



TITLE: Privacy Policy	REF NO: QCI_POL03
AUTHOR: General Manager Quality & Compliance	REVISION NO: 00
APPROVED BY: Chief Executive Officer	EFFECTIVE FROM: 01/12/2018
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PURPOSE:

The purpose of the Christadelphian Aged Care Privacy Policy is to:

- Ensure personal information is managed in an open and transparent way;
- Protect the privacy of personal information including health information of residents and staff;
- Provide for the fair collection and handling of personal information;
- Ensure that personal information Christadelphian Aged Care collect's is used and disclosed for legally permitted purposes only;
- Regulate the access to and correction of personal information; and
- Ensures the confidentiality of personal information through appropriate storage and security.
- Provides access to complain about any breach of the Privacy Act.

POLICY STATEMENT:

This privacy policy outlines how personal information is managed and safeguarded pursuant to the **Privacy Act 1988** (Privacy Act) and the 13 Australian Privacy Principles (APPs) in the Privacy Act and the Health Privacy Principles under the **Health Records and Information Privacy Act 2002** (NSW). This second Act will only apply for NSW facilities.

Rights in relation to Privacy

Christadelphian Homes Ltd trading as Christadelphian Aged Care (ABN 60 960 501 367) (**we, us, our**) understands the importance of protecting the privacy of an individual's (**you, your**) personal information including health and sensitive information.

We will comply with privacy legislation and aim to protect the privacy of your personal information, your rights in relation to your personal information managed by us and the way we collect, use and disclose your personal information.

This policy may be updated from time to time.

DEFINITIONS:

Health information is:

- (a) Personal information or an opinion about:
 - (i) an individual's physical or mental health or disability (at any time);
 - (ii) an individual's express wishes about the future provision of health services for themselves; or
 - (iii) a health service provided, or to be provided, to an individual;
- (b) Other personal information collected to provide, or in providing, a health service;
- (c) Other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or
- (d) Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.



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Personal information means:

Information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) Whether the information or opinion is true or not; and
- (b) Whether the information or opinion is recorded in a material form or not;

Sensitive information means:

- (a) Personal information or opinion about an individual's:
 - (i) racial or ethnic origins;
 - (ii) political opinions or political associations;
 - (iii) philosophical beliefs or religious beliefs or affiliations;
 - (iv) sexual orientation or practices;
 - (v) criminal record; or
- (b) Health information about an individual; or
- (c) Genetic information about an individual that is not otherwise health information

SCOPE:

All Christadelphian Aged Care Employees, including contracted agency staff and volunteers.

GUIDING PRINCIPLES:

COLLECTION AND USE OF PRIVATE INFORMATION

What types of personal information do we collect?

Personal information is any information that identifies an individual or any information from which an individual's identity could reasonably be ascertained. During the provision of our services, including if you access our website, we may collect your personal information.

We generally collect four kinds of information:

1. Personal information provided by you, including your name, address, telephone number and email address;
2. Health and financial information in the event that you enter our care as a resident;
3. Information that we obtain about you in the course of your interaction with our website including your internet protocol (IP) address, the date and time of your visit to our website, the pages you have accessed, the links on which you have clicked and the type of browser that you were using; and
4. Aggregated statistical data which is information relating to your use of our website and our services, such as traffic flow and demographics.

How do we collect personal information?

Personal information (including health information), may be collected:

1. From a resident;
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2. From any person or organisation that assesses health status or care requirements, for example the Aged Care Assessment Team;
3. From the health practitioner of a resident;
4. From other health providers or facilities;
5. From family members or significant persons of a resident; and
6. From a legal advisor of a resident.

We will collect personal information from the client or resident unless:

1. We have the consent of the resident to collect the information from someone else; or
2. We are required or authorised by law to collect the information from someone else; or
3. It is unreasonable or impractical to do so.

Why do we need your personal information?

We collect your personal information for the purposes of providing you with our care and services. Where applicable, we may use your personal information:

1. To provide aged care services to you;
2. To enable allied health care providers and medical practitioners to provide care and services to you;
3. To enable us to obtain the correct level of government funding in relation to your care;
4. To enable contact with a nominated person regarding your health status;
5. To lawfully liaise with a nominated representative and to contact family if requested or needed;
6. To identify and inform you of any other services that may be of interest to you;
7. To fulfil any of our legal requirements; or
8. For other purposes permitted or referred to under any terms and conditions you enter into or otherwise agree to with respect to our services.

If ***you do not wish to have your personal information used in any manner*** or purpose specified above, please contact our **Privacy Officer**.

Notification

We will at or before the time or as soon as practicable after we collect personal information from you take all reasonable steps to ensure that you are notified or made aware of:

1. Our identity and contact details;
 2. The purpose for which we are collecting personal information;
 3. The identity of other entities or persons to whom we usually disclose personal information;
 4. That our privacy policy contains information about how you may complain about a breach of the APPs and how we will deal with a complaint;
 5. Whether we are likely to disclose personal information to overseas recipients and if so, the countries in which such recipients are likely to be located and if practicable, to specify those countries.
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Who do we disclose your personal information to?

We may disclose your personal information to:

1. Medical Practitioners involved in your care;
2. Allied health professionals who assist us in providing care and services,
3. Other health services including providers of diagnostic tests such as pathology;
4. External health agencies such as the ambulance service or hospitals;
5. The Australian Department of Social Services, the Aged Care Standards and Accreditation Agency, Medicare and relevant State health authorities as necessary to carry out the purposes for which the information was collected.
6. Family, friends and/or significant others including guardians (unless we have been told otherwise);
7. Social and support workers including Pastoral Care and Volunteer workers, representatives of various religious or faith based groups.

We may not use or disclose personal information for a purpose other than the primary purpose of collection, unless:

1. The secondary purpose is related to the primary purpose and you would reasonably expect disclosure of the information for the secondary purpose;
2. You have consented;
3. The information is health information and the collection, use or disclosure is necessary for research, the compilation or analysis of statistics, relevant to public health or public safety, it is impractical to obtain consent, the use or disclosure is conducted within the privacy principles and guidelines and we reasonably believe that the recipient will not disclose the health information;
4. We believe on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to an individual’s life, health or safety or a serious threat to public health or public safety;
5. We have reason to suspect unlawful activity and use or disclose the personal information as part of our investigation of the matter or in reporting our concerns to relevant persons or authorities;
6. We reasonably believe that the use or disclosure is reasonably necessary to allow an enforcement body to enforce laws, protect the public revenue, prevent seriously improper conduct or prepare or conduct legal proceedings; or
7. The use or disclosure is otherwise required or authorised by law.

We will not disclose your personal information to an overseas recipient.

Disclosure to a person responsible

We may disclose Health Information about an individual to a person who is responsible for the individual if:

1. The individual is incapable of giving consent or communicating consent;
 2. The Facility Manager is satisfied that either the disclosure is necessary to provide appropriate care or treatment or is made for compassionate reasons or is necessary for the purposes of undertaking a quality review of our services (and the disclosure is limited to the extent reasonable and necessary for this
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purpose); and

3. The disclosure is not contrary to any wish previously expressed by the individual of which the service manager is aware, or of which the service manager could reasonably be expected to be aware and the disclosure is limited to the extent reasonable and necessary for providing care or treatment.

A 'person responsible' is:

- A parent, a child or sibling, a spouse or a relative;
- A member of the individual's household;
- A guardian and/or an enduring power of attorney;
- A person who has an intimate personal relationship with the individual, or;
- A person nominated by the individual to be contacted in case of emergency, provided they are at least 18 years of age.

COMPLETE AND ACCURATE DETAILS

Where possible and practicable, you will have the option to deal with Christadelphian Aged Care on an anonymous basis or by using a pseudonym. However, if the personal information you provide us is incomplete or inaccurate, or you withhold personal information, we may not be able to provide the services or support you are seeking, or deal with you effectively.

CCTV

Christadelphian Aged Care uses camera surveillance systems (commonly referred to as CCTV) for the purposes of maintaining safety and security of our residents, personnel, visitors and other attendees. Those CCTV systems may also collect and store personal information and Christadelphian Aged Care will comply with all privacy legislation in respect of any such information.

DATA STORAGE, QUALITY AND SECURITY

Data Quality

Christadelphian Aged Care will take reasonable steps to ensure that your personal information which is collected, used or disclosed is accurate, complete and up to date. Only authorised personnel are able to add, change or delete personal information.

Storage

Where we hold hard copies of your personal information, it is stored by Christadelphian Aged Care securely in locked offices or cupboards. Where personal information is held electronically, it is protected by passwords.

Data security

Christadelphian Aged Care strives to ensure the security, integrity and privacy of personal information, and will take reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or disclosure.

Christadelphian Aged Care reviews and updates (where necessary) our security measures in light of current technologies. Access to our systems is password protected.



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Online transfer of information

While Christadelphian Aged Care does all we can to protect the privacy of your personal information, no data transfer over the internet is 100% secure. When you share your personal information with Christadelphian Aged Care via an online process, it is at your own risk.

There are ways you can help maintain the privacy of your personal information, including:

- Always closing your browser when you have finished your user session;
- Always ensuring others cannot access your personal information and emails if you use a public computer; and
- Never disclosing your user name and password to third parties.

Websites

Our Website uses “cookies”. A “cookie” is a small data file placed on your machine or device which lets Christadelphian Aged Care identify and interact more effectively with your computer. Cookies do not identify individual users, but they do identify your ISP and browser type.

Cookies which are industry standard and are used by most web sites, including those operated by Christadelphian Aged Care, can facilitate a user's ongoing access to and use of a site. They allow Christadelphian Aged Care to customise our website to the needs of our users. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to deny or accept the cookie feature. However, cookies may be necessary to provide you with some features of our on-line services via the Christadelphian Aged Care website.

Retention of information

Christadelphian Aged Care will retain your health information for at least seven years from the last occasion on which a health service was provided to you by us in New South Wales. This is a requirement of the Health Records and Information Privacy Act 2002 (NSW). Records are stored either in secure online databases protected by passwords or, when in hard copy, in areas with restricted access.

Non-current information is archived in secure premises in accordance with our Information Systems and Management Policy.

LINKS TO OTHER SITES

Christadelphian Aged Care may provide links to third party websites. These linked sites may not be under our control and Christadelphian Aged Care is not responsible for the content or privacy practices employed by those websites. Before disclosing your personal information on any other website, we recommend that you carefully read the terms and conditions of use and privacy statement of the relevant website.

ACCESS TO INFORMATION RECORDS

You have a right to access your personal information which Christadelphian Aged Care holds about you.

You can also request an amendment to any of your personal information if you consider that it contains inaccurate information.



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Medical and Health Records

An individual does not “own” his or her medical and health records as ownership rests with the treating doctor or the institution that created the document. Despite this you still have rights to access your medical and health records.

We must give you access to the personal or health information contained in your medical and health records held by us, unless an exception applies. Exceptions include:

- (a) where giving access would pose a serious threat to the life and health of anyone; Or
- (b) where refusing access is required by law.

How can Medical and Health Records be accessed?

We will respond to a request for access to your medical and health records within a reasonable period, and no longer than 14 days, after receiving your written request by completing the *Christadelphian Aged Care request to access medical and health records document* that includes specifying the information you require.

The person requesting access must provide appropriate evidence of his or her identity.

Your request must be submitted to the Privacy Officer as detailed in the request to access document. Your request will also be reviewed by the Chief Clinical Officer and General Manager Quality and Compliance.

If we provide you with access to your medical records, we may charge you for doing so.

We will also support access to a clinician, usually the Clinical Manager, at Christadelphian Aged Care should you wish to have your medical and health records explained to you.

CONTACT TO ACCESS INFORMATION OR PRIVACY ISSUES

You can contact Christadelphian Aged Care about any privacy issues as follows:

The Privacy Officer
Christadelphian Aged Care
Email: privacyofficer@chomes.com.au
Post: P.O. Box 610
Riverwood NSW 2210

PRIVACY COMPLAINTS

If you believe Christadelphian Aged Care has not handled your personal information in accordance with the Privacy Act, you can contact the Privacy Officer detailed in the section above.

At all times, privacy complaints will:

- be treated seriously;
- be dealt with under the Christadelphian Aged Care Complaints Management Process;
- be dealt with as promptly as possible;
- be dealt with in a confidential manner; and
- not affect your existing obligations or affect the commercial arrangements between you and us.



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Our Privacy Officer or their delegate will conduct the investigation into your complaint. You will be informed of the outcome of your complaint following completion of the investigation.

If you are dissatisfied with our response, you can complain to the Office of the Australian Information Commissioner who is independent of Christadelphian Aged Care.

The Australian Information Commissioner has the power to investigate complaints about possible breaches of the Privacy Act.

Further information can be obtained directly from the Office of the Australian Information Commissioner at www.oaic.gov.au.

ASSOCIATED DOCUMENTS:

Policies:	Information Communications Technology; Security of Information, Access and Acceptable Use Policy (IT_POL01.00)
	Information Systems and Management Policy (Pending)
	Social Media Policy (Pending)
Forms:	Privacy Collection Statement – Residents (CAC-FN002)
	Request for Access to Medical and Health Records Document (QCI_FOR004)
	Confidentiality Agreement – Employees (CAC-HR024)

EVIDENCES:

Evidence Level (I-VII)	Title	Author	Date
VII	Privacy Act 1998	Commonwealth of Australia	1998
VII	Privacy Amendment (Notifiable Data Breaches) Act 2017	Commonwealth of Australia	2017
VII	Health Records and Information Privacy Act	New South Wales	2002
VII	Right to Information Regulations	Queensland	2009