



YouthLaw

Free legal help throughout Aotearoa

www.youthlaw.co.nz

0800 UTH LAW | 0800 884 529

Privacy Policy

Introduction

This Privacy Policy (“Policy”) explains how YouthLaw Aotearoa collects, uses, stores, shares, discloses and otherwise handles personal information. The policy recognises that some of the information we handle is of a special nature because it relates to the legal position of individuals or organisations.

We handle two categories of information. This policy applies equally to both categories, unless we state otherwise. The two categories are:

1. Personal information, which means information about an identifiable individual as defined under the Privacy Act 2020. This includes contact details, such as name, phone number and email address of:
 - a. Individual clients
 - b. Staff of agency partners, and Not-for-profits.
2. Legal matter information, which is information relevant to a legal issue that a lawyer would need to hold in strict confidence. This may include personal information of an individual client.

If you have any questions or feedback about this Policy or the way in which the YouthLaw Aotearoa handles personal information you can contact us using the details **below**. You can also request a hard copy of this Policy using the details below.

Contacting Us:

Privacy Officer
YouthLaw Aotearoa
Mail: PO Box 76891, Manukau, Auckland 2104
Email: info@youthlaw.co.nz
Phone: 0800 884 529



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Key Principles

When collecting information, you have legal rights that we must respect. This means that, among other things, when we are collecting and using your information we must ensure:

1. You know we are collecting it, why we are collecting it, how we will use it, and where it gets disclosed.
2. The data is flowing securely from you to us, access to it is controlled, and any disclosures are carefully considered.

Types of Information We Collect

The types of information that we collect about you will depend on the type of dealings you have with us. For example, if you:

1. Seek legal assistance, we may collect your name, contact details, date of birth, details of your guardian (if applicable), contact details about staff and governance members, financial details (if necessary to confirm your eligibility for our services), information about your circumstances, and information about the matter you are seeking assistance with, and information about the outcome of the matter.
2. Refer clients to us, we may collect your name, organisation and contact details, contact details about staff and information about client and their matter.
3. Register for a subscription to a YouthLaw Aotearoa publication, we may collect your name, organisation and contact details and details about the information you access in our publications.
4. Make a donation to YouthLaw Aotearoa, we may collect your name, organisation, contact details, the amount and frequency of your donation and payment details.
5. Attend a professional development or training program or attend another YouthLaw Aotearoa event, we may collect your name, organisation, contact details, payment details (if applicable) and any dietary and accessibility requirements.
6. Participate in our surveys, we may collect your name, organisation contact details and your survey response.
7. Download a YouthLaw Aotearoa resource from our website or use a web application, we may collect your name, organisation and contact details and details of the resource you downloaded or web application that you used.
8. Send us an enquiry, we may collect your name, contact details, information about your circumstances and details of your query.
9. Make a complaint, we may collect your name, contact details, the details of your complaint, information collected in any investigation of the matter and details of the resolution of the complaint.
10. Apply for a role at YouthLaw Aotearoa, we may collect the information you include in your application, including your cover letter, resume, contact details and referee reports.



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What if you don't provide us with your personal information?

In some circumstances you have the option of not identifying yourself, or of using a pseudonym, when dealing with us (for example, when viewing our website or making general phone queries).

The nature of the business carried on by YouthLaw Aotearoa means that, generally, it is not possible for us to provide services to you or deal with witnesses or other individuals in an anonymous way.

How do we collect information?

We collect information by lawful means in a number of ways, including:

- Through our websites and social media platforms;
- When you correspond with us (for example by letter, email, telephone, or via social media);
- On hard copy forms;
- In person (for example, at job interviews and where we meet with a client to take instructions);
- At events and forums; and
- From third parties such as Community Law Centres, Citizens Advice Bureau, Women's Refuge or referrers who refer you to us for assistance with your express consent.

Why do we collect information?

The main purposes for which we collect, hold, use, share and disclose information are as follows:

1. Providing legal services:
 - a. Assessing whether you meet our eligibility criteria;
 - b. Providing legal services
 - c. Determining whether you need any additional support, such as an interpreter or disability assistance;
 - d. Endeavouring to arrange for the provision of legal and non-legal assistance (e.g. social work) for you if you are eligible; and
 - e. Referring you to other people or agencies
2. Advocacy:
 - a. Carrying out law reform and policy work;
 - b. Promoting YouthLaw Aotearoa and its activities, including through events and forums;
 - c. Conducting research and statistical analysis relevant to YouthLaw Aotearoa's activities;
 - d. Preparing your stories for use in advocacy work and in publications (you will not be individually identified without your express consent); and
 - e. Reporting about our activities and outcomes.



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3. Education, information and outreach:
 - a. Providing legal information or resources;
 - b. Running professional development programs for lawyers, youth workers, and those who support children or young adults;
 - c. Running community training programs about the law; and
 - d. Outreach activities, including community-based activities and online campaigns to promote our services.
4. Fundraising:
 - a. Seeking funding and donations;
 - b. Organising fundraising events; and
 - c. Reporting to funding providers.
5. General administration:
 - a. Recruit staff, contractors and volunteers;
 - b. Answering queries and resolving complaints; and
 - c. Evaluating our work, planning services and reporting externally.
6. Direct marketing:
 - a. Direct marketing is the promotion of goods and services directly to you including through emails, SMS, phone calls and the post. We will only send you direct marketing materials if you would reasonably expect to receive them or you have expressly consented. If it is impractical to gain your consent, we will always provide a simple means for you to request not to receive the material (“opting out”).

Opting out

You can opt out of receiving marketing communications from us by:

- Telling us if you receive a marketing call that you no longer wish to receive these calls;
- Using the unsubscribe facility that we include in our commercial electronic messages (such as email and SMS) to opt out of receiving those messages, or
- Contacting us at the contact details outlined above.



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Disclosure of Information

Clients (Young people and those acting on behalf of a young person)

The nature of the services provided by YouthLaw Aotearoa means that it is sometimes necessary for us to disclose your information to other parties. We will usually tell you know who we will disclose your information to when we collect the information from you (unless there are practical reasons for not informing you) or when a youth organisation or support service collects the information for us.

Common third parties we might need to disclose your information to include:

- people or organisations we refer you to
- Youth organisations or support services who refer you to us or make an application with us on your behalf;
- Other agencies or people (with your express consent);
- Our funding providers (although personal information will only be provided with express consent);
- Referees whose details are provided to us by job applicants;
- Our contracted service providers which include:
 - Information technology service providers;
 - Conference, function and training organisers;
 - Marketing, communications and research agencies;
 - Freight and courier services;
 - Printers and distributors of direct marketing material; and
 - External business advisers (such as recruitment advisors, auditors and lawyers).
- A court (for obtaining copies of documents relevant to your matter).

Personal information shared with us will not be disclosed to a parent or guardian without your express consent unless we are required do so under the Privacy Act or other laws. We will always try to get your consent first or tell you in advance (unless there are lawful reasons not to).

In the case of contracted service providers, we may disclose personal information to the service provider and the service provider may in turn provide us with personal information collected from you in the course of providing the relevant products or services.

Given the nature of our work, we sometimes must disclose personal information without consent. We are allowed to do this is if we think, on reasonable grounds, that disclosure is necessary to prevent or lessen a serious threat to public health or public safety, or the life or health of the individual concerned or another individual.



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Cross border disclosures

We may disclose personal information to our contracted information technology service providers which are cloud-based services and hosted **off-shore**. These providers are deemed by the Privacy Act to be our agents and any information held by them is regarded to be held by us.

Storage and security of the information we hold

We hold information in both hard copy and electronic **formats**. Paper files are stored in secure cabinets onsite. They may also be archived in boxes and stored offsite in secure facilities. If you are an applicant, we will return any of your original documents that we have to you when your matter has been **finalised**. Copies of your documents will remain on your file with us for no longer than necessary and will generally be kept for 7 years after the date that your file has been closed.

Information may be stored off-shore on third party **servers**. The Privacy Act treats such third **parties as agents**. **Information held on third party servers is deemed to be held by us.**

The security of your information is important to us and we use the recommended industry standards when storing and dealing with your information.

The steps we take to secure information against loss, access, use or unauthorised disclosure include:

- Website protection measures (such as encryption, firewalls and anti-virus software);
- Access restrictions to our computer systems (such as login and password protection);
- Restricted access to our office premises; and
- Staff training and implementation of workplace policies and procedures that cover access, storage and security of information.

Website security

While YouthLaw Aotearoa strives to protect the personal information and privacy of users of our website, we cannot guarantee the security of any information that you disclose online and you therefore disclose that information at your own risk. If you are concerned about sending your information over the internet, you can contact YouthLaw Aotearoa by telephone or post (our details are provided under "Contacting Us" on page 1) or by making an appointment to meet with a member of our team at our office in Manukau. You can also help to protect the privacy of your personal information by letting us know as soon as possible if you become aware of any security breach.



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Third party websites

Links to third party websites that are not operated or controlled by YouthLaw Aotearoa are provided for your **convenience**. YouthLaw Aotearoa is not responsible for the privacy or security practices of those websites. Third party websites should have their own privacy and security policies, which we encourage you to read before supplying any personal information to them.

Access and correction to information

We will take reasonable steps to provide you with access to your information. We will take reasonable steps to correct your information if we are satisfied that it is inaccurate, out of date, incomplete, irrelevant or misleading. If we have provided your information to third parties, we will also notify them of the correction if you ask us to do so, unless it is impracticable or unlawful. Requests to access and correct your information should be made by email, post or phone using the details provided under the “Contacting Us” heading on page 1. Note that we will need to verify your identity before processing your request. We will endeavour to respond to your request within 30 days. If we do not agree with your request to access or correct your information, we will provide you with written reasons for our decision and available complaint mechanisms.

The Privacy Officer is responsible for ensuring we comply with your access and correction rights to personal information.

Notifiable privacy breaches

We are required to notify the Office of the Privacy Commissioner and the affected individual(s) as soon as practicable after becoming aware of a privacy breach or give public notice if we are unable to notify the affected individual(s).

Complaints

If you have a complaint about how YouthLaw Aotearoa has collected or handled your information, please contact our Privacy Officer using the details provided on page 1 under the heading “Contacting Us.”

We will ask you to complete a Privacy Complaint Form, which provides us with the details we need from you to assess your complaint. We can assist you with completing the Form if required.

We will endeavour to respond to your complaint within 30 days of receipt of the Privacy Complaint Form (while complex cases may take longer to resolve, we will keep you updated on the progress of your complaint).

If you are unhappy with our response, you can refer your complaint to the Office of the Privacy.