



PRIVACY AND CONFIDENTIALITY OF INFORMATION POLICY

POLGM03

AUTHORISED BY: DIRECTOR AND CEO

REVIEW DATE: FEBRUARY 2019

REVIEW / CONSULTATION BY: HARRY VARVARESSOS

OBJECTIVES

- To provide guidance and clarity to internal and external stakeholders regarding their rights and obligations under privacy principles and legislation.
- To ensure relevant parties understand the purpose and use for collecting personal information.
To confirm consent to use personal information.

SCOPE

This policy applies to all current, past and prospective Southern Highlands Home Care Pty Ltd employees, directors, volunteers, contractors, consultants, and suppliers. It also applies to anyone whose personal information may be given to or held by us including, but not limited to, care recipients, prospective care recipients, their visitors and family.

The Director is responsible for monitoring, reviewing and revising this policy, including whenever there is a change of legislation or personnel in a relevant role. Breaches of this policy must be reported to the Director.

The Privacy Officer is accountable to implement this policy and ensure it goes to the Director regularly for review. Responsibility for implementation includes staff training to ensure employees understand the policy and the level of delegation, if any, assigned to them.

DEFINITIONS

Personal Information

Personal information is information in any form that can identify a living person. The Privacy Act applies only to information about individuals, not to information about corporate entities. Detailed information on the Privacy Act can be found on the Office of the Australian Information Commissioner ("OAIC") website. **Sensitive information** is a subset of personal information and is information about an individual's:

- Racial or ethnic origin; political opinions; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual preferences or practices; or criminal record
- Health information about an individual
- Genetic information (that is not otherwise health information)
- Biometric information that is to be used for automated biometric verification or biometric identification
- Biometric templates.

PERSONAL INFORMATION

Collection of Personal Information

Personal information about you may be collected by us from you, your representative or a third party including, but not limited to, associated healthcare providers, contracted service providers and Government.

We will not ask you for any personal information which we do not need. The Privacy Act requires that we should collect information for a purpose that is reasonably necessary for, or directly related to, a function or activity of ours. When we collect personal information, we are required under The Privacy Act to notify you of a number of matters. These include the purposes for which we collect the information, whether the collection is required or



authorised by law, and any person or body to whom we usually disclose the information. We provide this notification by ensuring this Privacy Policy is available to you or your representative on admission, on request, and freely accessible via our website.

Types of Personal Information Collected and Held

We only collect personal information that is reasonably necessary for the functions of Southern Highlands Home Care Pty Ltd. This will vary depending on the nature of your interaction with us and includes but is not limited to:

- personal information (e.g. name, date of birth, contact details, occupation)
- financial information about you (e.g. bank account, credit card, pension)
- health information (current and past, including disability and injury)
- employment information (e.g. work history, referee comments, remuneration)
- background information (e.g. qualifications, ethnic origin, language)
- government identifiers (e.g. Centrelink Reference Number or Tax File Number)
- certified copies of relevant documents including visa and professional registration
- criminal record checks
- photographs, video and audio recordings of you
- information obtained during the course of your interaction with our website or Wi-Fi network
- aggregated statistical data (e.g. traffic flow and demographics)

How We Collect and Hold Personal Information

We will make all reasonable endeavours to collect personal information directly from you. Where reasonable and appropriate we will seek your consent prior to collecting your personal information from someone other than you.

We collect personal information through a variety of different methods including but not limited to:

- paper, electronic and online forms
- meetings
- telephone, fax and email
- our websites, social media and on-line platforms
- security tools (e.g. CCTV, facial and fingerprint recognition systems)

Southern Highlands Home Care Pty Ltd stores personal information in a combination of digital and hard-copy (paper) formats. Information is stored for as long as it is required to be able to provide the intended services or to meet legal and regulatory requirements. If we no longer require personal information for any purpose, we will take steps to permanently de-identify or securely destroy it.

SECURITY OF INFORMATION

Access to personal information held by us is restricted to authorised persons.

We take all reasonable steps to protect the personal information we hold and ensure it is secure, including the following measures:

- secure physical storage of documents
- appropriate security measures in premises we occupy
- network and communications security measures
- restricting access to physical or electronic records to authorised personnel
- conducting audits, including system penetration tests, to ensure we adhere to our protective and computer security policies

All reasonable steps are taken to ensure that the personal information we hold is protected against misuse, loss, unauthorised access, modification or disclosure. However, we cannot ensure or warrant that your personal information will always be secure during transmission or protected from unauthorised access during storage, therefore you provide your personal information to us at your own risk.

Contact us immediately if you become aware or have reason to believe there has been any unauthorised use of your personal information in connection with our services.



USE AND DISCLOSURE

We will only use or disclose information that personally identifies you in accordance with this policy, unless we are required to disclose it by law, or in our opinion we are required to disclose it to protect the rights or property of us or any third party or to avoid injury to any person.

Southern Highlands Home Care Pty Ltd will disclose your personal information where required to provide you with our services or products.

In some instances, we may disclose personal information to third parties, including but not limited to:

- provide you with appropriate care and services
- process payments
- answer your queries and resolve complaints
- conduct surveys
- comply with relevant laws and regulations

We will only use and disclose your personal information for secondary purposes where we are able to do so in accordance with the Privacy Act.

Where we engage contractors and service providers, Southern Highlands Home Care Pty Ltd will take reasonable steps to protect the privacy of all information disclosed and requires such parties to comply with any relevant privacy laws. You have the right to ask these organisations or contractors for access to information they hold about you.

Accidental or Unauthorised Disclosure of Personal Information

We will take seriously and deal promptly with any accidental or unauthorised disclosure of personal information. We follow the OAIC's *Data breach notification — a guide to handling personal information security breaches* when handling accidental or unauthorised disclosures of personal information.

YOUR RIGHTS

Clients and employees are not obliged to provide us with their personal information. However, if you choose not to provide Southern Highlands Home Care Pty Ltd with all of the information we have reasonably requested, we may be unable to provide you with employment or the products or services you have requested from us.

Under the Privacy Act, you have a right to access your personal information that is collected and held by us. You also have a right under the Privacy Act to request corrections to any personal information that we hold about you if you think the information is inaccurate, out-of-date, incomplete, irrelevant or misleading. Please note that the Privacy Act sets out circumstances in which we can decline access to or correction of personal information.

Requests to access or change the personal information that we hold about you must be made in writing to our Director. If providing you with access requires a detailed retrieval of your personal information, a fee may be charged to cover the cost of retrieval and supply of information.

Use of Images and Social Media

Photography, videography and fingerprint technology may be in regular use during your interactions with Southern Highlands Home Care Pty Ltd. From time to time photos or videos may be shared (e.g. via the Southern Highlands Home Care Pty Ltd Newsletter, Noticeboard, Website, Media, or Social Media). Where identifying information such as your name is also to be used express consent will be sought. We will ask you to provide express consent before we collect, use or disclose your fingerprint information.

GRIEVANCE

If you have any concerns about how we manage your personal information you may write confidentially to our Director. At all times privacy complaints will be treated seriously under the Southern Highlands Home Care Pty Ltd Comments and Complaints policy. If you are not satisfied with our response you may lodge a complaint with the



Office of the Australian Information Commissioner by writing to the OAIC at GPO Box 5218, Sydney NSW 2001. For further information about the OAIC, please visit www.oaic.gov.au

REFERENCES

The Privacy Act 1988

The Aged Care Act 1997

Australian Aged Care Quality Act 2013

Data Breach Notification Statement

Data Breach Response Plan

NDIS Code of Conduct - Guidance for Service Providers

Note: Southern Highlands Home Care Pty Ltd trades as Southern Highlands Home Care, Southern Highlands Home and Disability Care, Port Stephens Home and Disability Care and Home Care 4 U. All businesses under Southern Highlands Home Care Pty Ltd are bound by this policy.