policy was last updated on 13 Oct 2023