



Peninsula Palms
• Retirement Village • Aged and Community Services

Privacy

Policy and Guidelines

OBJECTIVE

Peninsula Palms is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. This statement outlines the privacy policy of Peninsula Palms and describes how the organisation uses and manages personal information provided to or collected by it.

SCOPE

This policy applies to board members, employers, employees, volunteers, contractors, and visitors; and describes the type of information collected, how the information is handled, how and to whom the information is disclosed and how the information may be accessed.

REFERENCES

Privacy Act 1998 (Commonwealth)

Privacy Amendment (Enhancing Privacy Protection) Act 2012

Disabilities Policy

Exception in relation to employee records

Under the Privacy Act, the Australian Privacy Principles do not apply to an employee record held by the employing entity. As a result, this Privacy Policy does not apply to Peninsula Palms' treatment of an employee record, where the treatment is directly related to a current or former employment relationship between Peninsula Palms and the employee.

POLICY

This Privacy Policy sets out how Peninsula Palms manages personal information provided to or collected by it. Peninsula Palms is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. Peninsula Palms may, from time to time, review and update this Privacy Policy to take into account of new laws and technology, changes to Peninsula Palms' operations and practices and to make sure it remains appropriate.

What kinds of personal information does Peninsula Palms collect and how does Peninsula Palms collect it?

The type of information Peninsula Palms collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

- Residents and nominated representatives before, during and after the course of the resident residing at Peninsula Palms
- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with Peninsula Palms.

Personal Information you provide

Peninsula Palms will generally collect personal information held about an individual by way of forms filled out by nominated representatives, face-to-face meetings and interviews, emails and telephone calls.

Personal Information provided by other people

In some circumstances, Peninsula Palms may be provided with personal information about an individual from a third party, for example a report provided by a medical professional or a reference from a previous employer.

How will Peninsula Palms use the personal information you provide

Peninsula Palms will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by you, or to which you have consented.

Residents and Nominated Representatives

In relation to personal information of residents and nominated representatives, Peninsula Palms' primary purpose of collection is to enable Peninsula Palms to provide care for the resident. This includes satisfying the needs of nominated representatives, the needs of the resident and the needs of Peninsula Palms throughout the whole period that the resident resides at Peninsula Palms.

The purpose for which Peninsula Palms uses personal information of residents and nominated representatives include:

- To keep families informed about matters relating to their loved ones' care, through correspondence, newsletters and magazines;
- Day to day administration of the facility;
- To satisfy Peninsula Palms' legal obligations and allow the facility to discharge its duty of care.

Job applicants, Staff Members and Contractors

In relation to personal information of job applicants, staff members and contractors, Peninsula Palms' primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which the facility uses personal information of job applicants, staff members and contractors include:

- Administering the individual's employment or contract, as the case may be;
- For insurance purposes;
- To satisfy the legal obligations, for example, in relation to The Aged Care Act.

Volunteers

The facility also obtains personal information about volunteers who assist the facility in its functions or conduct associated activities to enable Peninsula Palms and the volunteers to work together.

Marketing

Peninsula Palms treats marketing for the future growth and development of Peninsula Palms as an important part of ensuring that the facility continue to provide quality care and an environment where both residents and staff thrive. Personal information held by Peninsula Palms may be disclosed to organisations that assist in marketing Peninsula Palms.

Who might Peninsula Palms disclose Personal Information to?

The facility may disclose personal information, including sensitive information, held about an individual to:

- Another facility
- Government departments;
- Medical Practitioners;
- People providing services to the facility, including visiting specialists, etc
- Recipients of newsletters;
- Nominated Representatives;
- Anyone you authorise the facility to disclose information to; and
- Anyone to whom we are required to disclose the information to by law.

Sensitive Information

In referring to 'sensitive information', Peninsula Palms means; information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric information about an individual.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use of disclosure of the sensitive information is allowed by law.

Management and security of personal information

Staff at Peninsula Palms are required to respect the confidentiality of residents and nominated representative's personal information and the privacy of individuals. The facility has in place, steps to protect the personal information the facility holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage or paper records and password access rights to computerised records.

Notification Requirements where a suspected eligible data breach has occurred

Eligible Data Breach is a data breach which is likely to result in serious harm.

The Facility must as soon as possible, after becoming aware of breach:

- Assess circumstances of data breach
- If breach has occurred, give a statement to the Office of the Australian Information Commissioner and the affected individuals as soon as possible (unless an exception applies)

The statement should outline the breach that has taken place and recommendations about the steps individuals should take in response to the breach.

Exceptions

There are a few exceptions to the notification requirements:

- The notification requirements will not apply where the organisation has taken action before the breach results in serious harm to the individual to whom that data relates, and because of the action taken by the provider, the breach is not likely to result in serious harm; and
- A provider will not be required to disclose again under the Privacy Act if the entity is already required to make notification of the information breach under section 75 of the *My Health Records Act 2012*.

Access and Correction of Personal Information

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which the facility holds about them and to advise the facility of any perceived inaccuracy. Residents will be able to access their personal information through the facility directly or through their nominated representative.

Enquiries and complaints

If you would like further information about the way the facility manages the personal information it holds, or wish to complain that you believe that the facility has breached the Australian Privacy Principles please contact the Manager. The facility will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made.

Reference: Standard 1.8

Authorised by: Manager

Effective Date: 04/09/2017

Signed: _____

Reviewed: _____ Review Date: 04/09/2019

Distribution: All Staff