



DAWES & VARY RIORDAN
LAWYERS

PRIVACY POLICY

Dawes & Vary Riordan Privacy & Confidentiality Policy

Dawes & Vary Riordan Lawyers takes privacy and confidentiality very seriously. We are also bound by and comply with the Australian Privacy Principles derived from the Privacy Act 1988 (Commonwealth).

This privacy and confidentiality policy governs Dawes & Vary Riordan Pty Ltd Lawyers. (Dawes & Vary Riordan). This policy explains how we collect and use information that is provided to us in the usual course of investigating potential legal claims, acting for those who later retain us and conducting our legal services. This policy applies to all information that we collect.

The Type of Information Collected

The type of information that we collect includes personal information concerning clients, potential clients who contact us as well as suppliers, consultants, employees and applicants for employment.

Personal information is information that allows us to identify individuals, such as names, contact details and dates of birth. Personal information also includes any fact or opinion provided that is connected to an enquiry.

We may also need to collect sensitive information. Sensitive information is a subset of personal information, such as information or opinion concerning racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a profession or trade association, membership of a trade union, sexual orientation and practice, criminal record or health information.

Purpose of Collection

We will not collect personal or sensitive information unless such information is reasonably necessary for the primary purposes of:

- Assessing whether we are able to act for an individual or group of individuals;

- Providing legal services and advice;
- Conducting the effective management of our business; and
- Marketing our legal services.

We collect personal information from individuals at the pre-client stage when a legal enquiry is made so that we can identify and assess whether we are able to act on that individual's behalf. We will not consider acting for any individual who does not properly identify themselves as this could lead to a conflict of interest developing between our clients in the future.

In some instances, we may also need to collect sensitive information at the initial stage of an enquiry if it is directly relevant to the advice being sought. For our internal business purposes, we retain and safely store the personal and sensitive information that is provided to us at the pre-client stage as this enables us to respond more efficiently and to inform such persons of our other legal services or developments that may be of interest to them at a later stage.

We also collect the personal and sensitive information ("Information") provided to us by our clients who have commenced instructing us to act in their matter. We collect all Information that is necessary to effectively conduct legal matters. Such Information is stored on our computer systems and within paper based files as appropriate.

At the conclusion of legal matters, we are required to keep legal files for a minimum period of 7 years from the closure of a legal file unless we are instructed to the contrary. In some cases, we may be required to retain documents for a longer period of time (e.g. documents that inform the making of a Will).

Method of Collection

In most circumstances, we will collect Information through completed questionnaires and forms that have been provided to us, interviews and telephone conversations.

Often, in the context of providing legal services, we collect Information from external professional sources (ie. health professionals, financial advisors, accountants, other legal parties and their legal advisors). With the exception of Information obtained from opposing legal parties, this Information will, in the usual course, be obtained under our clients' express authority and will be securely stored on their file.

Potential Use of Cloud Computing Services

We may in the future utilise cloud computing services for e-mail storage and to store Information that we collect. In every case, data will be encrypted (where access can only be obtained through a secure username and password system) to protect confidential Information from unauthorised access and inadvertent disclosure. We will undertake appropriate due diligence on proposed cloud computing service providers prior to retaining them. As part of this due diligence, we will seek confirmation that we will possess effective

control over the Information and that such service providers comply with the Australian Privacy Principles or are subject to a binding law or scheme that offers substantially similar protection.

Information Security

The Information that is provided to us is stored on computer and paper based files as appropriate. We endeavour to keep all Information safe by taking all reasonable precautions to protect Information from misuse, loss and unauthorised access, modification or disclosure. Our security measures include: educating all of our personnel about the vital importance of client confidentiality and privacy protection, username and password protected access to all of our IT and telephone systems, anti-virus protection to all of our IT systems, effective document destruction (when legally appropriate), security access to and surveillance over all of our office premises and the secure physical storage of archived Information.

How we handle Client Information

We believe that it is essential that all Information is kept confidential. We will not disclose Information to third parties, without consent, unless it becomes necessary to lessen or prevent a serious and imminent threat to life, health or safety or unless otherwise compelled by law.

Compulsory Disclosure by Law

We may be compelled to disclose Information by law, for example, under court orders or statutory notices to produce documents under laws relating to social security, taxation, bankruptcy, anti-money laundering, counterterrorism and the management of incorporated entities.

Information accessed within the Group and to other Third Party Service Providers

Information may be accessed by personnel within Dawes & Vary Riordan. All personnel within Dawes & Vary Riordan are bound by the same confidentiality laws and standards that govern the legal profession within Australia and comply with the Australian Privacy Principles.

Third party service providers may also come into contact with Information when we outsource certain functions, such as: bulk mailing, client experience research, company audits and information technology support. We maintain effective control over such Information at all times and we have contractual arrangements in place with all of our third party service providers to protect Information from unauthorised use or disclosure.

Disclosure to Third Party Service Providers

In the course of providing legal services and conducting the effective management of our business, disclosure to third party professionals and service providers may occur (e.g. barristers, document reproduction service providers and debt recovery agents). We have contractual arrangements in place with all of our service providers to protect personal and

sensitive Information up to the same standards as if we stored the Information ourselves and to prevent them from using the Information for any purposes other than our own. We also conduct due diligence on any third party service provider to ensure that they comply with the Australian Privacy Principles (or equivalent privacy laws) and most importantly that they take the protection of our clients' Information as seriously as we do.

Marketing

As part of what we hope to be an on-going professional relationship with our pre-client and existing client base, we may from time to time send out information related to the other legal services that we offer. We do however respect the wishes of individuals who do not wish to receive such material from us so a simple 'opt-out' procedures can be activated within the promotional e-mails that we may send from time to time. We have also appointed a Privacy Officer to address any questions or concerns at privacyofficer@dvrllawyers.com.au or on: 03 5820 0200.

Improving Client Services

In order for us to better understand our clients' needs, Information may also be shared between personnel of Dawes & Vary Riordan. Because we are continually looking for ways to improve the quality of our legal services, we may in the future ask our clients to participate in a client feedback survey conducted by external consultants who are experts in their field. We obtain client consent prior to disclosing Information to external consultants engaged for this purpose and we will respect the wishes of those who do not wish to participate.

Website

For statistical purposes we reserve the right to collect information on website activity (such as number of users who visit our website, the date and time of visits, the number of pages viewed and location). This information does not identify individuals but it does provide us with statistics that can be used to analyse and improve our website. We reserve the right to analyse the traffic through our website, which may involve the use of cookies for marketing and market research more generally. To read more about our Cookie Policy please [click here](#).

Information Quality, Access and Correction Processes

From time to time, we may take steps to update or verify personal information by collecting personal information from publicly available resources, for example, telephone directories or electoral rolls to improve the integrity of the personal information that we hold.

We provide a transparent system of allowing individuals to access their personal Information and seek corrections to any inaccuracies. Requests for access and correction to personal Information for pre-clients (ie, people who have made an enquiry but did not instruct us to act on their behalf) should be made by contacting our Privacy Officer at privacyofficer@dvrllawyers.com.au or on 03 5820 0200 (AEST) 8.30am- 5.30pm Monday to Friday. We recommend that our clients contact their legal advisor directly. If they are

dissatisfied with the response that they receive they should direct their enquiry to our Privacy Officer.

In certain circumstances, we are permitted to deny the request for access, or limit the access that we provide. For example, we will give an explanation of a decision not to offer an individual a client retainer, rather than direct access to the evaluative information connected to the final decision. We are also entitled to withhold a legal file unless and until a satisfactory arrangement has been agreed concerning the payment of outstanding legal costs.

Contact us about Privacy

Dawes & Vary Riordan operates a transparent Privacy Complaints Handling Policy that sets out our approach to resolving any privacy complaints in a fair and expeditious manner. For existing clients, we recommend that privacy related complaints are made directly to the lawyer within Dawes & Vary Riordan who has conduct of your matter - often a telephone call is all that is needed to resolve concerns. For all other complaints, please click [here](#) to access our Privacy Complaints Handling Policy.



DAWES & VARY RIORDAN
LAWYERS

COOKIE POLICY

Dawes & Vary Riordan takes your privacy and confidentiality very seriously.

A cookie is a small file of letters and numbers which can be put on your computer whilst you are browsing. These cookies allow a website to distinguish you from other users of the website, helping the website owner to provide you with a better experience during your visit and also allowing the website owner to improve their site.

Dawes & Vary Riordan use a number of suppliers who also set cookies on the www.dvrlawyers.com.au website on our behalf in order to deliver the services that they are providing.

Our Cookie Use

The Dawes & Vary Riordan website does not currently utilise cookies. However, Dawes & Vary Riordan reserves the right in the future to use cookies to remember a user's selection within our website, in order to tailor information specific to the user and also to ensure the same tailored information is provided to the user when revisiting the website. These would be in use when a user selects their State in order to view information specific to their location.

Cookies set by Third Party sites

To support our site and the information we are posting, we sometimes embed photos and video content from websites such as YouTube and Flickr. As a result, when you visit a page with content embedded from, for example, YouTube or Flickr, you may be presented with cookies from these websites. Dawes & Vary Riordan does not control the dissemination of these cookies. You should check the relevant third party website for more information about these.

Analytical Cookies

Dawes & Vary Riordan does not currently utilise analytical cookies which recognise and count the number of visitors and see how visitors interact with the site. However, we reserve the right to do so in the future. This would enable us to ensure that users are finding the information that they are looking for more effectively.

If you wish to restrict or block any cookies which are set when visiting the www.dvrlawyers.com.au website, or indeed any other website, you can do this through your browser settings. Please note that restricting cookies may impact on the functionality of the site and also your user experience.



DAWES & VARY RIORDAN
LAWYERS

PRIVACY COMPLAINTS HANDLING POLICY

POLICY

Dawes & Vary Riordan complies with the Australian Privacy Principles in the *Privacy Act 1988 (Commonwealth)*. Our Privacy & Confidentiality Policy is available on our website, or you can obtain a copy by contacting 03 5820 0200. The Privacy Complaints Handling Policy is to be read in conjunction with the Privacy & Confidentiality Policy.

PURPOSE

This policy sets out our approach to resolving complaints from individuals about the way we have dealt with their personal information, and outlines what people can expect when they make a complaint.

MANAGEMENT OF PRIVACY COMPLAINTS

Privacy complaints are managed by the Privacy Officer.

The Privacy Officer will:

- Receive and acknowledge the complaint
- Seek further information from the complainant if necessary
- Thoroughly investigate the complaint
- Respond to the complainant with the outcome of the investigation
- Provide feedback to the relevant internal stakeholders

COMPLAINT PROCESS

1. *Complaint Receipt*

Privacy complaints must be made in writing. The Privacy Officer may exercise discretion to receive an oral complaint if they consider that making a written complaint would be impracticable or unreasonably onerous for the complainant.

In their written complaint, the complainant should:

- Include sufficient contact details to enable us to identify them;
- Clearly and succinctly state the nature of their complaint;
- Include sufficient information for the Privacy Officer to understand the complaint;
- Provide details such as what happened, when they became aware of it, and who was involved;
- State which Australian Privacy Principle they believe has been breached (if known);
- Outline the impact the event has had on them; and
- Include details of what they would like to see happen to resolve their complaint

The complaint can be emailed to privacyofficer@dvrlawyers.com.au, faxed to (03) 5831 5377, or posted to:

The Privacy Officer
Dawes & Vary Riordan Pty Ltd
PO Box 2272
SHEPPARTON VIC 3030

We can only accept complaints from the individual involved, or their authorised representative. If the complainant is acting on behalf of another person, they must provide evidence of their authority to do so.

2. *Complaint Acknowledgement*

The Privacy Officer will acknowledge the complaint within five working days of receiving it.

3. *Complaint Investigation*

The Privacy Officer will investigate the concerns raised by the complainant. This may involve obtaining further information from the complainant, speaking with the relevant staff members, reviewing relevant documents or client files, and obtaining technical or legal advice.

It is anticipated that in most cases, the duration of the investigation will not exceed 20 working days. If the investigation is likely to take longer than 20 days, the Privacy Officer will notify the complainant.

4. *Complaint Outcome*

The Privacy Officer will write to the complainant to inform them of the outcome of the investigation.

If the complainant remains dissatisfied with the response provided, they may wish to contact the Office of the Australian Information Commissioner (The Privacy Commissioner). For more details, see <https://www.oaic.gov.au/>.

5. *Internal Feedback*

Where appropriate, the Privacy Officer will provide feedback, including recommending process improvements, to the relevant internal stakeholders to ensure continued compliance with the Australian Privacy Principles.