

Privacy GM 07

Summary

Item	Topic	Key points
1	Objectives	Overview on the objectives of the policy.
2	Scope	Outlines to whom the policy applies.
3	Definitions	Confirms key definitions relating to the policy
4	Personal Information	Outlines the collection of information, types of information collected and how it is collected.
5	Security of Information	Confirms how personal information is stored.
6	Use and Disclosure	Confirms when personal information is used and disclosed.
7	Your Rights	Outlines the rights of employees and residents regarding disclosing and accessing personal information.
8	Grievance	Outlines the possible pathways to raise a grievance.
9	Contact Us	Confirms best contact relating to personal information.
10	References and Related Documents	Highlights additional and applicable information relating to privacy.

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

The Privacy Officer is accountable to implement this policy and ensure it goes to the CEO 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.

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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 Harbison. 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 in 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)

Harbison 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.

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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 by disclose it to protect the rights or property of us or any third party or to avoid injury to any person.

Harbison 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 residential 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, Harbison 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.

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Your Rights

Residents and employees are not obliged to provide us with their personal information. However, if you choose not to provide Harbison 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 CEO via the General Manager (Care) (residents) or General Manager (Operations) (employees). If providing you with access requires a detailed retrieval or review 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 Harbison. From time to time photos or videos may be shared (e.g. via the Harbison 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 CEO. At all times privacy complaints will be treated seriously under the Harbison Comments and Complaints policy. If you are not satisfied with our response you may lodge a complaint with the OAIC 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 and Related Documents

- The Privacy Act 1988
- The Aged Care Act 1997
- Australian Aged Care Quality Act 2013
- GM 122 - Data Breach Notification Statement
- GM 123 - Data Breach Response Plan

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