

Information Sheet

Client Information Privacy



The Senior Master respects your privacy

All information about clients of Funds in Court (FIC) is completely private. The Senior Master views the affairs of all clients as confidential.

If you did not have funds held in Court, your financial matters would be confidential unless:

- you released or authorised the release of any information
- you were compelled by law to release information.

This is why the Senior Master believes your information should remain private and confidential. Your privacy shouldn't change because you have funds in Court.

The Senior Master also forbids unnecessary sharing of details about the work we do with your funds in Court.

What information does FIC need?

We are part of the Supreme Court. Because of this, we have access to the information from the proceeding that resulted in your funds being paid into Court. We can collect this information under the Supreme Court Rules.

We need other information about you so we can provide you with the best possible service. We will ask you or your primary caregiver for this information.

We will need to collect different information for different people. We will need different information depending on the things you apply to use your money for. This information is either personal information or health information.

Personal information

Personal information is recorded information or opinion about an identifiable client. Personal information can be almost any information linked to you, such as your:

- name
- address
- sex and gender
- age
- financial details
- marital status
- education
- criminal record
- employment history.

This type of information can be recorded as a file in a database, in images and information about the work you do, if any.

Some personal information is classed as sensitive. Sensitive information has a higher level of privacy protection than other personal information.



Health information

Health information is recorded information or opinion about a client's physical or mental health.

This can be:

- medical records or other types of health records
- health assessments.

How to update your information

Please give us accurate information whenever we ask for it.

If your information changes, please tell your Client Services Officer as soon as possible.

Why does FIC need this information?

We need your information so we can provide the best service to you. We use your information to do things like:

- provide services to you effectively
- identify you
- help run and develop our operations (for example, to make sure we act according to risk management requirements and legal obligations)
- research and plan better services for all our clients.

When we ask you or your primary caregiver for information, we will explain:

- why it is being collected
- what we are doing with it
- whether any law requires we collect it
- the main consequences for you if you don't give it to us.

What happens if you don't give FIC information?

If you don't give us the information we ask for, we won't be able to give you the best possible service.

How does FIC keep information safe?

Most information privacy is covered by the *Privacy and Data Protection Act 2014 (Vic)*. However, this Act has a section that says the Court does not have to follow the Act for the Court's judicial work. This judicial work includes looking after the funds in Court.

However, the Senior Master strongly believes in protecting your privacy. The Senior Master and FIC comply, as far as practicable and appropriate, with:

- the requirements of the privacy principles in the *Privacy and Data Protection Act 2014 (Vic)*
- Court Services Victoria's policies and procedures on privacy
- the Supreme Court's policies and procedures on privacy.



At FIC, everyone is responsible for following privacy principles, policies and procedures. We take reasonable steps to ensure your information is accurate and secure at all times. We have information privacy and security measures that aim to prevent misuse, loss, unauthorised access or unauthorised disclosure of your information.

We can only collect, use and disclose your information when we need to do so to do our jobs, or for other functions allowed by privacy law. Your information is only available to staff who need to access it to do their jobs.

We hold your information in printed documents and electronic files. We store our paper-based files securely. Our information technology systems have comprehensive protections to guard against unauthorised access.

Please be aware we will keep a copy of anything we send you. We will also keep a copy of anything you send to us. This will include your applications, questions, complaints and surveys.

Accessing your own information

Some information we have about you is publicly available. For example, we have the information from the proceeding which resulted in the payment of your funds into Court.

You can contact us to ask for access to the information we have about you. If it is reasonable and practicable we will give you access to your information. If we refuse, we will explain why we can't give you access to that information.

Correcting your own information

If you notice any information about you is incorrect, please let us know. We will take reasonable steps to correct the information if we agree it is incorrect, incomplete or misleading.

Sometimes, we may refuse to correct a piece of information. This will be because we are required or authorised by law to not correct this information. If this happens, we will explain the reasons to you.

Does FIC share your information?

We use your information for the reasons we collected it for. We may share your information with other people and organisations if they are also going to use it for the reasons it was collected.

If another person or organisation wants some of your information for a reason it wasn't collected, we will ask you for your consent first.

We have strict rules in place that control if and how your information can be shared. The Senior Master and Judicial Registrar are the only people at FIC who can approve sharing your information.

We may also be permitted or required to share your information by law (for example, because of a court order).



Sharing information with your service providers

We may share your information with service providers (companies or people) you engage with.

These service providers could be:

- an organisation that has a relationship with you and us (for example, Centrelink, Transport Accident Commission, NDIA)
- your advisers or representatives (for example, financial or legal advisers)
- a person or company who needs to be paid for an item or service you have bought or used.

Sharing information with FIC's service providers

We pay some service providers to do specific tasks for us. These service providers help us work in the best way possible.

For example, we use service providers:

- to print and post our newsletter
- for information technology and security support
- for advice about our investment services.

We may need to share your information with these service providers so they can do their job. If this happens, we will protect your information by making the service provider sign a contract that includes our privacy and information protection requirements.

Other people who want to access your information

If someone wants to access your information from us, they must prove they have a right to the information. We will ask the person what right they have to the information, what they are going to do with it, and for any other relevant information.

Section 6 of the *Freedom of Information Act 1982 (Vic)* says that the Act does not apply to the Court. This means other people cannot use the Freedom of Information Act to get your information.

How to contact FIC

We are open from Monday to Friday, 9am to 5pm.

Located at:

Level 5, 469 La Trobe Street
Melbourne, Victoria 3000

Postal address:

Funds in Court
Supreme Court of Victoria
210 William Street
Melbourne, Victoria 3000

Phone: 1300 039 390



Fax: 1300 039 388

Email: requests@fundsincourt.vic.gov.au

Website: www.fundsincourt.vic.gov.au

If you are outside Australia

Phone: +61 3 9032 3777

Fax: +61 3 9032 3792

Contacting FIC in a language other than English

We will help you if you need to talk to us in another language.

You or your representative can call us and we will arrange an interpreter. Please call on a weekday between 9am and 5pm.

You or your representative can write to us in your language by letter or email. We will get it translated into English.

We will not charge you for the interpreter or translation service.