

# PRIVACY POLICY

SOUTHERN CROSS CARE (NSW & ACT)

## VERSION DATE

This policy will take effect from **August 2019**. It replaces all previous privacy policies of Southern Cross Care (NSW & ACT) (SCC).

## CONTENTS

[OUR COMMITMENT TO PRIVACY](#)

[WHAT INFORMATION DO WE COLLECT ABOUT YOU?](#)

[WHY DO WE COLLECT YOUR PERSONAL INFORMATION?](#)

[HOW DO WE USE AND DISCLOSE YOUR PERSONAL INFORMATION?](#)

[DO WE USE OR DISCLOSE YOUR PERSONAL INFORMATION FOR DIRECT MARKETING?](#)

[DO WE DISCLOSE YOUR PERSONAL INFORMATION OVERSEAS?](#)

[HOW CAN YOU, OR YOUR AUTHORISED REPRESENTATIVE, ACCESS OR SEEK CORRECTION OF YOUR PERSONAL INFORMATION?](#)

[HOW DO WE HOLD AND PROTECT YOUR PERSONAL INFORMATION?](#)

[HOW LONG WILL WE HOLD YOUR PERSONAL INFORMATION?](#)

[HOW IS YOUR PERSONAL INFORMATION HANDLED ON OUR WEBSITE?](#)

[HOW CAN YOU PROVIDE FEEDBACK OR MAKE A COMPLAINT ABOUT THE HANDLING OF YOUR PERSONAL INFORMATION?](#)

[HOW CAN YOU CONTACT US?](#)

[HOW ARE CHANGES TO THIS PRIVACY POLICY MADE?](#)

## OUR COMMITMENT TO PRIVACY

- Southern Cross Care (NSW & ACT) Limited ABN 76 131 082 374 (**SCC**) is committed to managing personal information in accordance with the Australian Privacy Principles under the *Privacy Act 1988* (Cth), the *Aged Care Act 1997* (Cth) and in accordance with other applicable privacy laws.
- This document sets out our policies for managing your personal information and is referred to as our Privacy Policy.
- In this Privacy Policy, "we" and "us" refers to SCC and "you" refers to **any individual about whom we collect personal information**.

[\*\[Click here to return to CONTENTS\]\*](#)

## WHAT INFORMATION DO WE COLLECT ABOUT YOU?

### *Clients and residents receiving aged care*

- When you become a client or resident, a record is made which includes personal information such as:
  - your name, date of birth and contact details
  - your photograph, including clinical photographs of you or parts of your body (such as photographs of wounds)
  - the name and contact details of your guardian or other person responsible for decisions about your care
  - the name and contact details of your partner, family members or close friends who are involved in your care
  - your medical history and details of health services you have received and medications you take
  - health information including assessment of your care needs, treatment and your care plan
  - information about other healthcare professionals and health service providers who are involved in your care
  - information about your preferences and wishes for your care (including care at the end of your life)
  - if you choose to tell us, information about your religion, ethnicity, culture and the languages you speak. We may also collect information about your sexual orientation or gender identity. We collect this information to provide you with care which respects your identity and maintains your connection to your community.
  - records of our interactions with you such as letters, emails and notes.
- We may collect information such as your banking details, your pension entitlements, and information regarding your income and assets. Where it is relevant to administering your payment arrangements, we will collect information such as your Medicare number, health care card number and your entitlement to government benefits. We use this information to arrange payment for your accommodation and/or care.
- Security or surveillance cameras (CCTV) are installed in shared/common areas of some of our aged care facilities for the safety and security of residents, staff and visitors. Security cameras record images which can be reviewed if there is a safety incident. Unless images are kept because of a safety incident, they are automatically deleted.
- In consideration of the privacy and dignity of all of our residents, SCC does not place recording devices such as security or surveillance cameras in residents' rooms or private spaces. SCC's General Manager of Care Services Operations is available to discuss any concerns, requests or questions with residents and family members.
- Where possible, we will collect information directly from you. This is not always possible, and we may also collect personal information about you from:
  - your family members, your guardian or a person responsible for decisions about your care

- your GP and other healthcare professionals involved in your care
  - other aged care facilities or service providers
  - the Aged Care Assessment Team or Regional Assessment Service which assessed your need for care
  - government agencies (such as Centrelink, Medicare, Department of Health, National Disability Insurance Agency and Department of Veterans Affairs).
- If you have made an enquiry about becoming a client or resident, we may collect any of the information above, if relevant to help us answer your enquiry. If your enquiry is simple and general, we will only collect limited information. If you have taken steps toward becoming a client or resident, we will collect more detailed information.

### ***Residents of retirement villages***

- When you become a resident of one of our retirement villages, a record is made which includes personal information such as:
  - your name, date of birth and contact details
  - your banking or payment details
  - the name and contact details of emergency contacts, family members or people you authorise to act on your behalf.
- Where you also receive home care from us the section above (*'Clients and residents receiving aged care'*) will also apply to you.
- Security or surveillance cameras (CCTV) are installed in shared/common areas of some of our retirement villages for the safety and security of residents, staff and visitors. Security cameras record images which can be reviewed if there is a safety incident. Unless images are kept because of a safety incident, they are automatically deleted.
- If you have made an enquiry about becoming a resident, we may collect any of the information above, if relevant to help us answer your enquiry. If your enquiry is simple and general, we will only collect limited information. If you have taken steps toward becoming resident, we will collect more detailed information.

### ***Prospective employees / job applicants***

- We collect personal information when recruiting personnel, such as your name, contact details, qualifications, profession or occupation and work history. Generally, we will collect this information directly from you.
- We may also collect personal information from third parties in ways which you would expect (for example, from recruitment agencies or referees you have nominated).
- Before offering you a position, we may collect additional details such as information on medical conditions and pre-existing injuries that could affect your work and/or are relevant to you working safely, and other information necessary to conduct police checks and other pre-employment screening checks including information you provide to us to verify your identity (e.g. a driver licence or passport) or to verify your right to work in Australia.
- This Privacy Policy does not apply to SCC's *employee* records. (Handling of employee records is covered under different legislation and is exempt from privacy laws if directly related to your current or former employment relationship with SCC.)

### **Other individuals**

- We may collect personal information about other individuals who are not our clients or residents. This includes:
  - individual service providers and contractors to SCC
  - individuals who interact with us on a commercial basis
  - volunteers who work with us on a charitable or compassionate basis
  - healthcare professionals who have referred clients to us or who are providing services to our clients and residents.
- The kinds of personal information we collect will depend on the capacity in which you are dealing with us. Generally, it would include your name, contact details, professional details and information regarding our interactions and transactions with you.

### **Visitors to our website**

- The way in which we handle the personal information of visitors to our website is discussed below under the heading "How is your personal information handled on our websites?".

[\[Click here to return to CONTENTS\]](#)

### **WHY DO WE COLLECT YOUR PERSONAL INFORMATION?**

- We collect personal information about clients and residents for the purpose of providing you with the agreed services.
- For example, we may collect your personal information:
  - to deliver care and services according to your needs and preferences
  - to align our care and services with other healthcare services you receive
  - to minimise the need for you to provide the same information on multiple occasions
  - to determine your eligibility for benefits and funding under the *Aged Care Act 1997* (Cth) or other legislation relating to the services you may receive.

Further information about the way in which SCC uses and discloses your personal information is set out in the next section.

- Providing accurate and complete information is important for the safety, quality and effectiveness of the care and services we provide. It is also important to support you to receive the correct entitlements to benefits and funding for the services we provide. If you provide incomplete or inaccurate information, we may not be able to provide you with the care and services you need. If you have any concerns about the personal information we have asked you to provide, please let us know.
- You have the option of not identifying yourself, or using a pseudonym, when dealing with us (for example, when making a general enquiry). However, on an ongoing basis, it is usually not practicable for us to deal with you anonymously or under a pseudonym.

[\[Click here to return to CONTENTS\]](#)

## HOW DO WE USE AND DISCLOSE YOUR PERSONAL INFORMATION?

### ***Other people involved in your care***

- If you are a client or resident receiving aged care, your personal information will usually be shared with care staff and other people involved in your care. Generally, this will only happen in ways you would reasonably expect or otherwise with your consent. For example, we may disclose your personal information to:
  - your GP or medical specialists involved in your care
  - your guardian(s), nominated family member(s) or other legally authorised person(s)
  - a person who has been nominated in writing by you
  - a hospital or aged care facility you are transferred to
  - other healthcare professionals who are involved in your care such as nurses, occupational therapists, pharmacists, physiotherapists, podiatrists, dentists and the ambulance service
  - chaplains and pastoral care workers, where pastoral visits are part of your care.
- In an emergency, we may provide personal information to other healthcare professionals and health services without your consent.

### ***Contractors and other service providers***

- We sometimes engage contractors and service providers to perform services on our behalf and we may use and disclose your personal information to facilitate these arrangements. This may include specialist care services, allied health services, and domestic and personal care services.
- These contractors and service providers may contact you directly to let you know they have collected your personal information and to give you information about their privacy policies.

### ***Administration and management***

- We will also use and disclose your personal information to administer and manage our services. This includes:
  - billing, collecting payments and debt recovery
  - collecting subsidies and benefits to which you may be entitled from government agencies and other third-party payers (such as Centrelink, Medicare, Department of Health, National Disability Insurance Agency and Department of Veterans Affairs)
  - maintaining accreditation of our services (including sharing information with the Aged Care Quality and Safety Commission and the Department of Health)
  - planning, managing, monitoring and evaluating our services
  - safety, quality assurance and improvement
  - statistical analysis and reporting

- training staff, contractors and other workers
- risk management and managing legal liabilities and claims (for example, liaising with insurers and legal representatives)
- making mandatory reports (such as reports about suspected abuse or foodborne illness or infectious diseases such as an influenza outbreak)
- responding to enquiries and complaints regarding services provided to clients and residents (including responding to the Aged Care Quality and Safety Commission, NSW Fair Trading or the Office of Fair Trading in the ACT)
- obtaining advice from consultants and other professional advisers
- responding to subpoenas and other legal orders and obligations.

[\[Click here to return to CONTENTS\]](#)

### **DO WE USE OR DISCLOSE YOUR PERSONAL INFORMATION FOR DIRECT MARKETING?**

- If you are a client, we will only use or disclose your personal information for direct marketing purposes with your consent. We will provide this information to you by post, email, telephone and/or text message, using the details you have provided.
- For other individuals, we may use or disclose your personal information for the purpose of informing you about products or services that may interest you.
- You can discontinue ('opt out') of receiving direct marketing communications at any time by following the opt-out instructions in the communications or contacting us using the contact details at the end of this document.

[\[Click here to return to CONTENTS\]](#)

### **DO WE DISCLOSE YOUR PERSONAL INFORMATION OVERSEAS?**

- SCC does not typically or routinely disclose personal information to overseas recipients.
- We will only disclose your personal information overseas:
  - if we have your consent;
  - if we have taken reasonable steps to ensure that the recipient will comply with the Australian Privacy Principles; or
  - an exception under the Australian Privacy Principles applies.

[\[Click here to return to CONTENTS\]](#)

### **HOW CAN YOU, OR YOUR AUTHORISED REPRESENTATIVE, ACCESS OR SEEK CORRECTION OF YOUR PERSONAL INFORMATION?**

- If you are a resident at one of our aged care facilities and have questions about your care or the personal information we hold about you, we encourage you to ask the Facility Manager or Deputy Facility Manager.
- If you are a home care client and have questions about your care or the services you receive or the personal information we hold about you, we encourage you to ask the Service Advisor, Service Coordinator or Operations Manager.

- You can request access to any personal information we hold about you by contacting SCC management or using the contact details at the end of this document.
- In certain circumstances, your request may be declined in accordance with privacy laws (for example, where giving access would put you or another person at risk of harm). If we decline your request, we will tell you why.
- Where the person requesting access is an authorised representative (such as an attorney or guardian) we will ask the representative to provide evidence of their authority where we do not already hold that information or if we may not hold up-to-date information. We may also ask for additional information so that we can understand if their authority includes accessing your personal information at the time the request is made. Not all guardians or people given power of attorney have these powers.
- SCC will respond to your request within a reasonable time. This may depend on the amount or type of information requested, the ease of accessing/collating the information, and available resources to perform the work. Your request will normally be processed within 30 days. SCC reserves the right to charge a fee to cover the costs of fulfilling large or complex requests such as staff costs, accessing offsite storage, or the costs of photocopying, printing or scanning documents. Any fees will be explained prior to actioning your request, and will be reasonable having regard to the actual costs incurred by SCC in providing access.
- We strive to ensure that your personal information is accurate, complete and up-to-date. You can help us do this by letting us know if you think information we hold about you is incorrect, incomplete or out-of-date. You may also ask us to amend our records. It is sometimes not possible for us to make requested changes to personal information we hold about you (such as your care records). However, you may be entitled to ask us to include a statement with your records.
- We only provide information held by SCC. Where the information is held by other parties, for example medical practitioners, this must be requested independently.
- We will endeavour to provide all information requested within 30 days

[\[Click here to return to CONTENTS\]](#)

## HOW DO WE HOLD AND PROTECT YOUR PERSONAL INFORMATION?

- We keep your information in paper-based and electronic records. Paper documents may be converted to electronic form for storage. Original paper documents are then archived or securely destroyed.
- We use physical security and other measures to protect your personal information. Paper records are generally stored securely at our facilities, home care service offices, support offices, or head office. Archived paper records are stored at an external storage facility in Australia.
- Electronic records are held securely on servers and computer systems located in Australia and managed by us or contracted third parties. We keep such systems and network secure by using physically secure servers, firewalls, user identifiers and passwords to control access.
- Our staff are bound by a formal code of conduct. We train and supervise our staff and volunteers to ensure your information is treated with respect and kept confidential in accordance with privacy laws which apply to us.

- For clients who receive care at home, documents recording your personal information may be left with you in your home (such as your care plan or care records). We cannot ensure the security of personal information which is left with you in your home. However, we will work with you to minimise the opportunity for other individuals to access your personal information.

[\[Click here to return to CONTENTS\]](#)

## HOW LONG WILL WE HOLD YOUR PERSONAL INFORMATION?

- We will hold your personal information until it is no longer needed or for the timeframe we are legally required to hold it for. Generally, if you are a client or resident receiving aged care, your information will be held for 7 years from the date of the last entry in your record.
- Information that is no longer needed will be securely destroyed or de-identified.

[\[Click here to return to CONTENTS\]](#)

## HOW IS YOUR PERSONAL INFORMATION HANDLED ON OUR WEBSITE?

- You may visit our website ([www.sccliving.org.au](http://www.sccliving.org.au)) without identifying yourself. If you identify yourself (for example, by providing your contact details in an enquiry), any personal information you provide to SCC will be managed in accordance with this Privacy Policy.
- SCC's website uses cookies. A 'cookie' is a small file which is placed on your computer or device when you visit our website. Cookies allow us to recognise your computer or device and are required to enable our website to function correctly.
- When you visit our website, we use cookies to collect certain information such as your device type, browser type and IP address. Cookies can also collect information about your behaviour online, including the websites you visit. In general, this information will only identify your device and will not identify you personally.
- We may also place cookies (called 'persistent' cookies) on your computer or device. We use, and third-parties use, these cookies to display personalised advertisements (or 'targeted' advertisements) on websites you visit or social media platforms you use. For example, if you visit our website you may see advertisements for SCC on other websites you visit. Advertisers can use these cookies to build up a profile of your behaviour online (including websites you visit).
- We also use cookies to allow our service providers – such as Google Analytics – to monitor and analyse how users interact with our website. Details about how Google uses information is available at <http://policies.google.com/technologies/partner-sites>.
- You can change the settings on your computer or device to disable cookies (or certain kinds of cookies). This may affect how our website, and other websites you visit, function.
- You can also 'opt-out' of personalised advertisements by visiting Google's Ad Settings at <http://www.google.com/settings/ads>. Websites such as <http://youronlinechoices.com.au> also allow you to opt-out of personalised advertisements. You may also be able to change your settings on websites or social media platforms where you are seeing personalised advertisements.

[\[Click here to return to CONTENTS\]](#)



## HOW CAN YOU PROVIDE FEEDBACK OR MAKE A COMPLAINT ABOUT THE HANDLING OF YOUR PERSONAL INFORMATION?

- If you have any questions or concerns about privacy, please contact us using the details below.
- You may make a complaint about privacy to the SCC Privacy Officer using the contact details below. The Privacy Officer will seek to determine whether there are simple or immediate steps we can take to resolve your complaint.
- If your complaint requires more detailed consideration, the Privacy Officer will let you know that we have received your complaint and seek to respond to your complaint promptly. If something is not clear, we may ask you to provide more information about your complaint and the outcome you would like.
- In most cases, we will investigate and respond to a complaint within 30 days. If your complaint involves more complex issues and we need more time to respond, we will let you know.
- If you are not satisfied with our response, or you think we may have breached the Australian privacy laws, you have a right to make a complaint to the Office of the Australian Information Commissioner. The Office of the Australian Information Commissioner can be contacted by telephone on 1300 363 992. Full contact details can be found online at [www.oaic.gov.au](http://www.oaic.gov.au). (Complaints may also be made directly to the Aged Care Quality and Safety Commission either online or by phone.)

[\[Click here to return to CONTENTS\]](#)

## HOW CAN YOU CONTACT US?

The contact details for SCC are:

In writing:           The Privacy Officer  
Southern Cross Care (NSW & ACT)  
Level 4  
16-18 Bridge St  
EPPING  
NSW 2121

Email:               privacy@sccliving.org.au

Fax:                 (02) 8072 1543

Telephone:         1800 959 982

[\[Click here to return to CONTENTS\]](#)

## HOW ARE CHANGES TO THIS PRIVACY POLICY MADE?

- We may amend this privacy policy from time to time, with or without notice to you. The latest version may be found on our website [www.sccliving.org.au](http://www.sccliving.org.au).

[\[Click here to return to CONTENTS\]](#)