

Attachment 5 Privacy Statement

In accordance with Capecare values, we respect the individual worth and dignity of all people and our organisation is committed to achieving best practice in adhering to the *Privacy Act 1988* and the thirteen (13) *Australian Privacy Principles 2014*.

Aged Care Providers are in a special position of trust, and the right to privacy is regarded as a fundamental ethic in our organisation.

What types of information is covered in our privacy statement?

Our Privacy Statement covers personal information, health information and sensitive information. Any personal information we collect about you will only be used for the purposes we have collected it or as allowed under the law.

Government Related Identifiers

If we collect government identifiers, such as your tax file number or Medicare number, we do not use or disclose this information other than as authorised by law.

Why do we collect your information?

We collect personal information for the purposes of:

- Providing quality health, aged care services or retirement living to you;
- Administering and managing those services;
- Managing our relationship as an approved provider with you as a consumer.
- Assisting your treating health professionals or carers in providing care to you at our facilities or in the community;
- Internal administrative requirements, including information required by our insurers, legal representatives, and bodies related to accreditation; and
- Developing our services through quality review such as clinical audit, planning, and evaluation.

We do not collect your personal information for the purposes of direct marketing and will not offer you other products and services outside the scope of our purpose as an approved provider of residential care, day therapy, community care, day centre activities or retirement living.

How do we collect your information?

We collect information directly from you and from others. As well as from yourself, we may collect information from your family members, your doctor, your nurse, the ACAT team, the hospital, allied health professionals, and others who have information relevant to our ability to provide a quality health service to you.

The purpose of collecting your information from a wide range of persons and organisations is to assist us to provide a health service to you that is relevant to your needs. We may also collect information from bona fide third parties who provide services to you.

How do we use your information?

We use your information to assist and guide us in providing health services to you. It is normal for us to disclose and share your sensitive information with others, such as an admitting hospital, the ambulance, pharmacist and any attending health professional. We do this within the professional code of conduct framework.

When we share your information it is for the purpose of assisting us to provide a health service to you that is relevant to your needs. Please inform us if you do not wish us to provide your information to your family or nominated representatives.

Our basic philosophy is that we treat your personal information with the same respect that we would like to see our own personal information treated.

Why Capecare May Disclose Your Personal Information

For sole purpose of providing quality services to you, there will be times when we will need to disclose your personal information to third parties. These third parties may include:

- Health professionals;
- Our service contractors where such information is essential for provision of care and services;
- State and Commonwealth departments; and
- Your representatives including family, responsible persons, guardians or administrators.

Before any disclosure of personal information to another person or organisation, Capecare will take all reasonable steps to satisfy our needs that:

- That the other person or organisation has a commitment to protecting your personal information which as a minimum is equal to our policy; or
- You have consented to us making the disclosure.
- Currently all information that we have stored is on our IT server and not stored outside Australia.

When do we ask you for your consent to collect and use your sensitive information?

If we want to collect and use your information under circumstances other than providing a health service to you, we will specifically ask for your consent. An example of this would be asking you to participate in University Research. In this type of case, we will ask you to sign a Consent Form, and you will be provided with a Privacy Information Sheet.

Quality information

It is our job to keep your personal information relevant, accurate, complete, and up-to-date. Therefore we do rely on you to assist us. We would ask that you always inform us when there are changes to your sensitive information. You can do this by contacting reception or nursing staff.

It is also our job to make sure your personal information is secure and not used in an incorrect way. We have confidentiality rules for our staff, contractors and third party organisations. When we no longer require your personal information we destroy it under the terms of existing legislation.

Updating Your Personal Information

It is important that any personal information we hold about you is accurate and up to date. During our relationship of providing services or accommodation, we may ask you to inform us if any of your personal information has changed. We may ask you to inform us of any errors relating to personal information and to keep us informed of any changes relating to personal information.

As we may rely on you to ensure the information we hold is accurate and complete we ask that you contact us at any time if you wish to make changes to your personal information.

How can I access my personal information you hold?

If you want to look at and check your personal information, please advise our Chief Executive Officer. We will endeavour to provide this information to you promptly and we will provide you with suitable accommodation when looking at your information. Please note that we are not required to provide you with access to your personal information in certain circumstances. These include where the information relates to existing or reasonably anticipated legal proceedings or if such request is vexatious. If access is denied you will be informed why that has occurred.

Anonymity

When we take on the responsibility of providing care to you, it is necessary to identify you. However, if you were making a general enquiry about our services for instance, we would offer you the opportunity to do this anonymously.

Sending your personal information overseas

We would not send your Personal Information overseas unless it is necessary and authorised by law.

Personal information, sensitive information and health information

The only time we collect, use or disclose your personal information, sensitive information and health information is when it is necessary to provide a health service to you, when it is allowed by law, or when you have given us your consent.

Correction of Personal Information

If any of the personal information we hold about you is incorrect, inaccurate or out of date you should request that we correct the information. Where possible we will correct the personal information immediately although we may require five working days where we need to consult other people or organisations to properly respond to your request.

If for any reason we refuse to correct personal information, you will be informed as to our reasons for not correcting the information.

Safety and Security of Personal Information Held

We may store your personal information in paper and electronic form. Capecare takes reasonable steps to protect your personal information by storing it in a secure environment. We also ensure we take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

References

Consumer Agreement

Privacy Act 1988

The Australian Privacy Principles 2014

<https://www.oaic.gov.au/privacy/australian-privacy-principles/>

<https://www.agedcarequality.gov.au/>