# Auckland Disability Law Privacy Policy

# 1. Purpose

Auckland Disability Law (ADL) designed ourPrivacy Policy to explain how we treat confidential information. ADL will receive and have personal and private information about clients. ADL wants to make sure that legal and sensitive information is well-protected.

# 2. Scope

This policy applies to all ADL governance members, employees, contractors and volunteers, who may have access to confidential information.

As part of this policy ADL must have at least one privacy officer. This is currently part of the General Manager’s role.

# 3. ADL Code of Ethics

ADL will comply at all times with Ethic 3 and Ethic 4 from the ADL Code of Ethics.

## Ethic 3:

We will not breach confidentiality and will not disclose information given to us without prior consent, unless it is information that is:

* About a proposed crime where someone may be harmed; or
* Required by law or a court; or
* Needed to defend ourselves against a person’s allegation of negligence, malpractice, misconduct, or a crime; or
* Required by the Law Society’s Rules of Conduct and Client Care for Lawyers.

Explanation of The Law Societies Rules of Conduct and Client Care.

There are special rules for lawyers. These rules are called the Rules of Conduct and Client Care for Lawyers. Lawyers must follow these Rules.

The Rules say that lawyers must normally keep secret the information from clients (unless a client says to share it).

* But, in rare cases, the Rules say that lawyers must share information from clients with others.

## Ethic 4:

We will comply with the wish of any disabled person who has approached us for advice or help to remain anonymous except where this is not possible because of Ethic 3.

# 4. Collection of Information

ADL collects personal information from all persons and/or groups that engage with ADL.

Persons and/or groups engage with ADL for:

* Information about our Services
* Legal Representation
* Legal Advice
* Legal Assistance
* Legal Information
* Law-Related Education
* Law Reform
* Employment, Volunteering, or Contracts for Service

# 5. Personal information we may collect

The personal information we collect for these services from you may include:

* Your name and contact details;
* Relevant information about your health, disability and accessibility needs;
* Your written, visual and verbal communications with us;
* Attendance at our education sessions and other community engagements;
* Approval for email or marketing communication;
* Information relevant to an inquiry about volunteering you make to us (i.e.: academic record, criminal record check).
* Information relevant to an employment application you make to us. i.e. academic record, work history, criminal record check and practising certificate.
* Information relevant to a Contract for Service or potential Contract for Service to which ADL is a party.

# 6. Use of Information

ADL collects the personal information from persons and/or groups for the following purposes:

* To ensure that services provided are meeting your legal needs;
* To carry out conflict checks and due diligence;
* For marketing and promotion;
* To assist ADL with its strategic planning;
* To assist us with preparing potential funding proposals;
* To provide actual statistical data as part of accountability reporting to funders; and
* To contact you.

# 7. Sharing of Information

ADL will only share your personal information:

* Where you have authorised us to, unless required by law or by the Law Society’s Rules of Conduct and Client Care for Lawyers .
* Where you are not identifiable i.e. when we are reporting to funders or providing feedback for law reform, or answering surveys.

# 8. Processes

## Confidential information:

ADL uses multi-factor authentication for online information.

## All employees will:

* Lock or secure confidential information at all times;
* Ensure where possible all client information on computer drives is anonymised;
* Only share information to other employees when it is necessary and authorised;
* Keep confidential documents inside ADL premises unless it is absolutely necessary to move it;
* Ask for authorisation from the Privacy Officer to allow employees to access certain confidential information.

## Employees will not:

* Use confidential information for any personal benefit or profit;
* Share confidential information to anyone outside of our law firm, except in accordance with Clause 7;
* Copy confidential documents and files;
* Store confidential information on insecure devices;

# 9. Termination of employment

When employees stop working for ADL, they must return any confidential files and delete them from their personal devices.

# 10. Retention of Documents

ADL will not keep original documents belonging to a client on a client file. If ADL is provided with original documents at any stage by the client these must be either returned to the client immediately or dealt with as instructed by the client immediately, but not be retained by ADL.

Principle 9 of the Privacy Act 2020 says that personal information should not be kept for longer than is required for the purposes for which it can be lawfully used.

# 11. Access to and Correction of Information

Under the Privacy Act 2020 you have the right to request access to and correction of, any personal information that we hold about you. If you want to make a request, please contact ADL’s Privacy Officer, [Geraldine.lewis@adl.org.nz](mailto:Geraldine.lewis@adl.org.nz)

If you have any questions about privacy, please contact ADL’s Privacy Officer, [geraldine.lewis@adl.org.nz](mailto:geraldine.lewis@adl.org.nz). You can also go to the Privacy Commissioner’s website at <https://www.privacy.org.nz>.

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**Chairperson:** Clive Lansink

**Date:** \_19 June 2023