

## PRIVACY POLICY

Counsel's Chambers Limited ABN 72 000 111 302 (Collectively CCL, "we", "us" or "our") understands that privacy is an important individual right. Privacy is important to our own business and the businesses of our members. This policy sets out how we collect, maintain and store personal information. We are also bound to comply with the Australian Privacy Principles as stated in the *Privacy Act 1988 (Cth)* and the Health Privacy Principles under the *Health Records and Information Act 2002 (NSW)* and any health privacy code of practice or provisions of Part 4 of that Act that is applicable to CCL.

### COLLECTION OF PERSONAL INFORMATION

We only collect personal information where it is necessary for our business purposes or if there is a legal requirement for us to do so. The types of personal information that CCL collects will depend on the nature of your dealings with us. We will take reasonable steps to ensure that you know why we are collecting your personal information, what we use it for, to whom we may disclose it and how you can access it to ensure it is accurate and up to date.

We may collect information from a variety of sources, such as directly from you when you correspond with us, when you use our website or other resources, when you apply for membership with us, when you advertise on our website, when you use our services, when you engage with us in respect of the use of the NSW Bar Dispute Resolution Centre or when you apply for a position of employment with us.

CCL also collects personal information from or about its employees, contractors, sub-contractors and volunteers which will at all times be handled in accordance with Australian Privacy Principles or any other applicable code of practice or legislative provision or regulation from time to time.

We own and operate a number of closed circuit television (CCTV) surveillance cameras. In addition, CCL operates and maintains CCTV surveillance cameras which have been acquired by a number of floors independently of CCL.

All footage recorded by all of the CCTV cameras operated by CCL is managed by CCL. It is CCL's policy to delete all recorded footage after 30 days.

CCL is committed to providing a safe working environment. The CCTV cameras we operate record observations of the premises and surroundings of the workplace which CCL operates. This is the primary reason for CCL collecting and storing CCTV data.

CCL monitors the activities of occupants, employees, visitors, contractors and other persons within the range of each of the respective CCTV cameras and collects information from these CCTV cameras for a number of additional reasons including:

- (a) ensuring the safety of occupants, visitors, contractors and other persons in the buildings in which the CCTV cameras are located;
- (b) providing a swift response to incidents within and nearby to our premises;
- (c) assisting with the clarification of legal liability in the case of a legal action;
- (d) preventing or reducing theft and damage to property; and

- (e) allaying public concern about safety.

Contained within this CCTV data will be personal information of the individuals recorded. This personal information will be dealt with in accordance with this Privacy Policy and any other policy specific to CCTV information which CCL decides to implement with respect to the information collected from the cameras and stored by CCL.

By the floors agreeing to CCL servicing and storing the data from these cameras, the floors agree to be bound by this Privacy Policy and any other policy specific to CCTV information which CCL decides to implement with respect to the information collected from the cameras and stored by CCL.

We may request the following personal information from you, (including but not limited to the following information):

- Your full name, any alias, gender, address, phone number(s) and other contact information;
- Your qualifications and memberships;
- Your date of birth;
- Your email address;
- Details of your financial institution for billing purposes or payment or wages and salaries or accounts; and
- Your work history.

We will endeavour to collect all personal information directly from you. However, from time to time, we may also collect personal information from other sources with your permission, such as from your nominated representative or third parties such as government departments, recruitment agencies, your referees or previous employers. If you choose not to provide us with information we reasonably request, we may be unable to consider your application for membership or employment or to provide our services.

## SENSITIVE INFORMATION

With your prior consent, we may collect your sensitive information (such as information relating to your health, ethnicity or sexual orientation) where collection is reasonably necessary for the provision of our services.

We may not obtain your prior consent where the collection of your sensitive information is required or authorised by or under an Australian law or a court/tribunal order or where it is unreasonable or impractical to do so.

If it is unreasonable or impractical for CCL to obtain your consent to the collection, use or disclosure of your personal information and CCL reasonably believes that such collection, use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or public health or safety then it is not required to comply with certain parts of either Australian Privacy Principles 3 (your consent to collect information) and 6 (your consent to use or disclosure of information) and Health Privacy Policy 10 (use or disclose of information for a secondary purpose).

However, if we need to collect sensitive information in other circumstances, then we will obtain your written consent.

## SENSITIVE INFORMATION RELATING TO COVID-19

CCL will deal with the collection of 'Sensitive Information relating to COVID-19' pursuant to the following conditions:

- (a) A person's vaccination status is considered sensitive health information under the Privacy Act 1988 (Cth) and higher privacy protections apply.
- (b) CCL only intends to collect the minimum amount of personal information as to a person's vaccination status necessary to maintain a safe workplace and prevent and manage COVID-19 and to ensure the health and safety of its employees, contractors, members, licensees and other members of the public who attend CCL's premises
- (c) Current knowledge of all available and current public health advice will be applied in directing any consideration of what constitutes necessary information and any protection and management required.
- (d) CCL will only collect vaccination status information if a person consents, unless an exemption applies, and the collection is reasonably necessary for the work, health and safety functions and activities of CCL. It is the responsibility of Floors and Members who engage contractors directly to make their own arrangements with their contractors to ensure that appropriate consent is obtained and that the vaccination status can be provided to CCL prior to any contractor requiring entry to any property owned and managed by CCL.
- (e) Consent of each person must be freely given and constitute valid consent, after each person acknowledges and agrees that the person:
  - i. understands the need for and use of the information, namely the safety and protection of all persons who work in CCL's offices being a very small area of the workplace, and occupants and visitors in and about Chambers' buildings; and
  - ii. has been provided with a genuine opportunity to provide or withhold consent without feeling any pressure resulting from any perceived imbalance of power.
- (f) CCL must advise persons how the information is to be collected will be handled. One exemption to CCL obtaining consent is where the information required or authorised by law, such as a specific requirement of a health notice or order or direction.
- (g) CCL will only disclose the vaccination status of a person on a "need to know" basis only.
- (h) CCL will take reasonable steps to keep such information up to date and secure.

## USE AND DISCLOSURE OF PERSONAL INFORMATION

CCL uses the personal information it collects for the purposes of providing member services and for the effective operations of its business. This includes, but is not limited to using the information to:

- Provide and market our services including services for our members and the conduct of the NSW Bar Dispute Resolution Centre
- Enable contact and lawfully liaise with ours and your consultants, accountants, financial advisers, contractors and the like
- Provide data to government agencies as required by state and federal law or comply with an Australian Court or Tribunal Order

- Undertake employee selection, recruitment and management activities
- In confidence, to improve our services and obtain feedback
- Undertake quality assurance activities and practice effective risk management
- Resolve concerns

CCL will only disclose personal information in order to provide its services and to operate an efficient and sustainable business. As such, CCL may disclose information to third parties, including but not limited to:

- Any persons acting on your behalf including contractors, advisers and consultants
- Service providers and suppliers engaged by us
- Any authority, agency or individual, where disclosure is permitted or required by law or order

Where CCL engages service providers or suppliers or others to act on our behalf, we will take reasonable steps to protect the privacy of all information disclosed and require such parties to comply with any relevant privacy laws. You have the right to ask these organisations for access to information that they hold about you.

If we send your personal information outside of Australia we will require that the recipient of the information complies with the privacy laws and contractual obligations to maintain the security of the data.

There are some circumstances where it is not reasonable or practicable for us to let you know this information. For example, where disclosure would undermine the purpose for which the information is being collected (where collection is for a legitimate business practice) such as where we collect information from public records

If we need to disclose your personal information for any other purpose, then we will obtain prior written consent from you.

Use and disclosure of personal information contained in CCL's CCTV data will be dealt with in accordance to any policy specific to CCTV information which CCL decides to implement with respect to the information collected from the cameras and stored by CCL.

## DATA QUALITY

CCL will take reasonable steps to ensure that personal information it collects, uses and discloses is accurate, complete, up to date and relevant having regard to the intended purpose of the use or disclosure. It does so via its own internal quality systems and auditing procedures.

If you believe any information that we hold about you is incorrect, incomplete or out-of-date, please contact us. CCL will respond to your request within a reasonable period and will take reasonable steps to amend your records.

CCL holds personal information in a combination of secure siloed electronic and hard copy formats. We take all reasonable steps to ensure that any personal information held by us is protected from misuse, loss and unauthorised modification or disclosure. Such steps include, secure physical storage of documents in our office premises, security measures, network and communications security measures and quality system procedures and policies.

CCL will keep information for as long as it is required to be able to provide its services or by law. CCL will take reasonable steps to permanently de-identify or securely destroy personal information that it no longer requires, or upon request from you for any purpose except in limited permitted circumstances such as where CCL is required by law to retain these records.

## USE OF THE WEBSITE AND DATA PROTECTION

When you access our Website or any of our newsletters and publications, anonymous technical information (Cookies) may be collected about user activities on the Website. This may include information such as the date and time you accessed the Website, the type of browser used to access the Website and the page of the Website you visited and any documents that you may have downloaded. This information is used by us to make decisions about maintaining and improving our Website and online services.

We provide links to useful websites on our Website. While we have confidence in these websites, these linked sites are not under our control and we cannot accept responsibility for the conduct of entities whose domain is linked to our website or whose domain links you to our website. Before disclosing your personal information on any other website, we advise you to examine the terms and conditions of using that website and its privacy statement.

## ACCESS TO PERSONAL INFORMATION

You have a right to reasonable access to any information that CCL holds about you. To request access to your information, please contact our CEO, Debbie George, by email [dgeorge@counselschambers.com.au](mailto:dgeorge@counselschambers.com.au). At the time you make your request, we may ask you to provide a written request detailing the information you are seeking to access and if you are an authorised representative, to provide documented evidence that lawfully authorises you to act on the individual or company's behalf.

We reserve the right to charge for providing access to certain information, as permitted by law and you will be informed of this at the time of your request. We will always endeavour to process your request for access within a reasonable timeframe and in the manner requested by you, if it is reasonable to do so.

However, in some circumstances we may decline a request for access to information such as where we no longer hold the information, or where denying access is permitted or required by law. If we are unable to give you access to the information you have requested, we will give you written reasons for this decision when we respond to your request.

## CONTACTING US / COMPLAINTS

If you have any questions, feedback or concerns about our Privacy Policy or how your personal information is handled by CCL, please contact our CEO as follows:

Counsels Chambers Limited

Address: Level 1, Selborne Chambers, 174 Phillip Street, Sydney, NSW, 2000

Post: Level 1, Selborne Chambers, 174 Phillip Street, Sydney, NSW, 2000

Phone: 02 9231 3644

Facsimile: 02 9235 3783

Email: [dgeorge@ccl.com.au](mailto:dgeorge@ccl.com.au)

We will attend to your query or complaint within a reasonable timeframe. If you have a complaint or have made a complaint, you are not satisfied with our response and consider that the complaint has not be

adequately resolved, then you may make a formal written complaint to the Office of Australian Information Commissioner.