

Privacy Policy

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The *Privacy Act* requires entities bound by the *Australian Privacy Principles* to have a privacy policy. This privacy policy outlines the personal information in handling practices of Page Provan, family and fertility lawyers.

This policy is written in simple language. The specific legal obligations of Page Provan when collecting and handling your personal information are outlined in the *Privacy Act 1988* (Cth) and in particular in the *Australian Privacy Principles* found in that Act. We will update this privacy policy when our information handling practices change. Updates will be publicised on our website and through our email lists.

Overview

We collect, hold, use and disclose personal information to carry out functions or activities as solicitors. These functions and activities include:

- acting for clients in family law matters;
- acting for clients in fertility law matters;
- organising functions primarily to do with family and fertility law;
- communicating with the public and the media including through websites and social media;
- assessing suitable candidates for career opportunities with Page Provan.

Collection of your personal information

At all times we try to only collect the information we need for the particular function or activity we are carrying out.

The main way we collect personal information about you is when you give it to us. For example, we collect personal information such as contact details and the nature of a legal problem when you:

- contact us to ask for information (but only if we need it);
- seek to instruct us;
- apply for a job vacancy at Page Provan.

We may also collect information from you when we act on your behalf. If we open a file about your matter, it will often include our opinion on your matter.

We may also collect contact details and some other personal information if you are participating in a meeting, function or consultation with us.

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Collecting sensitive information

Sometimes we may need to collect sensitive information about you, for example, to handle a complaint. This might include information about your health, racial or ethnic origin, political opinions, association memberships, religious beliefs, sexual orientation, domestic violence history, child protection history or criminal history.

Indirect collection

In the course of handling your matter, we may collect personal information (including sensitive information) about you indirectly from publicly available sources or from third parties such as:

- statements that you may have made in the public domain; and
- statements by any witness.

Collecting through our website

We have a website pageprovan.com.au. There are a number of ways in which we collect information through our website.

Analytics

We use Google Analytics to collect data about your interaction with our website. Google Analytics is hosted by a third party. The sole purpose of collecting your data in this way is to improve your experience when using our site. The types of data we collect with these tools include:

- your devices IP address (collected and stored in an anonymise format);
- device screen size;
- device type, operating system and browser information;
- geographic location (country only);
- referring domain and outlink if applicable;
- search terms and pages visited;
- date and time when website pages were accessed.

Cookies

Cookies are small data files transferred onto computers or devices by websites for record keeping purposes and to enhance functionality on the website.

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Our website generally sets the following cookies:

- `_ga:googleanalyticscookie`.

Most browsers allow you to choose whether to accept cookies or not. If you do not wish to have cookies placed on your computer, please set your browser preference to reject all cookies before accessing our website.

Email lists, registrations and feedback

We will collect information that you provide to us when signing up to mailing lists and registering for our events, or when submitting feedback on your experience with our website.

If you have agreed to receive marketing, you may always opt out at a later date.

You have the right at any time to stop us from contacting you for marketing purposes.

If you no longer wish to be contacted for marketing purposes, **CLICK HERE**.

Social media

We use social media such as Facebook to communicate with the public about our work. When you communicate with us using these services we may collect your personal information, but we only use it to help us to communicate with you. Social media will also handle your personal information for its own purposes. You can access the privacy policies for Facebook on its website.

Electronic form

We use a form on our website to enable you to make an enquiry or apply for a job.

When you save or submit a form using this service, it is encrypted and stored on a secured server located in Australia until we download it. After we download a submitted form, it is deleted from that server. We will not access or download your saved forms before you submit them. Our IT firm cannot view your information except in very limited circumstances when there is a technical issue that requires investigation. In these circumstances, that firm must seek our permission to do so.

Disclosure

Common situations in which we disclose information are detailed below.

Acting for you

In the course of our work as solicitors, clients require us to communicate with other parties, for example the other side in a dispute, a court, an expert engaged in the matter or a barrister engaged in the matter. Sometimes it will be an interstate or overseas lawyer.

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We will check with you before forwarding information. If you request that only limited information is disclosed to that party, we may not have enough information to properly inform that person and it may be in breach of our professional and ethical obligations.

Court decisions and the *Australian Solicitors Conduct Rules 2012* restrict what information we can disclose and to whom we can disclose it.

Rule 9 provides:

“9.1 A solicitor must not disclose any information which is confidential to a client and acquired by the solicitor during the client’s engagement to any person who is not:

9.1.1 a solicitor who is a partner, principal, director, or employee of the solicitor’s law practice; or

9.1.2 a barrister or an employee of, or person otherwise engaged by, the solicitor’s law practice or by an associated entity for the purposes of delivering or administering legal services in relation to the client,

EXCEPT as permitted in Rule 9.2.

9.2 A solicitor may disclose confidential client information if:

9.2.1 the client expressly or impliedly authorises disclosure;

9.2.2 the solicitor is permitted or is compelled by law to disclose;

9.2.3 the solicitor discloses the information in a confidential setting, for the sole purpose of obtaining advice in connection with the solicitor’s legal or ethical obligations;

9.2.4 the solicitor discloses the information for the sole purpose of avoiding the probable commission of a serious criminal offence;

9.2.5 the solicitor discloses the information for the purpose of preventing imminent serious physical harm to the client or to another person; or

9.2.6 the information is disclosed to the insurer of the solicitor, law practice or associated entity.”

Data breach notifications

If you notify us about a data breach, we will not disclose personal information about you unless you agree, or would reasonably expect us to.

Marketing

We do not forward your information to third parties without your consent for any marketing purpose.

Disclosure to the media

We only provide the media with personal information relating to your matter if you have agreed to us to do so.

Disclosure of sensitive information

We only disclose your sensitive information for the purposes for which you gave it to us or for directly related purposes you would reasonably expect or if you agree, for example, to handle a matter before a court.

Disclosure to other regulators or external dispute resolution schemes

We may disclose information that relates to complaints to any regulators, such as the Queensland Law Society, Legal Aid Queensland, our insurer or the Legal Services Commission.

Disclosure of personal information overseas

Generally we only disclose personal information overseas so that we can properly handle your matter, for example, to a lawyer, court or doctor who is overseas.

Web traffic information is disclosed to Google Analytics when you visit our website. Google stores information across multiple countries.

When you communicate with us through social media such as Facebook or Twitter, the social media provider and its partners may collect and hold your personal information overseas.

Quality of personal information

To ensure that the personal information we collect is accurate, up-to-date and complete, we:

- record information in a consistent format;
- where necessary, confirm the accuracy of information we collect from a third party or public source;
- promptly add updated or new personal information to existing records.

We also review the quality of personal information before we use or disclose it.

Storage and security of personal information

We take steps to protect the security of the personal information we hold from both internal and external threats by:

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- regularly assessing the risk of misuse, interference, loss and unauthorised access, modification or disclosure of information;
- taking measures to address those risks.

We keep paper versions of our files for 7 years and then arrange for either secure storage or secure destruction of those files.

Accessing and correcting your personal information

Under the *Privacy Act* (Australian Privacy Principles 12 and 13) you have the right to ask for access to personal information that we hold about you, and ask that we correct that personal information. You can ask for access or correction by contacting us and we must respond within 30 days. If you ask, we must give you access to your personal information, and take reasonable steps to correct it if we consider it is incorrect, unless there is a law that allows or requires us not to.

We may ask you to verify your identity before we give you access to your information or correct it, and we will try to make the process as simple as possible. If we refuse to give you access to, or correct, your personal information, we must notify you in writing setting out the reasons.

If we make a correction and we have disclosed the incorrect information to others, you can ask us to tell them about the correction. We must do so unless there is a valid reason not to.

If we refuse to correct your personal information, you can ask us to disseminate with it (for example, attach our link) a statement that you believe the information is incorrect and why.

The right to erasure – You have the right to request that our company erase your personal data, under certain conditions.

The right to restrict processing – You have the right to request that our company restrict the processing of your personal data, under certain conditions.

The right to object to processing – You have the right to object to our company's processing of your personal data.

The right to data portability – You have the right to request that our company transfer the data that we have collected to another organisation, or directly to you, under certain conditions.

If you make a request, we have one month to respond to you. If you would like to exercise any of these rights, please contact us at our email:

Call us at: admin@pageprovan.com.au

Or write to us: Level 12, 239 George Street, Brisbane Qld 4000

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How to make a complaint

If you wished to complain to us about how we have handled your personal information, you should complain in writing. If you need help lodging a complaint, you can contact us.

If we receive a complaint from you about how we have handled your personal information, we will determine what (if any) action we should take to resolve the complaint.

If we decide the complaint should be investigated further, the complaint will usually be handled by a partner.

We will tell you promptly that we have received your complaint and then respond to the complaint within 30 days.

Changes to our privacy policy

Page Provan keeps its privacy policy under regular review and places any updates on this web page. This privacy policy was last updated on 5 April 2019.

How to contact the Office of the Australian Information Commissioner

Should you wish to report a complaint or if you feel that we have not addressed your concern in a satisfactory manner, you may contact the Information Commissioner's Office.

Phone: 1300 363 992

Email: enquiries@oaic.gov.au

How to contact us

You can contact us by:

Email – admin@pageprovan.com.au

Telephone – (07) 3221 9751

Post – Level 12, 239 George Street, Brisbane Qld 4000

Fax – +61 7 3221 9969