

## 1. POLICY STATEMENT

- 1.1 Southern Cross Care (NSW & ACT) (we, our, us) recognise the importance of protecting the privacy and the rights of individuals in relation to their personal information. This document is our privacy policy and it tells you how we collect and manage your personal information.
- 1.2 We respect your rights to privacy under the *Privacy Act 1988 (Cth)* (Privacy Act) and we comply with all of the Privacy Act's requirements in respect of the management of your personal information.

## 2. COMMENCEMENT OF POLICY

- 2.1 This policy will commence from 17 October 2016. It replaces all other policies of SCC, if any (whether written or not).

## 3. SCOPE

- 3.1 The policy applies to all employees, agents and contractors (including temporary contractors) of SCC, collectively referred to as 'workplace participants'.

## 4. WHAT IS YOUR PERSONAL INFORMATION?

- 4.1 When used in this privacy policy, the term "personal information" has the meaning given to it in the Privacy Act. In general terms, it is any information that can be used to personally identify you such as your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

## 5. WHAT IS YOUR SENSITIVE INFORMATION?

- 5.1 When used in this privacy policy, the term "sensitive information" is a special category of Personal Information and includes information about a person's health, race or ethnic origin, political or religious beliefs, membership of a trade union or association, sexual preference or criminal record. SCC will not disclose a person's Sensitive Information without the person's consent, unless there is a need to disclose such information in accordance with *Privacy Act 1988 (Cth)* or to comply with any other legislation.

## 6. WHAT PERSONAL INFORMATION DO WE COLLECT AND HOLD?

- 6.1 The personal information we collect will vary depending on the service that you request or that we provide to you. However, the types of personal information we will collect includes:
- identification information, including: your name, mailing or street address, email address, telephone number, facsimile number, age or birth date, Medicare numbers, Individual Healthcare Identifiers, medical insurance details and your profession, occupation or job title;
  - sensitive information, including: information that is necessary to provide care services to you;
  - billing information;
  - records of interactions with you such as system notes;
  - any additional information relating to you that you provide to us directly through our websites or indirectly through use of our websites or online presence, through our representatives or otherwise; and
  - Information you provide to us through our receptions, service centers, customer surveys or visits by our representatives from time to time.

6.2 We also collect some information that is not personal information because it does not identify you or anyone else. We collect anonymous answers to surveys and aggregated information about how users use our website for statistical purposes. In all other circumstances, it is impractical for us to interact with you anonymously or pseudonymously, as we must collect your personal information in the provision of services.

## 7. HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

7.1 We collect your personal information directly from you unless it is unreasonable or impracticable to do so. The ways in which we will collect personal information from you include the following:

- through your access and use of our website;
- during conversations between you and our representatives;
- when you complete any documentation in paper or on line requested by us relating to admissions, discharges, requests, purchases or any other request relating to your personal or health information that is necessary for us to treat you and provide care services.
- Depending on your circumstances we also collect personal information from third parties including:
  - from third party companies such as credit reporting agencies, law enforcement agencies and other government entities; and
  - Other medical professionals, relatives, holders of your power of attorney and from other health service providers in order to assist us in our provision of services to you. This is subject to you having first provided your consent that we can collect your personal information in this way.

7.2 We will also collect your personal information in circumstances where your consent cannot be obtained, such as when there is an immediate need to provide you with health care services by way of immediate emergency medical treatment where your state of health and/or life is at risk. In this situation, we will collect your personal information in accordance with applicable law.

7.3 In all instances, we will exercise the same utmost care in the collection and use of your personal information.

## 8. COOKIES

8.1 In some cases, we also collect your personal information using cookies. When you access our website, we will send a "cookie" (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of products or services you view so that, if you consent, we can send you news about those products or services. We also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate.

8.2 We use this to research our users' habits so that we can improve our online products and services. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

- 8.3 We log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, track users movements, and gather broad demographic information.
- 9. WHAT HAPPENS IF WE CAN'T COLLECT YOUR PERSONAL INFORMATION?**
- 9.1 If you do not provide us with the personal information described above, some or all of the following may happen:
- We may not be able to provide the requested products or services to you, including care services either to the same standard or at all;
  - We may not be able to provide you with information about the services or products that you may want, including information about care, contractual obligations, new opportunities, discounts, sales or special promotions;
  - We may be unable to tailor the content of our websites to your preferences and your experience of our websites may not be as enjoyable or useful.
- 10. FOR WHAT PURPOSES DO WE COLLECT, HOLD, USE AND DISCLOSE YOUR PERSONAL INFORMATION?**
- 10.1 We collect personal information about you so that we can perform our business activities and functions and to provide best possible quality of care service and customer service.
- 10.2 We collect, hold, use and disclose your personal information for the following purposes:
- to provide services to you;
  - to provide you with access to protected areas of our website;
  - to assess the performance of the website and to improve the operation of the website;
  - to provide personal information to our related bodies, contractors, allied healthcare service providers (such as pharmacists, radiologists and pathologists) or other third parties (such as health care funds and government bodies) in order for us to provide care services to you;
  - for the administrative, marketing (including direct marketing), planning, product or service development, quality control and research purposes of SCC, its related bodies, contractors or service providers;
  - to provide your updated personal information to our related bodies, contractors or service providers;
  - to update our records and keep your contact details up to date;
  - to process and respond to any complaint made by you;
  - to comply with any law, rule, regulation, lawful and binding determination, reporting obligation, decision or direction of a regulator, or in co-operation with any governmental authority of any country or in response to any subpoena or lawful request for production of information;
  - As a Mission based Organisation, your personal information may be provided to Chaplains or other Pastoral Care workers to enable them to visit you, if you consent to such visits.
- 10.3 Your personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

10.4 Your personal information is important to us. Information on how we secure your personal information is provided in the security section below.

### **11. TO WHOM WILL WE DISCLOSE YOUR INFORMATION?**

11.1 We will disclose your information to the following individuals or entities with your consent for the provision of services:

- your treating specialist or general practitioner;
- related health service providers including pathology, radiology, or any other medical service provider in order to provide you with health care services;
- your family, friends, legal representatives, guardians and attorneys in accordance with the law;
- in the event of a transfer, the receiving health care facility to ensure continuity of care; and
- for the purposes of accounting, invoicing, billing and liaising with the party funding the care services, Medicare or the relevant Government Department.

11.2 In addition to the above, in the general operation of providing services we could also disclose your personal information to:

- our employees, contractors or service providers for the purposes of the operation of our website, fulfilling requests from you, and to otherwise provide services to you including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors and consultants;
- other third parties with whom we have relationships for business and care related purposes, for example with our allied healthcare providers such as physiotherapists and pathologists; and
- any organisation for any authorised purpose with your express consent.

11.3 We may combine or share any information that we collect from you with information collected by any of our related bodies corporate (within Australia).

### **12. DIRECT MARKETING MATERIALS**

12.1 We will not use your personal information for direct marketing.

### **13. PROSPECTIVE EMPLOYEES, VOLUNTEERS AND CONTRACTORS**

13.1 We may collect personal information when canvassing recruitment of staff or volunteers. Generally speaking, we collect personal information that you supply to us as part of this process for the purpose of assessing your application. We will collect information about you from third parties, such as your referees, as part of your assessment of your suitability for a position. In providing contact details for your referees, you are considered to have given your consent to us collecting personal information from your referees that may assist us with assessing your application. Similarly, we may confirm details about your past positions with previous employers (eg to confirm your duration of employment). We may also collect health information directly related to your ability to perform the inherent requirements of the position, with your consent.

13.2 If we are considering offering you a position, SCC may collect additional personal information about you such as your date of birth, tax file number, emergency contact details, ABN (if relevant), bank account and superannuation information, visa, passport and licence details (if relevant) and details relating to your police check.

13.3 With your consent, we may retain your details on file to enable us to contact you if you have been previously unsuccessful and an appropriate position becomes available.

13.4 This Privacy Policy does not apply to employee records held by SCC relating to employees or former employees.

#### **14. HOW CAN YOU ACCESS AND CORRECT YOUR PERSONAL INFORMATION?**

14.1 You can request access to any personal information or health information we hold about you at any time by contacting People & Culture. Where we hold information that you are entitled to access, we will try to provide you with a suitable means of accessing it (for example, by mailing or emailing it to you). Depending on the nature of the personal information you seek we could charge you a reasonable amount to cover our administrative and other reasonable costs in providing the information to you. We will not charge for simply making the request and we will not charge for making any corrections to your personal information.

14.2 For more information on accessing your records please email: [hr@sccliving.org.au](mailto:hr@sccliving.org.au)

14.3 There may be instances where we cannot grant you access to the personal information or health information we hold. For example, we will refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal.

14.4 If you believe that the personal information we hold about you is incorrect, incomplete or inaccurate, then you can request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment then we will add a note to the personal information stating that you disagree with it.

#### **15. WHAT IS THE PROCESS FOR COMPLAINING ABOUT A BREACH OF PRIVACY?**

15.1 If you believe that your privacy has been breached, either by us or by one of our contractors, please contact our Privacy Officer in the People & Culture team and provide details of the incident so that we can investigate it.

15.2 We request that complaints about breaches of privacy be made in writing, so we can be sure about the details of the complaint. Our Privacy Officer deals with privacy complaints and any complaints should be directed to our Privacy Officer using the contact details below. We will respond to your complaint as soon as possible and in any event within 30 days of receipt of your complaint. We will attempt to confirm as appropriate and necessary with you your understanding of the conduct relevant to the complaint and what you expect as an outcome. We will inform you whether we will conduct an investigation, the name, title, and contact details of the investigating officer and the estimated completion date for the investigation process.

15.3 After we have completed our enquiries, we will contact you, usually in writing, to advise the outcome and invite a response to our conclusions about the complaint. If we receive a response from you, we will assess it and advise if we have changed our view.

15.4 If you are not satisfied with the outcome provided above then you can make a complaint to the Privacy Commissioner, by calling 1300 363 992 or by writing to GPO Box 5218 Sydney NSW 2001.

## 16. DO WE DISCLOSE YOUR PERSONAL INFORMATION TO ANYONE OUTSIDE AUSTRALIA?

16.1 We will not disclose your personal information to anyone located overseas.

## 17. SECURITY

17.1 We understand the importance of protecting your personal information. We regularly assess the risk of misuse, interference, loss, and unauthorised access, modification or disclosure of the personal information we hold and we take measures to address these risks. Such measures include; keeping a record of when someone adds, changes or deletes personal information and routine checks to ensure that staff only access records they need to. We conduct regular internal and external audits to assess whether we have adequately implemented these measures and that your personal information is protected.

17.2 While we take all reasonable steps to protect the personal information on our system, as our website is linked to the internet, and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

17.3 We may hold your information in either electronic or hard copy form. Personal information is destroyed or de-identified when no longer needed.

## 18. LINKS

18.1 Our website contains links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices.

## 19. CONTACTING US

19.1 If you have any questions about this privacy policy, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please contact People & Culture whom will treat your requests or complaints confidentially.

## 20. BREACHES OF THIS POLICY

20.1 A breach of this policy may lead to disciplinary action including, but not limited to, termination of employment or services.

## 21. VARIATIONS

21.1 SCC reserves the right to vary, replace or terminate this policy from time to time.