

Website Privacy Policy (December 2014)

Our commitment to you

Southern Cross Care (WA) Inc. (referred to in this privacy policy as “us”, “we” and “our”) recognises that your privacy is important to you and, in line with our core principles; we value and respect the decisions you make as to how your personal information should be handled.

We are committed to protecting the privacy of your personal information and meeting the standards imposed under the *Privacy Act 1988* (Commonwealth), including the Australian Privacy Principles. You can obtain a copy of the Australian Privacy Principles from the Office of the Australian Information Commissioner and their website at: <http://www.oaic.gov.au/privacy/privacy-act/australian-privacy-principles>.

We have developed this policy and implemented procedures and systems to ensure our compliance with the Australian Privacy Principles and to ensure the security and proper management of your personal information.

Understanding this policy

This privacy policy outlines our approach to privacy and how we collect, handle and protect the privacy of your personal information and applies to your use of this website and all personal information which we collect and hold about you and applies to our entire portfolio of operations including retirement villages, care facilities, services, buildings and managed sites, plus subsidiary company Southern Cross Housing.

Our privacy policy also sets out your rights in relation to accessing and updating the personal information we hold about you and how you may make a privacy complaint.

In this policy we use the terms “personal information”, “sensitive information” and “health information”. These terms have the meanings given to them under the *Privacy Act 1988*. When we refer to personal information, we mean information or an opinion about you, from which you are or may reasonably be identified.

Updates to our privacy policy

We are constantly reviewing all of our policies and attempt to keep up to date with constantly changing technology, law and market place practices.

As a consequence we may change our privacy policy from time to time or as the need arises.

This privacy policy was last updated in May 2014. This policy replaces any other privacy policy published by us to date and we reserve the right to change this policy at any time.

A current version of our privacy policy may be obtained from our Marketing Department (see below for contact details) or through our website. We encourage you to check our website regularly for any updates to our privacy policy.

1 Information we collect and why we collect it

Collection of personal information

We routinely collect personal information required to perform our functions or activities as a not-for-profit provider of residential, community, mental health, housing, tenancy and independent living services.

We collect and hold personal information about individuals including clients, prospective-clients, residents, employees, volunteers, contractors and sub-contractors. We will only collect personal information if it is necessary to perform our functions and activities.

Typically personal information we would collect may include but is not limited to your name, home address, billing address, phone number, email address, date of birth, drivers licence number, marital status, qualifications, next of kin, emergency contact, Criminal History Check and employment history and any other information you supply to us. However, the kind of personal information we collect about you will depend on your relationship with us.

If you are a client or prospective client we will also collect health, financial and other personal information about you which is necessary for us to assess your application and to provide you with the care and services which you may require.

Collection of sensitive information

We will not collect sensitive information (including health information) about you unless:

- It is reasonably necessary for us to perform our functions and activities and you have consented to the collection of such information;
- Collection of such information is required or authorised by or under state or commonwealth law (including where a “permitted general situation” or “permitted health situation exists”, as defined under the *Privacy Act 1988*) or in accordance with a court or tribunal order; or

- The information relates to our activities as a not-for-profit organisation and relates solely to our members or to individuals who have regular contact with us in connection with our activities.

Consequences of refusal

We understand that you may not want us to provide certain information to us. If you choose not to provide us with some or all of the information we request, we may not be able to assess any applications you have made with us or provide you with the employment, care or services you require. In particular, if you are a client or prospective client, we may not be able to:

- determine the appropriate entitlement to government funding (including determining your eligibility to entitlements under the *Aged Care Act 1997*);
- provide you with care and service according to your needs;
- contact relatives, attorneys and others when requested or needed; or
- contact health service providers when requested or needed.

2 How we collect personal information

Means of collection

We may collect your personal information from you in person, over the phone, by email, through our website or when you complete our forms.

Where possible, we will endeavour to collect information about you directly from you (or your authorised delegate and with your consent).

Where it is unreasonably or impractical to do so, we may collect personal information about you from others who have information necessary for us to provide you with the care and services which you require. These may include your family (or other significant persons), health practitioner, legal representatives, government departments and your previous and current health care providers (including your general practitioners, the Aged Care Assessment Team, the hospital, allied health professionals and other health care professionals). The purpose of collecting your information from a wide range of persons and organisations is to assist us to provide a service to you that is relevant to your needs. Where this occurs, we will take reasonable steps to ensure that you have been made aware of this.

Information collected via this website

When you visit our website, we may place cookies on your browser to enhance and manage our website and improve our business and the services we provide to you. Cookies can be managed by accessing the individual settings in your browser.

By using the website and agreeing to this policy, you grant us permission to place and store cookies on your browser. Cookies may be used by us to collect the following information:

- the type of browser and operating system you are using;
- your server's Internet Protocol (IP) address (a number which is unique to the computer through which you have accessed the Internet) and geo-location;
- web pages visited, including how you were referred to each web page, and documents which you have downloaded off our website; and
- web page usage statistics, including the date and time spent on each web page.

The above information is collected for statistical purposes only when you visit this website. This data is anonymous. It is used to evaluate our website performance and to measure the interest in the various areas of our site. We will not try to identify you or your browsing activities except:

- where we are compelled to do so by law (for example: pursuant to a valid search warrant to inspect the service provider's logs); or
- if your use is causing technical concerns for our site which may need to be resolved.

We will only record your email address if you send us a message. Your email address will only be used for the purpose for which you have provided it and it will not be added to a mailing list or used for any other purpose without your consent.

Our website may contain links to third party websites. Different rules may apply to the collection, use or disclosure of your personal information via other organisations that may be linked or associated with our website. We are not responsible for the use or disclosure of information through those other websites and recommend you review the policies on those websites before providing any information.

Anonymity and pseudonymity

Generally, the purposes for which we collect personal information may make it impractical for us to de-identify your information. However, wherever it is possible to do so, we will offer you the option of not identifying yourself (for example, if you are making a general inquiry about the services we provide).

Notification

At or before the time or, if that is not possible, as soon as practicable after, we collect personal information about you we will take reasonable steps to ensure that you are notified or made aware of each of the following (as applicable):

- our contact details;
- the purpose for which we are collecting your personal information;
- the identity of other entities or persons to whom we would usually disclose your personal information;
- that our privacy policy contains information about how the individual may complain about a breach of the Australian Privacy Principles and how we will deal with a complaint; and
- 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.

This information will usually be provided in the form of a Privacy Collection Statement.

Unsolicited personal information

In the event that we receive unsolicited personal information about you and we are permitted to keep the information, we will take reasonable steps to notify you that such information has been received as soon as reasonably practicable. Otherwise, we will destroy or de-identify the information as soon as practicable and if reasonable to do so.

3 Use and disclosure of personal information

Permitted disclosures

We will only use or disclose your personal information for the primary purpose for which it was collected or as permitted or required by law.

The purpose or purposes for which we may collect and use your personal information depend on your relationship with us.

In addition to the primary purpose for which personal information is collected, we may also use your personal information for other secondary purposes:

- If you consent to the use or disclosure.

- Where you would reasonably expect us to use or disclose the information for the secondary purpose and the secondary purpose is related to the primary purpose or, where the information is sensitive information, the secondary purpose is directly related to the primary purpose for which the information was collected.
- Where the use or disclosure of the information is required or authorised by or under state or commonwealth law.
- Where a “permitted general situation” or a “permitted health situation” exists, as defined under the Privacy Act. In particular, sections 16A - 16B of the Privacy Act permit limited disclosure of personal information where:
 - It is unreasonably or impracticable to obtain your consent and we reasonably believe that the disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual or to public health or safety.
 - In relation to health information only, the use or disclosure is necessary for research, the compilation or analysis of statistics, relevant to public health or public safety and it is impractical to obtain consent, the use or disclosure is conducted within the guidelines approved under section 95A of the Act and we reasonably believe that the recipient will not disclose the health information.
 - In relation to health information about an individual, such information may be disclosed to a person who is a responsible person for the individual where:
 - (a) the individual is incapable of giving or communicating consent;
 - (b) our staff member providing the health care service is satisfied that either the disclosure is necessary to provide appropriate care or treatment or is made for compassionate reasons and the disclosure is limited to the extent reasonable and necessary for that purpose; and
 - (c) the disclosure is not contrary to any wish previously expressed by the individual or of which the responsible staff member could reasonably be expected to be aware.
- Where the use or disclosure is otherwise required or authorised by law (including the Privacy Act).

Business management

During your relationship with us, your personal information will be routinely utilised by our staff and, where necessary, may be disclosed to other health care providers such as your general practitioner, pharmacist etc.

We may use or disclose your personal information for administrative purposes and to meet our legal and regulatory obligations, such as to third parties including Medicare, government departments, health insurers, superannuation providers and if necessary external collection agencies.

We may use your personal information for the purpose of monitoring the quality of employment, care and services we provide. We may use your personal information to request feedback on services provided to you and for dealing with complaints.

Should you provide any personal information we request, you consent to us using the information as described in this privacy policy or authorised by law.

Direct marketing

We will not use or disclose your personal information to any third party for the purpose of direct marketing.

Clients, residents or clients may be asked for consent to their personal information being used for general communications for our organisation, which operates as a not-for-profit organisation.

You may withdraw your consent to receive such communications at any time. All general communications will include a means by which you may request not to receive any further similar communications from us.

Nominated representatives

If you are a client, resident or tenant of ours, on your admission we will ask you to identify the people who we may contact to obtain your personal information and to provide updates in relation to your care and health status. This will be recorded on your file and complied with to the extent permitted by law.

Disclosures to other organisations

Organisations, or types of organisations, to which we usually disclose personal information are:

- State and Federal Government Departments (where applicable)
- Health service providers

- Hospitals providing treatment to you
- Pharmacies required to dispense your pharmaceutical needs
- St John's Ambulance
- Guardianship and Administration Tribunal or the Public Trustee (where applicable)
- Any other agencies as directed by the *Privacy Act* or under any other state or commonwealth law.

Use of Commonwealth or government identifiers

Commonwealth or government identifiers are numbers such as your Medicare number or your Tax File Number (TFN). We will only use your Commonwealth or government identifiers when it is necessary to verify your identity for the purposes of our activities or functions or as otherwise required or permitted by law.

Cross-border disclosure

We will not disclose your personal information to an overseas recipient unless you provide your consent and certain other requirements are met.

4 How we store information

We are committed to ensuring that your personal information is protected and have strict protocols and procedures in place to protect your personal information from misuse, loss, interference, unauthorised access or modification.

If we no longer require your personal information for our functions or for any purpose for which the information may be used or disclosed (and we are not required to retain the information), we will, as soon as practicable and in accordance with the law, destroy or de-identify your personal information held by us.

5 Access and correction of personal information

Requests for access

You can request us to provide you with access to the personal information we hold about you.

Requests for access to personal information can be made by telephone, email or in person at the contact details provided below. In all cases we will need to verify your identity before giving you access.

In most cases, we will be able to provide you with a summary of your personal information held by us at no cost. More detailed requests for access will be handled as quickly as reasonably possible, however, the time it takes for us to respond to your request depends on the type of information you require and a fee may be charged. This fee is usually payable where the information you have requested is not readily available and will involve a considerable amount of time for us to compile. You will not be charged an application fee in making the request.

In a limited number of circumstances, we may deny you access to some of the personal information that we hold about you, these include where:

- giving access would unreasonably impact on the privacy of other individuals;
- the request for access is frivolous or vexatious;
- the information relates to anticipated or actual legal proceedings;
- the information would reveal our intentions in relation to negotiations in such a way as to prejudice our commercially sensitive decision making process; or
- the law prevents us from disclosing the information.

If we refuse to provide you with access to your personal information, we will provide you with an explanation for our decision and the mechanisms available to you to complain about the refusal.

Requests for correction

We aim to ensure that the personal information we hold, use or disclose is accurate, complete and up-to-date.

If you learn that any personal information that we hold about you is inaccurate, incomplete, out-of-date or misleading, you should contact us and we will take reasonable steps to correct the information within a reasonable time.

If we correct personal information that we have previously provided or disclosed to a third party, you may request that we notify that third party of the correction. On receipt of such a request we will take such steps as may be reasonable in the circumstances to give that notification, unless it would be impracticable or unlawful for us to do so.

If we are unable to correct your personal information in accordance with your request, we will provide you with an explanation for why we will not correct the relevant information (except to the extent that it would be unreasonable) and the mechanisms available to you to complain about the refusal.

If we do not agree to make requested changes to your personal information, you may make a statement about the requested changes and we will attached this to the record.

Requests for withdrawal

Please contact us if you wish to withdraw a consent which you had previously provided to us.

6 Resolving your privacy concerns

Who to contact

You may request further information about the way we manage your personal information or lodge a complaint by contacting our Marketing Department on the contact details below.

If you have any concerns about how we manage your personal information, or wish to make a complaint about a privacy breach, you may lodge a complaint with our Marketing Department either in person, by phone, fax, email or in writing.

We will endeavour to resolve your complaint as quickly and courteously as possible. However, if you are not satisfied with how the complaint or concern is resolved by us, you can contact the Office of the Australian Information Commissioner.

Australian Information Commissioner
GPO Box 5218,
Sydney NSW 2001

Tel: 1300 363 992

TTY: 133 677

Fax: (02) 9284 9666

Email: enquiries@oaic.gov.au

Our contact details

You can contact us by calling us on 1300 669 189 or by writing to:

Marketing Department
Southern Cross Care (WA) Inc.
PO Box 76
BURSWOOD WA 6100

You can also email us at marketing@scrosswa.org.au or fax us on (08) 9282 9999.