



Shieff Angland Privacy Policy

Last updated 24 November 2022

- 1 Shieff Angland and its related organisations (**we, us, our**) are strongly committed to protecting the privacy of its clients, staff and related third parties.
- 2 This document sets out our policy for handling the personal information of our clients (current and prospective) including collection, use, disclosure, security, retention, access and correction.
- 3 Section 7 of the Privacy Act 2020 (**the Act**) defines “personal information” to include “information about an identifiable individual”. The Act imposes strict obligations on agencies, such as law firms, that collect and hold personal information.
- 4 Shieff Angland is a law firm providing specialist services in commercial, property and litigation. We are therefore bound by the laws governing the privacy of personal information in the Act. We are also bound by additional and sometimes more onerous obligations such as those stipulated in the [Lawyers and Conveyancers Act 2006](#) and the [Conduct and Client Care Rules 2008](#) with respect to how we manage client information. Any statutory inconsistencies with the Privacy Act 2020 will be assessed and managed on a case by case basis.

A COLLECTION, USE & DISCLOSURE

- 5 During the course of our work and in order to properly conduct our business, we may collect personal information either directly from you, authorised third parties, or from publicly available sources. As far as possible, we will endeavour to collect personal information directly from you with certain exceptions, including but not limited the following instances:
 - a If the information is publicly available, in which case your consent is not legally required.
 - b If you authorise the collection of your personal information from a third party.
 - c If we must collect the information from a third party to avoid prejudice to the maintenance of law, it is permitted by law, for court or tribunal proceedings, or if collecting the information from you would undermine the purpose of the collection.
 - d If it is not reasonably practical to collect the information directly from you.
- 6 The type of information we collect will largely depend on the legal services you instruct us to provide you with, to ensure we can comply with our legal obligations, and/or to enable us to market our services and expertise. The type of information we may collect from you includes but is not limited to the following examples:
 - a Name, date of birth, residential address, contact details, nationality

- b Identification documents (e.g. passport, driver's licence)
 - c Proof of address (e.g. letters from banks, utility providers)
 - d Employment details (e.g. employment agreement, job description, references)
 - e Financial information (e.g. bank statements, credit card details for fee payment, source of wealth)
 - f Any other information relevant to the conduct of our business (e.g. for marketing purposes, and legal compliance including but not limited to anti-money laundering obligations, combating the financing of terrorism, health and safety)
- 7 We will endeavour to provide you with an explanation as to the legal basis for requesting information from you and/or a third party authorised by you, including whether the provision of that information is mandatory or voluntary. The decision not to provide us with information requested may impinge on our ability to represent fully or accept instructions from you.
- 8 With respect to our website, automated technology such as cookies may be used to collect and store information about your visit.
- 9 We may also collect your personal contact details if you for example provide these to us through our website. We may use this information to contact you to provide you with our legal services.
- 10 For promotional material which you have subscribed to, you can unsubscribe at any time.
- 11 Generally, we will limit the use of your personal information to the purpose for which it is collected.
- 12 If necessary, we may use your personal information for other purposes if it is related to the purpose for which the information is collected, you are not identifiable, or if necessary to avoid prejudice to the maintenance of law, for court or tribunal proceedings, health and safety reasons.
- 13 We may also disclose your personal information to other individuals within Shieff Angland not directly connected to advising you, if necessary. For example,
- a we may draw upon the expertise from lawyers within our firm to provide you with comprehensive advice on your legal position.
 - b Administrative and accounting staff as well as our IT Service Provider may also have access to your personal information to assist our lawyers to provide services to you.
 - c We may be required by our insurer to provide your details to them in the event there is a claim or a potential claim.
 - d We may be required by our auditors or by the New Zealand Law Society to provide your details in order to satisfy and audit, review an enquiry that we volunteer or are obliged to respond to.
 - e For debt recovery purposes, we may disclose your personal information to a debt collection agency.

14 We may disclose your personal information to third parties if for example we are required to do so by a body that regulates our offer, for example the New Zealand Law Society or by law. We will obtain your consent before making a disclosure to third parties unless doing so may prejudice the maintenance of law, it is for court or tribunal proceedings, and/or health and safety reasons.

15 We may appoint other organisations to carry out some administration, processing and other services on our behalf. This may require us to share your personal information with service providers who perform services based on our instructions. Our service providers will not be authorised by us to use or disclose your personal information except as necessary to perform services on our behalf or to comply with legislation. We require third parties to use your personal information for the specific purpose for which it was given to us and to protect the privacy of your personal information. We will only disclose your personal information to third parties on the basis that such parties agree with us to keep your information confidential.

B SECURITY & RETENTION

16 We are obligated to protect the privacy, confidentiality and security of your personal information. We will endeavour to take all reasonable steps necessary to do so.

17 When we no longer need to hold your personal information to provide ongoing services to you or because our legal obligation to maintain a record of your information has expired, we will securely destroy that information.

D ACCESS & CORRECTION

18 You have the right to request access to your personal information held by us. You can make this request by contacting our **Privacy Officer**, Rachel Holland, at rachel.holland@shieffangland.co.nz.

19 We will respond to your request within 20 working days after the day on which the request is received, unless an extension of time is reasonably necessary.

20 We may charge a fee for providing you with access to the information requested depending on the volume of documents, method of delivery and/or the storage location. We will advise you of any likely cost.

21 There are certain limited grounds on which we can refuse your request, including:

- a to avoid prejudice to the maintenance of law;
- b to preserve our legal professional privilege;
- c to prevent the unwarranted disclosure of the affairs of another individual (alive or deceased); or
- d if the information requested is evaluative material provided to us in confidence.

22 You also have the right to request the correction of your personal information by contacting our Privacy Officer.

- 23 We encourage you to get in touch with us to update the personal information we hold about you to ensure the accuracy of our records (e.g. address, contact details). Likewise, we will endeavour to take all reasonable steps necessary ensure the information we hold about it you is accurate and up to date.
- 24 We retain the right to deny your request for correction, in which case we will attach your request to the information.

E OTHER RIGHTS & OBLIGATIONS

- 25 This policy document provides an overview only of how we manage client personal information.
- 26 For further information about your rights and our obligations, please visit the Privacy Commissioner's website.