

COUNCIL POLICY

CP29.11 LAW MUTUAL (WA) PRIVACY POLICY

Commitment to your privacy

LAW MUTUAL (WA), ('we', 'our', 'us') is bound by the National Privacy Principles and from March 2014, the Australian Privacy Principles, under the Privacy Act and we are committed to ensuring the privacy of the information our clients and other individuals provide to us. We understand that your personal information, and how we use it, is very important to you. The following statement reflects our policy in relation to the personal information that we collect. However, if you have any further questions relating to this privacy policy, please do not hesitate to contact our privacy officer (contact details below).

Our privacy policy

We will:

1. not collect personal information unless we consider it necessary for us or the Law Society of Western Australia (WA) (Law Society) to provide services;
2. not use or disclose personal information about an individual for a purpose other than:
 - (a) the purpose for which it was collected;
 - (b) a related purpose (or, in the case of sensitive information, a "*directly related*" purpose) which the individual would reasonably expect;
 - (c) a purpose required or permitted by law; or
 - (d) a purpose for which we have obtained the consent of the individual.
3. take all reasonable steps to make sure that the personal information we collect, use or disclose is accurate and up to date;
4. take all reasonable steps to protect and safeguard the personal information we collect;
5. make available our policies on our management of personal information;
6. provide individuals with access to their personal information that we hold, except where we are required or entitled by law to refuse access.

When do we collect personal information?

We will only collect personal information if it is necessary for us to do so. Situations in which we may collect personal information include, but are not limited to:

1. when processing insurance application forms;
2. when dealing with insured's current or prospective employers;
3. when required by law;
4. when dealing with certain government agencies;
5. when dealing with courts or tribunals including the Legal Practice Board;
6. in connection with suppliers – to ensure that they are able to provide the services that we require that may be supplied to claimants, insureds and/or other individuals;
7. in connection with our underwriters, actuaries and advisers;
8. when processing claim notifications made by insureds;
9. when presenting seminars or conducting workshops;
10. when dealing with the Law Society;
11. when dealing with persons who make claims against insureds; and

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12. when dealing with members of the public.

Personal information may include sensitive information as defined in the Privacy Act 1988 (for example, religious beliefs, health status, ethnic origins, membership of a trade or professional association). If so, then we will apply the National Privacy Principles, and from March 2014, the Australian Privacy Principles, required to that type of information.

Ways in which we collect personal information

We collect personal information in person, in writing, by telephone, through our website and through other methods of communication with insureds and other individuals we deal with.

Sometimes we may need to collect personal information from third parties in relation to policy applications, policy renewals or claims, in the course of carrying out our responsibilities or trying to gain a clearer picture of all the issues in a matter upon which we have received a notification.

These third parties may include:

1. our underwriters;
2. the Legal Practice Board;
3. your employers or prospective employers;
4. statutory bodies and other government agencies and instrumentalities;
5. the Law Society of Western Australia (Inc).

In each case, we will treat personal information we collect in accordance with the principles set out above.

What do we use personal information for?

We use personal information to: assess applications for insurance cover, provide professional indemnity insurance, arrange underwriters, manage claims and satisfy regulatory requirements. We also use personal information to carry out administrative tasks, manage our insured's rights and obligations in relation to external obligations and statutory obligations, conduct market or insured's satisfaction research and undertake risk management training.

Disclosure of personal information to third parties

We may disclose your personal information to third parties. These may include, underwriters, agents, contractors (including organisations used by us, such as "cloud" data storage contractors, to store information in an electronic format), insurers, advisors, your agents, your contractors, your employers and your prospective employers and other entities, including the Law Society.

We will only do so in accordance with the Privacy Act 1988 and our policy.

When we collect personal information

We will take reasonable steps at or before the time we collect personal information from an individual, to ensure that individual is aware of:

1. who we are and our full contact details;
2. the fact that person is able to gain access to the personal information that we collect and seek the correction of such information;
3. the purposes for which the personal information is collected;
4. the organisations (or types of organisations) we will usually disclose or transfer that personal information to;
5. whether it is likely that we will disclose information to overseas recipients and, if so, where;
6. any law which requires us to collect the personal information;
7. the main consequences (if any) if all (or part) of the personal information requested by us is not provided.

However, there are circumstances where we are not required to do so.

Access to your personal information

Requests for access to your personal information should be made in writing to our privacy officer.

If you request, then in most circumstances we will make available to you the personal information about you that we have collected. In certain circumstances we might not allow you access to your personal information. These circumstances include, where:

1. it would have an unreasonable impact on the privacy of others;
2. the information relates to legal proceedings with you;
3. the information would reveal our commercially sensitive decision-making process;
4. providing access to the information would prejudice certain investigations;
5. we are required by law not to disclose the information. This includes duties we may have under common law.

We will respond to a request for access to information as a priority and will seek to do so within a maximum of 10 days.

We will not charge you for requesting access to your own personal information.

What to do if you believe the information we hold about you is inaccurate

If you believe that any information that we hold about you is inaccurate or out of date, please contact us and we will review and update the relevant information.

Change in our privacy policy

We will review this privacy policy from time to time and inform you of any changes to this policy by placing the revised policy on our internet site.

If you are dissatisfied with the manner in which we use your personal information

We want always to improve our systems and procedures to give you full confidence in our ability to respect and safeguard the privacy of the personal information you provide to us. If we have not fulfilled our commitment to you, please tell us by contacting our privacy officer.

CONTACT DETAILS

The Privacy Officer
Law Mutual (WA)
Level 4
160 St Georges Terrace
PERTH WA 6000
Tel: 9324 8600 Fax: 9324 8699

Related Procedure	CPP29.11 Law Mutual (WA) Privacy Policy Procedure
Procedure Amendment Authority Level	Council
Policy Owner	General Manager Law Mutual
Related Legislation	N/A
Related Delegation	
Adopted/Amended	Council May 2011 (C240511B7), Amended Council June 2011 (C210611B13); Amended Council June 2013 (C250613B8); C270813D9; C280114D1
Work Health and Safety	Reference should be made to the Law Society Work Health and Safety Plan when reading this Policy.