

PRIVACY POLICY

Why does this policy exist?	This policy exists to provide a framework for Clarence Village in dealing with privacy considerations. The Board of Clarence Village is committed to protecting the privacy of personal information which the organisation collects, holds and administers. Personal information is information which directly or indirectly identifies a person.
What is it trying to achieve?	<p>The purpose of this policy is to, as far as reasonably possible:</p> <ul style="list-style-type: none"> • Protect the privacy of personal information including health information of clients, residents and staff; • Ensure personal information is managed in an open and transparent way; and • Ensure the confidentiality of personal information through appropriate storage and security.
Who does it apply to?	<p>This policy applies to</p> <p><input type="checkbox"/> Certain staff at Clarence Village, specifically: _____</p> <p><input checked="" type="checkbox"/> All staff at Clarence Village</p> <p><input checked="" type="checkbox"/> Contractors of Clarence Village</p> <p><input type="checkbox"/> Residents of Clarence Village</p> <p><input checked="" type="checkbox"/> Board of Clarence Village</p>
When was it approved?	April 2021
When was it last reviewed?	
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1. Definitions

Personal Information is information or an opinion that identifies an individual. Examples of Personal Information we collect include: names, addresses, email addresses, phone and facsimile numbers, Medicare numbers, pension numbers and bank details.

This Personal Information is obtained in many ways including forms, correspondence, by telephone and facsimile, by email, via our website www.clarencevillage.com.au, from media and publications, from other publicly available sources, from Government sources and from third parties.

Sensitive information is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

2. Principles

Clarence Village has adopted the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act). The APPs govern the way in which we collect, use, disclose, store, secure and dispose of your Personal Information. A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at <https://www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/>

Clarence Village recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by our values and in this Privacy Policy, which is compliant with the Privacy Act 1988 (Cth).

Clarence Village will:

- Collect only information which the organisation requires for its primary function;
- Provide stakeholders with information about their rights in relation to privacy;
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders with access to their own information, and the right to seek its correction.

We collect Personal and sensitive Information for the primary purpose of providing services, information to our residents and marketing. We may also use Personal Information for secondary purposes closely related to the primary purpose, in circumstances where such use or disclosure would be expected.

Any mailing/marketing lists operated by Clarence Village can be unsubscribed from at any time by contacting us in writing or by following unsubscribe links in communications.

3. Security and disclosure of Personal Information

Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorized access, modification or disclosure.

When Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify it. However, most of the Personal Information is or will be stored in client files which will be kept by us for a minimum of 7 years.

We may disclose health information about an individual to a person who is responsible for the individual if Clarence Village is satisfied that:

- The individual is incapable of giving consent or communicating consent;
- The disclosure is necessary to provide appropriate care or treatment;
- The disclosure is made for compassionate reasons;
- The disclosure is necessary for the purposes of undertaking a quality review of our services (and the disclosure is limited to the extent reasonable and necessary for this purpose);
- The disclosure is not contrary to any wish previously expressed by the individual of which Clarence Village is aware; and
- The disclosure is limited to the extent reasonable and necessary for providing care or treatment.

A 'person responsible' is a parent, a child or sibling, a spouse, a relative, a member of the individual's household, a guardian or enduring guardian, an enduring power of attorney, a person who has an intimate personal relationship with the individual, or a person nominated by the individual to be contacted in case of emergency, provided they are at least 18 years of age.

The types of third parties to which personal information may be disclosed from time to time include:

- Medical practitioners
- Department of Veterans' Affairs
- Department of Human Services
- The Australian Aged Care Quality Agency and
- Relevant state health authorities as necessary to carry out the purposes for which the information was collected.

4. Access to and maintenance of Personal Information

Personal Information we hold can be accessed by the person to update and/or correct it, subject to certain exceptions. Access can be obtained by contacting us in writing. In order to protect Personal Information we may require identification before releasing the requested information.

It is an important to Clarence Village that Personal Information is up to date and we will take reasonable steps to ensure this, including amending or updating information on request.

5. Responsibilities

The CEO and management team will:

- Ensure data systems are secure and protected to the greatest degree reasonably possible
- Ensure access to personal and sensitive information is only granted to those staff members or third parties who require the information to provide care, or by law
- Ensure systems are in place to protect against improper disclosure of data
- Maintain cyber insurance

Employees and volunteers will:

- Comply with the terms and principles of this policy
- Collect, maintain and disclose personal and sensitive data according to the terms of this policy

6. Breaches

If there are any reasonable grounds to believe that there has been a breach of access to personal information, the individual(s) effected are to be notified of the breach or suspected breach in writing (statement) and reported to the Commissioner.

Clarence Village takes the protection of personal and sensitive data very seriously and breach of this policy may result in disciplinary action, counselling, or termination of employment.

7. Review

Clarence Village's Privacy policy will be reviewed at least every two years. The review will involve assessing the effectiveness of the policy and procedures in (among other things):

- Protecting the data of residents and staff
- ensuring compliance with the relevant legislation

8. Related documents

- Elder Abuse & Dignity of Risk Policy
- Incident Management Policy
- Complaints, Feedback and Open Disclosure Policy

9. Legislation and industrial instruments

All officers, employees, contractors, suppliers and volunteers must observe and comply with all laws that relate to their engagement, including, but not limited to:

- Privacy Act 1988 (Cth)
- Australian Privacy Principles (APP)

This policy and associated procedures are not intended to override any industrial instrument, contract, award or legislation.