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## 1 PURPOSE OF THE PRIVACY POLICY

The aims of this policy are as far as is reasonably practicable to:

- (a) comply with its obligations under the *Privacy Act 1988* (Cth) (**Privacy Act**), including the Australian Privacy Principles (**APPs**);
- (b) outline how Edge Legal manages and secures your personal information;
- (c) describe the kinds of personal information that Edge Legal holds and for what purposes, and how that information is collected, held, used, and disclosed.
- (d) describe how request information under this policy.

## 2 COVERAGE

This policy covers and applies to employees in relation to:

- (a) behaviour at the workplace;
- (b) the performance of work for or in connection with Edge Legal; and
- (c) conduct outside the workplace or working hours if the acts or omissions:
  - (i) are likely to cause serious damage to the relationship between Edge Legal, employees, contractors and visitors at the workplace; or
  - (ii) are incompatible with a worker's duty to Edge Legal or employment relationship or engagement; or
  - (iii) damage or are likely to damage Edge Legal's interests or reputation.

## 3 REQUIREMENTS

- (a) Persons covered by this policy are required to:
  - (i) comply with this policy as lawful and reasonable directions;
  - (ii) comply with any applicable law;
  - (iii) not directly or indirectly engage in or aid, abet or encourage behaviour in breach of this policy/ law; and
  - (iv) meet their duty of care obligations and be accountable for their own safety and the safety of others at the workplace.
- (b) Managers/supervisors are required to:

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- (i) promote this policy within their area of responsibility; and
- (ii) take reasonable steps to ensure that any potential breaches of this policy are identified, taken seriously and acted upon appropriately.

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## **4 TYPES OF INFORMATION THAT WE COLLECT AND HOLD**

### **4.1 General information**

We may collect and hold the following types of personal information about you:

- (a) identification information, including your name, date of birth, postal address, email address, fax number, telephone number, drivers licence number, and tax file number;
- (b) billing and payment details;
- (c) any complaint details;
- (d) information about any enquiries made; and
- (e) any other information that is necessary to provide you with our services, which may include information about your finances and assets, property interests, employment history, income details, qualifications, and travel history.

### **4.2 Sensitive information**

We may need to collect sensitive information about you. Unless the information is required or authorised to be collected by law, we will only collect sensitive information with your consent where that information is reasonably necessary for our functions.

We may collect and hold health information about you, but only to the extent it is relevant to the legal services we provide.

### **4.3 Information required by law**

We may collect personal information about you because the collection of the information is required or authorised by law or a court/ tribunal order.

### **4.4 Social media**

We may collect information about you when you interact with us through social media channels, including Facebook and LinkedIn. Please note that we will only interact with you on confidential matters via a secure forum.

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## 5 COLLECTING YOUR INFORMATION

### 5.1 Collecting personal information

We collect your personal information so that we can perform our functions and activities. We will, if it is reasonable and practical to do so, collect personal information directly from you.

- (a) We may collect your personal information when:
- (i) you are employed with us;
  - (ii) you are engaged in the provision of contracts for service;
  - (iii) you fill out a form, contract, or other formal documentation;
  - (iv) you give us paper correspondence (e.g. letter or notice);
  - (v) you give us information over the telephone, via fax or post;
  - (vi) you interact with us electronically, via our client portal or in person;
  - (vii) you access our website; and
  - (viii) we provide services to you.

### 5.2 Collecting personal information from other sources

Sometimes we collect personal information about you from other sources where it is necessary to do so. This may happen where:

- (a) you have consented to the collection of the information from someone else;
- (b) we are required or authorised by law to collect the information from someone else; or
- (c) it is unreasonable or impracticable to collect the information from you personally.
- (d) Examples of other sources that we may collect personal information from include, but are not limited to:
  - (i) accessing information that is publicly available;
  - (ii) authorised representatives, including any person who has authority to act on your behalf;
  - (iii) your business partners or related entities;

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- (iv) your family members, medical advisors, current and former employers;
- (v) regulatory authorities;
- (vi) professional advisers;
- (vii) insurance companies;
- (viii) banks and financial institutions;
- (ix) Work Cover;
- (x) Medicare, Centrelink, Australian Tax Office; and
- (xi) government departments and government agencies.

### 5.3 Collecting personal information from other sources

As a general principle, you will provide us with your personal information voluntarily. However, If you choose not to consent or not to provide us with your personal information:

- (a) we may not be able to verify your identity; and
- (b) this may affect our ability to provide you with the services you want.

### 5.4 Unsolicited personal information

If you do not provide us with your personal information:

- (a) we could not have collected the personal information; and
- (b) the information is not contained in a Commonwealth record,

we will destroy the information or de-identify the information provided it is lawful and reasonable to do so.

### 5.5 Notification of collection of personal information

When we receive personal information directly from you, we will take reasonable steps to notify you of the collection and the circumstances that surround the collection. Sometimes:

- (a) we collect your personal information from third parties; or
- (b) you may not be aware that we have collected your personal information.
- (c) If we collect information that can be used to identify you, we will take reasonable steps to notify you of the collection and the circumstances that surround the collection.

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## **6 PROTECTING PERSONAL INFORMATION**

### **6.1 Storing personal information**

- (a) We are committed to keeping your personal information secure. However, data protection measures are never completely secure. Despite reasonable measures, we cannot guarantee the security of your personal information. You must also take reasonable care to protect your personal information and notify us as soon as possible if you become aware of any security breaches.
- (b) We store your personal information in different ways, including in physical and electronic form.
- (c) We treat all personal information as confidential. We will take reasonable steps to ensure personal information is protected from:
  - (i) misuse, interference, and loss; and
  - (ii) unauthorised access, modification, and disclosure.

### **6.2 How we store your information**

Some of the ways we take reasonably practicable measure to securely store your information are:

- (a) imposing confidentiality obligations for staff with access to personal information;
- (b) ensuring personal information is only accessible on a need to know basis;
- (c) maintaining document storage facilities at our premises and offsite;
- (d) training employees on their obligations with respect to personal information;
- (e) implementing policies and procedures regarding the appropriate use of personal information;
- (f) ensuring secure databases and applications at our premises and offsite, including those accessed via the internet;
- (g) ensuring security measures for access to systems;
- (h) ensuring control of access to premises; and
- (i) ensuring electronic security systems, such as firewalls and data encryption, passwords and logins, antivirus, antispyware, backup, and recovery systems.

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### 6.3 What happens if we no longer need your personal information?

If we no longer need your personal information for any purpose, we will take reasonable steps to destroy or permanently de-identify the information, unless:

- (a) the information is contained in a Commonwealth record; or
- (b) we are required by law, or a court/tribunal order, to retain the information.

### 6.4 Purposes for collecting, holding, using and disclosing information

We collect, hold, use and disclose your personal information for the purpose it was collected and related purposes, including:

- (a) to identify you;
- (b) employing or contracting your services;
- (c) recruitment and onboarding;
- (d) to provide services to you, your business partners, or your related entities;
- (e) to provide you with a cost estimate for our services;
- (f) to manage your account;
- (g) for accounting, billing, and other internal administrative purposes;
- (h) to develop and manage our relationships with you, your business partners, or your related entities;
- (i) to improve our services to you;
- (j) to fulfil our professional obligations;
- (k) to respond to complaints;
- (l) to comply with any applicable laws, regulations, or codes of practice; and
- (m) for any other purpose for which you have given your consent.

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## 7 USE AND DISCLOSURE OF INFORMATION

### 7.1 Use and disclosure of personal information

We will not use or disclose personal information we hold about you that was collected for a particular purpose for another purpose, unless:

- (a) you have consented to the use or disclosure of the information for another

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purpose;

- (b) it becomes necessary to lessen or prevent a serious and imminent threat to life, health or safety; or
- (c) the use or disclosure is otherwise permitted under the Privacy Act (e.g. you would reasonably expect us to use or disclose the information for another purpose or the use or disclosure of the information is required or authorised by law or a court/tribunal order).

## 7.2 Disclosure to third parties

Sometimes we may disclose personal information about you to third parties. Examples of third parties that we may disclose your personal information to include, but are not limited to:

- (a) authorised representatives, including any person who has authority to act on your behalf;
- (b) subject to our professional obligations, any person where necessary to perform our services, including regulatory authorities and financial institutions;
- (c) our external service providers and professional advisors so that they can provide financial, administrative, or other services in connection with our services, including but not limited to, financial institutions, auditors, insurers, information technology service providers, and photocopy and archive service providers;
- (d) debt collection agencies; and
- (e) any other person where you have given your consent.

## 7.3 Overseas recipients

We may need to disclose your personal information to recipients outside Australia in limited circumstances.

## 7.4 Disclosures

Where your personal information is disclosed, we will:

- (a) take reasonable steps to ensure that the overseas recipient does not breach the APPs, unless an exception in the Privacy Act applies; and
- (b) seek to ensure that information is used, held, and disclosed consistently with

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the Privacy Act and any other applicable laws.

## **8 DIRECT MARKETING**

### **8.1 Direct marketing**

We may use or disclose your personal information (excluding sensitive information) for direct marketing purposes, including but not limited to, providing you with information about changes in our services or products that may interest you.

### **8.2 Sensitive information**

We will only use or disclose your sensitive information for the purposes of direct marketing if you have consented to the information being used or disclosed for the purposes of direct marketing.

### **8.3 Method of direct marketing**

We may conduct direct marketing via email, telephone, fax, post, in person, our client portal or any other electronic means.

### **8.4 Opt out**

(a) If at any time you decide you:

- (i) do not want to receive any more direct marketing material from us;
- (ii) do not want us to use or disclose the information for direct marketing in the future; and/or
- (iii) want to know where we obtained the information,

you may:

- (i) contact the Privacy Officer; or
  - (ii) opt-out of receiving any more marketing via any opt-out mechanism contained in our marketing correspondence.
- (b) All our marketing correspondence will display a clearly visible and user-friendly opt-out mechanism. We may imply consent to receive direct marketing material if you do not use the opt-out mechanism.

### **8.5 Processing requests**

If you request to no longer receive direct marketing material, we will process your

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request within a reasonable period after the request is made.

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## 9 QUALITY OF PERSONAL INFORMATION

- (a) We will take reasonable steps to ensure that any personal information we collect, use, or disclose is accurate, complete, up-to-date, and relevant to our functions and activities.
- (b) If you believe that your personal information is not accurate, complete or up to date, please contact the Privacy Officer.

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## 10 ACCESS TO PERSONAL INFORMATION

### 10.1 Requesting access

You may at any time request access to personal information we hold about you. We will give you access to that information, unless an exception in the Privacy Act applies.

You can request access to your personal information by contacting our Privacy Officer.

### 10.2 Dealing with access requests

We will respond to a request for access within a reasonable time (usually 30 days), and give you access in the manner you request, if it is reasonable and practicable to do so.

We may need to verify your identity before we give you access to your personal information.

### 10.3 Refusal to give access

If we refuse to give you access, we will:

- (a) take reasonable steps to give you access in a manner that meets our needs as well as yours; and
- (b) provide you with the reasons for our decision as required by the Privacy Act.

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## **11 CORRECTING PERSONAL INFORMATION**

### **11.1 Requesting correction**

If you think that any personal information we hold about you is incorrect, inaccurate, out-of- date, incomplete, irrelevant, or misleading you may request us to correct the information by contacting the Privacy Officer.

### **11.2 Correcting information**

We will take reasonable steps to correct that information.

### **11.3 Dealing with correction requests**

- (a) We will respond to a correction request within a reasonable time (usually 30 days).
- (b) We may need to verify your identity before we correct your personal information.

### **11.4 Notification of correction to third parties**

If we correct your personal information that we have previously disclosed to another entity, and you ask us to tell the other entity about the correction, we will take reasonable steps to tell the other entity about the correction, unless it is impractical or unlawful to do so.

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## **12 REFUSAL TO CORRECT INFORMATION**

If we refuse to correct the personal information, we will provide you with the reasons for our decision as required by the Privacy Act.

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## **13 ANONYMITY**

You have the option to remain anonymous or to use a pseudonym when dealing with us where it is lawful and practical to do so.

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## **14 GOVERNMENT RELATED IDENTIFIERS**

- (a) In certain circumstances we may be required to collect government-related identifiers such as your tax file number, Medicare number, Centrelink reference number, drivers licence number, passport number, and individual healthcare identifiers.

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- (b) We will not use or disclose this information unless the use or disclosure is permitted under the Privacy Act.

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## 15 COMPLAINTS ABOUT PERSONAL INFORMATION

### 15.1 Complaints

- (a) If you have any issues about the way we handle your personal information after reading this policy, become aware of a potential breach of privacy, or wish to make a complaint, please contact our Privacy Officer.
- (b) Complaints can be made in writing or orally to:

Privacy Officer

Telephone: [insert]

Mail: [insert]

Email: [insert]

### 15.2 External complaint mechanism

- (a) If you are not happy with the outcome of the Privacy Officer's investigation or we have not replied to you within a reasonable time, then you can raise your concern with the Office of the Australian Information Commissioner (OAIC).
- (b) Complaints can be made to OAIC in the following ways:

Office of the Australian Information Commissioner

Telephone: 1300 363 992

Email: [enquiries@oaic.com.au](mailto:enquiries@oaic.com.au)

Mail: Office of the Australian Information Commissioner

GPO Box 5218 Sydney NSW 2001

Online: <https://www.oaic.gov.au/privacy/privacy-complaints/lodge-a-privacy-complaint-with-us/>

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## 16 VARIATION

This policy may be reasonably varied, terminated or replaced by Edge Legal in its sole discretion from time to time.

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**17 REFERENCE/ASSOCIATED DOCUMENTS**

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**18 DOCUMENT CONTROL**

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