



Privacy policy

Summary

The Russian Relief Association St Sergius of Radonezh (we, us, our) understands the importance of protecting the privacy of an individual's personal information (including health information).

This policy sets out how we aim to protect the privacy of your personal information, your rights in relation to your personal information managed by us and the way we collect, use and disclose your personal information.

In handling your personal information, we will comply with the Privacy Act 1988 (Cth) (Privacy Act) and with the 13 Australian Privacy Principles (APPs) in the Privacy Act, as well as this APP Privacy Policy.

The Privacy Act applies only to information about individuals, not to information about corporate entities such as businesses, firms or trusts. Detailed information on the Privacy Act can be found on the *Office of the Australian Information Commissioner ('OAIC') website:* <http://www.oaic.gov.au/>

Who should read this privacy policy?

You should read this policy if you are an individual whose personal information may be given to or held by us: a care recipient, a contractor, consultant, supplier or vendor of goods or services to us, a service provider funded to deliver services, a person seeking employment with us, a person who is or was employed by us, a volunteer, donors, business partners and online users.

Purpose

The purpose of this policy to ensure that our organisation and our employees comply with the privacy provisions set out in the Privacy Act 1988 (Cth).

The purpose of this policy and procedure is to:

- ensure personal information is managed in an open and transparent way;
- protect the privacy of personal information including health information of care recipients and staff;
- provide for the fair collection and handling of personal information;
- ensure that personal information we collect is used and disclosed for legally permitted purpose only;
- regulate the access to and correction of personal information; and
- ensure the confidentiality of personal information through appropriate storage and security.



PRIVACY POLICY

Anonymity and pseudonymity

We understand that anonymity is an important element of privacy and some members of the public may wish to be anonymous when interacting with us. We also understand some members of the public may wish to use a pseudonym.

Generally, members of the public will have the right to remain anonymous or adopt a pseudonym when dealing with us. However, it is not always possible to remain anonymous or adopt a pseudonym and we will inform you when this is the case.

Collection of personal information

Why do we need your personal information?

We collect your personal information for the purpose of providing you with our care and services.

Where applicable, we may use your personal information to:

- provide aged care services to you;
- enable allied health care providers and medical practitioners to provide care and services to you;
- enable fees and charges to be assessed in accordance with the Community Care Principles
- enable us to obtain the correct level of government funding in relation to your care;
- enable contact with a nominated person regarding your health status;
- lawfully liaise with a nominated representative and to contact family if requested or needed;
- identify and inform you of any other services that may be of interest to you;
- fulfil any of our legal requirements;
- perform our employment and personnel functions in relation to our staff and contractors;
- perform our administrative functions;
- develop policies, research and evaluation;
- handle complaints, or
- for other purposes permitted or referred to under any terms and conditions you enter into or otherwise agree to with respect to our services.

Personal information about you may be collected by us from you, your representative or a third party.

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.



PRIVACY POLICY

Kinds of personal and sensitive information collected and held

In performing our functions, we collect and hold the following kinds of personal information (which will vary depending on the context of the collection):

- name, address and contact details (e.g. phone, email and fax)
- photographs, video recordings and audio recordings of you
- information about your personal circumstances (e.g. age, gender, occupation)
- information about your financial affairs (e.g. bank account details, information about business and financial interests)
- information about your identity (e.g. date of birth, country of birth, drivers licence)
- information about your employment (e.g. work history, referee comments, remuneration)
- information about your background (e.g. educational qualifications, the languages you speak and your English proficiency)
- government identifiers (e.g. Centrelink Reference Number or Tax File Number)

On occasions, a range of sensitive information may also be collected or held about you, including information about:

- your racial or ethnic origin;
- your health (including information about your medical history and any disability or injury you may have)
- any criminal record you may have.

How we collect and hold personal information

We collect personal information through a variety of different methods including: paper-based forms, electronic forms (including online forms), face to face meetings, telephone communications, email communications, communications by fax, our websites, social media and on-line platforms.

If you do not wish to have your personal information used in any manner or purpose specified above, please contact our Director of Care.

If you choose not to provide some or all of the information we request, we may not be able to provide you with the care and services you require.

Sensitive information is collected directly from the care recipients, his or her relatives and other authorised personnel such as, allied health care providers and medical practitioners, Aged Care Assessment Service and hospital through observations and assessments undertaken as part of the care process.



PRIVACY POLICY

Our website

We generally only collect personal information from our website where a person chooses to provide that information. The website is managed internally.

No attempt is made to identify you through your browsing other than in exceptional circumstances, such as an investigation into the improper use of the website.

Our website contains links to other websites. We are not responsible for the content and privacy practices of other websites and encourage you to examine each website's privacy policies and make your own decisions regarding the reliability of material and information found.

Electronic communication

There are inherent risks associated with the transmission of information over the Internet, including via email. You should be aware of this when sending personal information to us via email or via our website. If this is of concern to you then you may use other methods of communication, such as post, fax, or phone (although these also have risks associated with them).

We only record email addresses when a person sends a message. Any personal information provided, including email addresses, will only be used or disclosed for the purpose for which it was provided.

Notification of collection of personal information

When collecting personal health and medical information from you, as this is sensitive information, we will obtain your consent to such collection and explain how this information will be used and disclosed. If Sensitive Information is collected from a third party, we will inform you that this information has been collected and will explain how this information will be used and disclosed.

We will not use sensitive information beyond the consent provided by you, unless your further consent is obtained or in accordance with one of the exceptions under the Privacy Act or in compliance with another law.

If we use your sensitive information for research or statistical purposes, it will be de-identified if practicable to do so.

If we collect information about you in this way, we will take reasonable steps to contact you and ensure that you are aware of the purpose for which we are collecting your personal information and the organisations to which we may disclose your information, subject to any exceptions under the Privacy Act.

We do not send personal information out of Australia. If we are legally required to send information overseas we will take all reasonable measures to protect your personal information by gaining your consent to the disclosure, or ensuring that the country of destination has similar protections in relation to privacy, and does not breach the Australian Privacy Principles, or that we enter into contractual arrangements with the recipient of your personal information that safeguards your privacy. Alternatively, if the information is required under Australian law, or if the information is required or authorised under international agreement to which Australia is a party to, or if it is reasonably necessary by an enforcement body it may be shared.



PRIVACY POLICY

Use or disclosure of personal information

We use and disclose personal information for the primary purposes for which it is collected. You will be given information about the primary purpose of collection at the time the information is collected.

Personal Information will not be used or disclosed for marketing purposes.

We will only use your personal information for secondary purposes where we are able to do so in accordance with the Privacy Act.

Care recipient's confidential information shall never be disclosed to other care recipient, unauthorised personnel and personal relations of the employee or other people in the community at any time.

For the purposes referred to in this Privacy Policy (discussed above under "Collection of Personal and Sensitive Information"), we may also disclose your Personal Information to other external organisations including:

- government departments/agencies who provide funding for our services;
- contractors who manage some of the services we offer. In such circumstances, steps are taken to ensure that the contractors comply with the APPs when they handle personal information and are only authorised to use personal information in order to deliver the services or perform the functions required by us;
- doctors and health care professionals, who assist us to deliver our services;
- other regulatory bodies, such as WorkCover;
- our professional advisors, including our accountants, auditors and lawyers.

Except as set out above, we will not disclose an individual's personal information to a third party unless one of the following applies:

- the individual has consented;
- the individual would reasonably expect us to use that information for another purpose related to the purpose for which it was collected (or in the case of sensitive information – directly related to the purpose for which it was collected);
- it is otherwise required or authorised by law;
- it will prevent or lessen a serious threat to somebody's life, health or safety or to the public health or safety;
- it is reasonably necessary for us to take appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature that relates to our functions or activities;
- it is reasonably necessary to assist in locating a missing person;
- it is reasonably necessary to establish, exercise or defend a claim at law;
- it is reasonably necessary for a confidential dispute resolution process;
- it is necessary to provide health services;
- it is necessary for the management, funding or monitoring of a health service relevant to public health or public safety;
- it is necessary for research or the compilation or analysis of statistics relevant to public health or public safety;



PRIVACY POLICY

- it is reasonably necessary for the enforcement of a law conducted by an enforcement body, in this case we will make a written note of the disclosure;
- a permitted general situation exists, as defined in s16A of the Privacy Amendment (Enhancing Personal Privacy) Act 2012; or
- a permitted health situation exists as outlined by s16B of the Privacy Amendment (Enhancing Personal Privacy) Act 2012.

Disclosure to a Person Responsible

We may disclose Health Information about an individual to a person who is responsible for the individual if:

the individual is incapable of giving consent or communicating consent;

the service manager is satisfied that either the disclosure is necessary to provide appropriate care or treatment or is made for compassionate reasons or is necessary for the purposes of undertaking a quality review of our service (and the disclosure is limited to the extent reasonable and necessary for this purpose); and

the disclosure is not contrary to any wish previously expressed to the individual of which the service manager is aware, or of which the service manager could reasonably be expected to be 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, an enduring power of attorney, a person who has an intimate personal relationship with the individual, or a person nominated to the individual to be contacted in case of emergency, provided they are at least 18 years of age.

Quality of personal information

Personal information that we collect is accurate, up-to-date and complete.

Personal information that we use or disclose is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant.

Security of personal information

We take reasonable steps to protect the personal information we hold against misuse, interference, loss, unauthorised access, modification and disclosure.

Electronic and paper records containing personal information are protected in accordance with Australian Government security policies.

When personal information is no longer required for any purpose for which the information may be used or disclosed by us it is destroyed in a secure manner, or will be de-identified.

We hold personal information in both hard copy and electronic forms in secure databases on secure premises, accessible only to our authorised staff.

Non-current information is archived in secure premises. However, we cannot guarantee the security of any personal information transmitted to us via the Internet.

Storage of personal information (and the disposal of information when no longer required) is managed in accordance with the Australian Government records management regime, including



PRIVACY POLICY

the Archives Act 1983, Records Authorities and General Disposal Authorities. This ensures your personal information is held securely.

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* (<http://www.oaic.gov.au/privacy/privacy-resources/privacy-guides/data-breach-notification-a-guide-to-handling-personal-information-security-breaches>) when handling accidental or unauthorised disclosures of personal information.

Legislative or administrative sanctions may apply to unauthorised disclosures of personal information.

Access to and correction of personal information

You have a right under the Privacy Act to access personal information we hold about you.

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.

However, the Privacy Act sets out circumstances in which we can decline access to or correction of personal information (e.g. where access is unlawful under a secrecy provision in portfolio legislation, such as the Aged Care Act 1997).

Please contact us if any of the Personal Information you have provided to us has changed. Please also contact us if you believe that the information St Sergius Aged Care have about you is not accurate, complete or up-to-date.

To access or seek correction of personal information we hold about you, please contact us using the contact details set out at section 5.1 of this Policy.

It is also possible to access and correct documents held by us under *the Freedom of Information Act 1982* (the FOI Act) <http://www.comlaw.gov.au/Series/C2004A02562>.

Complaints

Internal complaint procedure

If you have a complaint about St Sergius Aged Care's privacy practices or our handling of your Personal Information or Sensitive Information, you may notify the Director of Care.

We will respond to your complaint or request promptly if you provide your contact details. We are committed to quick and fair resolution of any complaints and will ensure your complaint is taken seriously. You will not be victimised or suffer negative treatment if you make a complaint.

In the event that an anonymous complaint is received we will note the issues raised and where appropriate, investigate and resolve them appropriately.



PRIVACY POLICY

External complaint procedure

You also have the option of contacting the OAIC if you wish to make a privacy complaint against us. *The OAIC website* <http://www.oaic.gov.au/> contains information on how to make a privacy complaint. If you make a complaint directly to the OAIC rather than to us, the OAIC may recommend you try to resolve the complaint directly with us in the first instance.

How to contact us

General enquiries and requests to access or correct personal information

If you wish to query how your personal information is collected, held, used or disclosed; ask questions about this Privacy Policy; or obtain access to or seek correction of your personal information, contact us using the following contact details:

Telephone: 02 9782 5010

E Mail: doc@stsergius.org.au

Postal Address: 1 Gilbert Street, Cabramatta, NSW 2166

Contact details for privacy complaints

If you wish to make a complaint about a breach of your privacy, please contact us using the following contact details:

Telephone: 02 9782 5010

E Mail: doc@stsergius.org.au

Postal Address: 1 Gilbert Street, Cabramatta, NSW 2166

Privacy policy updates

We will review, amend and/or update this policy from time to time as appropriate.

Availability of this policy

If you wish to access this Policy in an alternative format (e.g. hard copy) please contact us using the contact details set out at section 'How to contact us' of this Policy. This policy will be made available free of charge.



Definitions

Personal Information - Personal information means information or opinion (including information or opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can be reasonably ascertained from the information or opinion.

Sensitive information - is a subset of personal information. It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health information about an individual.

Privacy - The word we give to being able to keep certain information to ourselves.

Anonymity – Freedom from identification.

Online Users - Anyone who accesses the St Sergius Aged Care website: www.stsergius.org.au

Employee Record - A record of Personal Information relating to the employment of a member of staff.