

# **PRIVACY POLICY**

## **Information Management Policy # 006.6**

### **PRIVACY STATEMENT**

SBcare regularly collects and uses individuals' personal and sensitive information to ensure delivery of appropriate, timely and quality community care services. SBcare is committed to ensuring the privacy and confidentiality of all personal information (including sensitive and health information). SBcare must comply with the Australian Privacy Principles (APPs) under the Privacy Act 1988 and other privacy laws that govern how personal information is handled. SBcare will take such steps as are reasonable in the circumstances to implement practices, procedures and systems to ensure compliance with the Australian Privacy Principles (APPs).

### **APPLICATION OF THIS PRIVACY POLICY**

SBcare's Privacy Policy applies to personal information collected by SBcare. We are governed by the Australian Privacy Principles (APP's) under the Privacy Act 1988 (Cth).

SBcare will review this policy regularly to ensure it is in accordance with any changes that may occur. The most up-to-date copy can be obtained either from our website or by contacting SBcare.

### **PERSONAL INFORMATION WE COLLECT AND WHY WE COLLECT IT**

SBcare collects personal information for a purpose that relates directly to our functions and activities.

#### **Members**

Personal Members' information is collected for the primary purpose of maintaining a Members' Register, in accordance with our annual reporting obligations as an incorporated association. This information includes the Member's name, address, membership type and contact details.

#### **Employees**

Personal information regarding employees is collected for the primary purpose of processing their entitlements, including payment of wages, superannuation contributions and Australian Taxation Office obligations. Additional information is collected to protect both client and organisational interests. Information held by SBcare includes personal addresses and contact details, employment history, qualifications, curriculum vitae, bank account numbers for electronic funds transfers, superannuation fund membership details, tax file number, relevant cards related to service delivery, police clearance certificates, immunisation status, driver licences, insurances, registration and training records.

#### **Registered Website Users**

Personal information collected from registered users of the SBcare website includes their name, region, email address and contact telephone numbers. This information is collected to ensure proper attribution and public accountability of information posted by registered users on the website, and users are clearly advised of this through this Privacy Policy on the SBcare website.

## **Clients**

Clients' personal information gathered by SBcare staff is for the primary purpose of planning and delivering appropriately designed and tailored care and services, meeting our reporting accountabilities, and observance of our duty of care. SBcare collects personal and sensitive information which relates directly to our functions and activities and related business activities. It can include your name, address, contact details, date of birth, gender, emergency contact details, carer details, country of birth, languages spoken, identified special needs, other services accessed, financial information including social service entitlements, and relevant health information such as diagnosed ailments, functional capacities, doctor's/other health care providers details and medical conditions and medications. The information we collect and hold depends on individual circumstances and may include images and recordings.

SBcare is committed to providing you with the highest level of care to support your independence and quality of life. We understand that you may not want to provide some information to us. The information we ask of you is relevant to providing you with care and services you have requested. If you choose not to provide us with some or all of that information we ask, we may not be able to provide you with the care and services you require or are entitled to.

### **HOW PERSONAL INFORMATION IS COLLECTED**

Information is collected in a number of ways, including:

- Directly from you (such as where you provide information to us during assessments, when you complete forms, sign an agreement, complete a survey, during phone calls/emails etc.);
- From your authorised representative/carer (if it is unreasonable or impracticable to obtain this information from you);
- From third parties such as My Aged Care, Regional Assessment Service, hospitals, doctors or other referral agencies.

We will collect personal information directly from you rather than from a third party unless:

- You have given us consent to collect the information from a third party; or
- We are required under law to collect the information from a third party; or
- It is unreasonable or impracticable to collect the personal information directly from you.

SBcare collects sensitive information about you with your consent and if that information is reasonably necessary for, or directly related to, one or more of our functions or activities. For example, when undertaking assessments to develop a care plan, staff may ask about health or disability information to provide appropriate care. Other situations may exist where we are able to collect information under law.

### **HOW PERSONAL INFORMATION IS USED AND DISCLOSED**

SBcare uses and discloses your personal information (including sensitive or health information) only for the purposes for which it was collected or for any other purpose that is otherwise directly related to our functions and activities or otherwise permitted by law (such as through contractual agreements with the Commonwealth under the Aged Care Act 1997). If information is required for another reason, we will ask for your, or your authorised representative's, permission.

SBcare is required in certain situations to provide personal information to agencies, bodies and individuals such as:

- Where SBcare is authorised to provide an agency (such as the Department of Communities, Child Safety and Disability Services) with personal information to enable care to be delivered to a client;
- Where we provide de-identified information to funding bodies and government departments to meet our contractual requirements (de-identified information cannot be linked back to an individual);
- In providing the best care and services possible to improve the quality of life for our clients, we may engage specialists or other health providers who may discuss or release your personal information to assess your requirements and to undertake care planning (client consent is sought prior to this release of information);
- Your authorised representative with your consent or when you ask us to.

Your information is used to provide services to you, to provide you with information about services and to assist you with enquiries. Information is also used to improve or develop our services, and to monitor and evaluate our quality and performance.

In all other situations, the release of your personal information may only occur with your written consent or the consent of your legal representative/substitute decision-maker, such as your Enduring Power of Attorney.

Notwithstanding the above, you have the right to withdraw consent to release your personal information (e.g. for direct marketing) at any time. This can be arranged by contacting the appropriate SBcare manager.

SBcare does not transfer your personal information to third parties outside Australia except under the circumstances permitted by legislation or at your request. In the event that your personal information is required to be disclosed to an overseas recipient, we will take all steps that are reasonable in the circumstances to ensure that overseas recipients do not breach the APP's.

## **STORING AND PROTECTING PERSONAL INFORMATION**

Personal information may be stored at our premises in various forms such as paper or electronic records and visual records such as videos and photos.

SBcare will take reasonable steps to protect personal information from misuse, interference, loss, unauthorised access, modification or disclosure. SBcare uses technologies and processes such as access control procedures (password protection and controlled staff access), network firewalls, and controlling access to information/record storage areas to protect privacy. All staff are required to sign confidentiality agreements.

## **KEEPING INFORMATION UP TO DATE**

SBcare takes reasonable steps to make sure personal information and/or health information we collect, use or disclose, is accurate, complete and up-to-date. From time to time, staff may ask you to verify personal information held by us is correct and current. You may also request, in writing, to the appropriate Manager that SBcare correct or update information. All requests will require proof of identity or authority. If SBcare and the individual cannot agree as to whether the information is accurate, complete, relevant or up-to-date, we will, on request, record a statement of the dispute.

## **ACCESSING PERSONAL INFORMATION**

You have the right to request access to personal information held by SBcare by contacting the relevant Manager. This request will be evaluated as per the requirements and conditions of the Privacy Act

1988. There may be instances where access is denied to certain records or aspects of records in accordance with the APP's. Generally, if requested, an individual will be granted access to any personal information held about them, unless:

- SBcare believes it poses a serious threat to the life, safety or health of any individual;
- It has an unreasonable impact on the privacy of other individuals or the public;
- The request is frivolous or vexatious;
- It is unlawful to provide the information;
- Access is otherwise exempt or denied under the Australian Privacy Principles or another law.

SBcare will ensure the request is handled in a timely manner, however it is reasonable to expect that providing this information may take up to 30 days. A small fee may be charged to meet the costs of extracting and photocopying the information. All requests will require proof of identity or authority, which will be recorded along with the information request.

If we deny access to personal information, we will provide reasons in writing for that decision and provide a process for lodging a complaint.

### **DIRECT MARKETING**

From time to time, we may contact you to provide you with information about other services offered by us that may be of benefit to you and your family. This includes information or services that can help improve your wellbeing. We may also provide you with newsletter or other publications. When we contact you, it may be via mail, phone, email or text-message. When you become a client of SBcare you consent to us using your personal information for direct marketing (as described in this document), unless you have contacted us to withdraw your consent. If you do not wish to receive marketing material from us, you can contact us at any time to let us know.

### **COMPLAINTS HANDLING**

SBcare takes complaints and concerns regarding privacy very seriously. If you have any concerns, complaints, suggestions or questions in regard to the handling or privacy of your information we ask that you contact us directly at the details below. SBcare will attempt to resolve your complaint according to our complaint resolution procedure and respond within a reasonable timeframe. If after our findings you are not satisfied, you can complain about a privacy matter to the Office of the Australian Information Commissioner in writing using their online form or call 1300 363 992.

### **CONTACT US**

Chief Executive Officer  
SBcare  
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