

Privacy Statement

1. Your Privacy is Important

- 1.1 Mortgage Stress Victoria Ltd (ABN 67 660 966 638) is committed to protecting privacy and is bound by the Australian Privacy Principles found in the *Privacy Act 1988 (Cth) (Act)*. These principles apply in relation to its collection, use, disclosure and storage of personal information. This Policy provides an overview of how we are meeting these privacy compliance obligations.
- 1.2 Mortgage Stress Victoria may, from time to time, review and update this page to take into account amendments to legislation or changes in Mortgage Stress Victoria's operations.

2. Policy Statement

- 2.1 Protecting your privacy is important to Mortgage Stress Victoria. The purpose of this policy is to inform you of:
 - 2.1.1 what personal information we generally collect;
 - 2.1.2 why we collect personal information;
 - 2.1.3 how we may use personal information we hold;
 - 2.1.4 how we store and protect personal information; and
 - 2.1.5 who we may disclose personal information to.

3. Collection of Personal Information

- 3.1 **Personal information** is information or an opinion about an individual who can reasonably be identified, whether true or not, recorded in any form.
- 3.2 Additional protections apply to **sensitive information** – which is information or an opinion about sensitive matters such as a person's racial or ethnic origin, political opinions, religious beliefs, sexual orientation or practice, criminal record or health information. Health information is also protected by very similar principles in the *Health Records Act 2001 (Vic)*.
- 3.3 Mortgage Stress Victoria may collect personal information (including sensitive information) about you when you:
 - 3.3.1 contact us for any reason, including to inquire about our services or initiatives or provide feedback;
 - 3.3.2 become a client of Mortgage Stress Victoria and receive legal advice or assistance;
 - 3.3.3 are involved in a matter with one of our clients;
 - 3.3.4 attend an event hosted or sponsored by Mortgage Stress Victoria;



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- 3.3.5 post or comment on our social media pages;
- 3.3.6 apply for a vacant position or volunteer opportunity with Mortgage Stress Victoria; or
- 3.3.7 provide goods or services to Mortgage Stress Victoria.
- 3.4 Mortgage Stress Victoria will almost always collect personal information directly from you. Information may be collected from a third party, but only if necessary. We only collect sensitive information about you where necessary for our functions or activities, and only if you have consented or as required or authorised by law.
- 3.5 For members of the public engaging with Mortgage Stress Victoria, the information we collect is the information you share with us – for example, this might include your name and contact details.
- 3.6 For clients or prospective clients seeking legal assistance, we require a range of information about you and your legal issue in order to understand whether we are able to assist you and if so, to provide that assistance.
- 3.7 The nature of the services offered by Mortgage Stress Victoria means that it is not generally practicable to provide services to clients anonymously. However, you may choose not to identify yourself or provide other information when dealing with Mortgage Stress Victoria in other capacities (for example, making inquiries by phone or email or engaging with our pages on social media).

4. Use and Disclosure of Personal Information

- 4.1 Mortgage Stress Victoria uses personal information for the following purposes:
 - 4.1.1 to process your request for advice and/or respond to your enquiry including to ensure that service delivery is responsive to client needs;
 - 4.1.2 to communicate with you about the services we can provide, or in providing those services;
 - 4.1.3 to inform planning activities and monitor performance of our employees and volunteers;
 - 4.1.4 to manage the risks of conflicts of interest;
 - 4.1.5 to meet accountability requirements of funding bodies and legal requirements; and
 - 4.1.6 to secure funding and comply with reporting requirements.
 - 4.1.7 to inform legal policy, law reform submissions and systemic impact work (e.g. using de-identified case studies with consent).
- 4.2 We also use contact information collected for the purposes of keeping in touch with our community, and updating you on exciting developments, new initiatives and opportunities. You may remove yourself from any mailing lists or subscriptions at any time – the way to do so will be set out in each piece of correspondence or by emailing info@mortgagestress.org.au.
- 4.3 Personal information collected by Mortgage Stress Victoria can be used or disclosed for the primary purpose for which it was collected, unless a lawful secondary purpose exists.
- 4.4 If you are a client, Mortgage Stress Victoria will use or disclose personal information in accordance with the Act, your instructions and our ethical obligations under the Legal



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Profession Uniform Law Australian Solicitor's Conduct Rules 2015. Mortgage Stress Victoria will generally only disclose personal information outside the organisation when required in order to provide you with the assistance you seek – generally, we will seek your consent to do so first.

- 4.5 It may be necessary to share your personal information with the following third parties:
 - 4.5.1 financial institutions for payment processing;
 - 4.5.2 barristers, experts or other third parties in relation to your matter;
 - 4.5.3 external lawyers who we contract to assist us in providing legal services to you;
 - 4.5.4 contracted services providers – such information and communication technology providers, printers and mail houses, marketing and communications agencies; research and statistical providers or business advisers;
 - 4.5.5 to law enforcement agencies or support services if we reasonably believe that disclosure is necessary to prevent a serious risk to the life, health or safety of any person, including you.; or
 - 4.5.6 to comply with applicable laws including the Uniform Law, the Solicitor's Conduct Rules.
- 4.6 *Sending information overseas*
 - 4.6.1 Mortgage Stress Victoria does not ordinarily disclose personal information to an overseas recipient and will not do so without your consent.
 - 4.6.2 Mortgage Stress Victoria does not use overseas providers of IT services including servers and cloud services. Security of personal information
- 4.7 Mortgage Stress Victoria has systems in place to ensure that your personal information is stored securely on Mortgage Stress Victoria's servers and physically at Mortgage Stress Victoria's offices so as to protect that information from misuse, loss or unauthorised access.
- 4.8 The measures in place include restricted access to premises, locked storage of paper records, passworded access to computers, firewalls and anti-virus software and electronic records stored using a secure document storage system with regular back-ups.
- 4.9 Mortgage Stress Victoria stores its data using a third party provider with servers located in Australia. Mortgage Stress Victoria conducts annual assessments of third party providers to ensure security compliance standards are met.

5. Accessing your Information and Making Complaints

- 5.1 If you would like further information about the way Mortgage Stress Victoria manages your personal information, please contact the Mortgage Stress Victoria's Privacy Officer.
- 5.2 You have the right to access and update or correct any personal information that we hold about you (subject to some exceptions in the Act). You can also make a complaint about how we have dealt with your personal information.
- 5.3 If you have any queries about the personal information that we hold about you or the way we handle that personal information, or if you'd like to request access to your information or make a complaint, please contact our Privacy Officer.



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Privacy Officer
Mortgage Stress Victoria
Level 8, 63 Exhibition Street
Melbourne 3000
Email: info@mortgagestress.org.au

- 5.4 You can also make a complaint to the Office of the Australian Information Commissioner if you do not receive a response from us within 30 days, or if you are unsatisfied with how we deal with your complaint. Further general information about privacy is available on the website of the Commissioner at www.oaic.gov.au or by calling the enquiry line at 1300 363 992.