

Privacy Policy

Document Number & Version: 20140310-001 v0.1

Document Owner: Legal & Corporate Affairs

1 Purpose

Allity and its related bodies corporate (collectively "Allity") respects your right to privacy and this policy sets out how we collect and manage your Personal Information.

Allity's privacy obligations are governed by the *Privacy Act 1988* (Cth) as amended from time to time (the **Privacy Act**) and the Australian Privacy Principles.

The purpose of this policy is to ensure that:

- (i) the privacy of Personal Information, including Sensitive Information and Health Information is protected managed in an open and transparent way;
- (ii) information collected in accordance with this policy is used and disclosed only for relevant purposes; and
- (iii) access to and correction of Personal Information is appropriately regulated.

Terms that are capitalised in this policy have the meaning given to them in the Definitions in section 6 of this policy.

This policy is accessible at www.allity.com.au. If you provide information to us either via the Allity website or by any other means, whether verbal, written or electronic, you agree to our collection, handling, use and disclosure of that information in accordance with this policy.

2 Scope

This policy applies to all Allity staff, Residents and, to the extent relevant, a Resident's attorney, guardian, personal and/or legal representative (described in this policy as the 'person responsible').

3 Policy

3.1 Details of the Personal Information that Allity may collect

The Personal Information we collect, hold, use and disclose will depend on the relationship you have with us. The table below describes the types of Personal Information collected and held by Allity and the main ways in which we may use that information.

| Personal information collected | Main use by Allity |
|--|---|
| <p><u>For Residents receiving care and services in an Allity home</u></p> <p>Resident's name, medical history, medical diagnoses, Aged Care Assessment Team reports, assessments and advice, any information required to complete and update care and treatment plans, family history, information pertaining to guardianship, attorney or person responsible, personal and religious preferences, financial details including income and asset</p> | <p>To ensure provision of care and services to all Residents and compliance with the requirements of the Aged Care Act 1997 and the Aged Care Principles 1997 (as amended from time to time).</p> |

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|---|---|
| <p>information and in the case of residents transferring from another health service provider, historical personal care files and notes and other Personal Information.</p> | |
| <p><u>For medical practitioners and allied health professionals</u></p> <p>Name, business contact details, professional or practice details, historical record of business relationship, financial details, Medicare provider number details, other professional association membership details.</p> | <p>To ensure that details contained in Resident's records are accurate and up to date and to enable medical practitioners and allied health professionals to receive payment for their services.</p> |
| <p><u>For applicants for employment with and employees of Allity</u></p> <p>Name and contact details, professional qualifications and education, applicable licenses or certificates, prior employment history, references, and any other information that applicant chooses to provide.</p> | <p>To assess suitability of an applicant for employment with Allity and to create, update and maintain any Employee Record.</p> |
| <p><u>For suppliers, building contractors and other Allity business partners</u></p> <p>Name and contact details, current and prior business history and dealings, internal governance information and such other information as Allity may obtain on request.</p> | <p>To comply with contractual and legislative obligations including but not limited to obtaining police clearance certificates and ensuring timely payments to service providers and contractors.</p> |

3.2 Methods of collection

Allity collects certain Personal Information, Sensitive Information and Health Information in a variety of ways, including:

- (i) in person from Residents and from persons responsible where Residents who do not have the capacity to provide the requested information;
- (ii) from medical professionals and allied health professionals to ensure consistent quality in the care and services provided to Residents;
- (iii) from suppliers or contractors when responding to tender requests;
- (iv) when you access the Allity website or from public sources, such as telephone listings, and from private sources where it is necessary; and
- (v) from any other person where we are required or authorised by law to collect the information from someone else.

Allity will own any Personal Information collected, whether directly, indirectly or via our website.

3.2.1 Allity website

When you visit the Allity website, we may collect information such as browser type, operating system, website visited immediately before coming to our site. This information is used in an aggregated manner to assess how people use our site, so that we can improve our service.

In addition, like many companies, Allity uses "cookies" on its website to help us serve you better on future visits and to help us evaluate and improve the content and functions of our site/s. Cookies are very small files that a website uses to identify you when you come back to the site and to store details

about your use of the site. Cookies are not malicious programs that access or damage your computer. We use cookies to improve the experience of people using our websites. If you prefer, you can set your browser to refuse cookies from this and other websites that you may visit.

3.2.2 Links to Other Websites

The Allity website may contain links to other websites that are not owned or operated by Allity. You should carefully review the privacy policies and practices of other websites before providing any Personal Information through them, as we cannot control and are not responsible for the privacy policies or practices of third party websites that are not ours.

3.2.3 TRAX

The TRAX system is a customised version of the 'People Point' resident management and clinical information online system. TRAX allows staff at Allity residential homes to keep a record of the care of Residents and share information with each other and also via reports generated by staff and management. The TRAX system is intended to streamline information about each Resident, facilitating open communication between carers, allied health staff and health practitioners. In doing so, treatment and care provided is (uniform) consistent, and all staff are kept up to date with Residents' conditions, treatment plans and care needs as well as their social well-being.

The Personal Information, Sensitive Information and Health Information in TRAX is available to medical and allied health professionals as well as to representatives of Government Departments such as the Department of Social Services, the Australian Aged Care Quality Agency and other agencies and organizations as required by the Aged Care Act 1997 (Cth) and other relevant legislation.

3.3 Use and Sharing of Your Personal Information

Allity uses Personal Information in accordance with the table above and generally also for the following purposes:

- (i) to provide care and services to Residents;
- (ii) to enable medical consultants, allied health professionals and other consultants to provide streamlined care to Residents;
- (iii) to improve our care and services to Residents;
- (iv) to improve our marketing, finance and administration procedures;
- (v) to consider applications for employment;
- (vi) to perform our obligations to employees;
- (vii) to perform our obligations under agreements with suppliers, consultants and property contractors; and
- (viii) to comply with our legal obligations and to ensure that Allity meets any applicable governance requirements.

Allity may share your information with its related companies for the same purposes as set out above. Allity does not sell any Personal Information that you provide to us, to any third party and/or for any separate use by a third party.

Allity will not disclose your Personal Information, Sensitive Information or Health Information to other third parties except in the following circumstances:

- (i) the third party was the original discloser of the Personal Information to Allity;
- (ii) to medical and allied health professionals as detailed in this policy;
- (iii) to regulatory bodies or agencies, such as the Department of Social Services, the Australian Aged Care Quality Agency where Allity is legally obliged to do so;
- (iv) to Medicare, the Department of Veterans Affairs and other such agencies in relation to the payments for care and services provided to Residents;

- (v) to law enforcement agencies, government agencies, courts or external advisers, where permitted or required by law;
- (vi) to third parties that assist us in providing care or services to Residents;
- (vii) to third parties to enable us to improve our marketing, finance or administration procedures;
- (viii) if a Resident is unable to consent to necessary care or treatment, to the person responsible in accordance with the Privacy Law; or
- (ix) with your express consent or as otherwise authorised by you.

3.4 Disclosure of Your Personal Information Overseas

Allity does not operate overseas however if we do disclose Personal Information to an overseas recipient we will take all reasonable steps to ensure that the overseas recipient does not breach the Australian Privacy Principles unless:

- (i) the overseas recipient is subject to similar laws to the Australian Privacy Principles and the individual has mechanisms to take action against the overseas recipient;
- (ii) we reasonably believe the disclosure is necessary or authorised by Australian Law; or
- (iii) you have provided express consent to the disclosure.

3.5 Security of Your Personal Information

Allity has implemented appropriate physical, electronic and administrative safeguards to protect your Personal Information from loss, misuse, alteration, theft, unauthorised access, or unauthorised disclosure. We evaluate our safeguards on an ongoing basis to help minimise risks from new security threats as they become known. However, we unfortunately cannot guarantee 100% security for Personal Information collected.

We expect our employees and contractors who handle Personal Information to comply with the Privacy Law and will take appropriate action in response to breaches of the obligations imposed by the Privacy Law and/or the Privacy Principles. All of our staff are required to sign a confidentiality agreement on commencement of employment and matters of privacy and confidentiality are addressed in our contractual arrangements with services external to Allity.

3.6 Access to Your Personal Information

3.6.1 Right of access

Under the Privacy Principles, you have the right to obtain a copy of any Personal Information that Allity holds about you and to let us know of any error or inaccuracy in that information. In certain circumstances that are clearly defined in the Privacy Law, a person responsible may also obtain a copy of a Resident's Personal Information. We must be able to establish the identity of the individual seeking access to the Personal Information and, in the case of a person responsible, that the Resident has consented to the person responsible obtaining access to the information on your behalf.

We will consider any recommendation by you or your person responsible to change or correct Personal Information and advise you or your person responsible of the action taken. You or the person responsible can access and update your Personal Information by contacting us in the manner set out in this policy. We may charge a reasonable administration fee for this access.

3.6.2 Declining access

Please note that in circumstances prescribed by the Privacy Law, you or your person responsible may be refused access to your Personal Information.

As noted above, an individual's identity must be established prior to allowing access to the requested information. If we are dissatisfied with the individual's identity or access is requested from an unauthorised party, we can decline access to the information.

We can also decline access to information if:

- i) there is a serious threat to life or health of any individual;
- ii) the privacy of others may be affected;
- iii) the request is frivolous or vexatious;
- iv) the information relates to existing or anticipated legal proceedings; or
- v) the access would be unlawful.

In these cases, we will provide you or, as appropriate, the person responsible for the Resident with a written explanation for our refusal to provide access.

3.7 Complaints About Privacy

If you consider that any action taken by Allity breaches this policy or the Privacy Principles, you can make a complaint by contacting us by one of the methods set out in Section 3.8 of this policy. We take privacy complaints very seriously and will act promptly in response to a complaint.

3.8 How to contact us to make a comment or complaint about this policy

3.8.1 Allity contact details

You can contact Allity about a privacy related issue by phone, post or email as follows:

Phone: 02 9431 1000

Email: privacy.officer@allity.com.au

Post: Allity Privacy Officer
Level 1, 39 Albany Street
Crows Nest NSW 2065

3.8.2 Australian Information Commissioner

The Australian Information Commissioner receives complaints under the Act. Complaints can be made:

Online: <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>

By phone: on 1300 363 992

By fax: on +61 2 9284 9666

In writing:

Address your letter to the Australian Information Commissioner at the:

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001

or

Office of the Australian Information Commissioner
GPO Box 2999
Canberra ACT 2601 NSW 2001

3.8.3 Aged Care Complaints Scheme

The Aged Care Complaints Scheme operates within the Department of Social Services receives complaints under the Act. Complaints can be made:

Online: At <http://www.agedcarecomplaints.govspace.gov.au/concern>.

By phone: on 1800 550 552.

Or if you need an interpreter you can phone the Translating and Interpretation Service on 131 450 and ask them to put you through to the Aged Care Complaints Scheme on 1800 500 552.

For hearing or speech impaired TTY users phone 1800 555 677 then ask for 1800 550 552.

For Speak and Listen users phone 1800 555 727 then ask for 1800 550 552.

For Internet relay users connect to <https://www.iprelay.com.au/call/index.aspx> and enter 1800 550 552.

In writing:

Address your letter to the Aged Care Complaints Scheme at the:

Australian Department of Social Services
GPO Box 9848
[your capital city and state/territory]

3.9 Updates to this policy

As we continue to provide additional services and as the Privacy Law and other laws change, it may be necessary to revise or update this policy. We encourage you to review this policy from time to time so that you are familiar with any changes. You may contact us to obtain the latest copy of this policy at any time.

4 Measures

Outcomes of this policy will be measured through review of feedback from people to whom this policy relates.

5 References

| Document No. | Title | File Name / Link |
|-------------------|-----------------|------------------|
| 20140306-001 v0.1 | IT Usage Policy | |

6 Definitions

The following words, acronyms and abbreviations are referred to in this document:

| Term | Definition |
|-----------------|---|
| Employee Record | <p>A record of Personal Information relating to the employment of the employee. Examples of Personal Information relating to the employment of the employee are Health Information about the employee and Personal Information about all or any of the following:</p> <ul style="list-style-type: none"> i) the engagement, training, disciplining or resignation of the employee; ii) the termination of the employment of the employee; iii) the terms and conditions of employment of the employee; |

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| | <ul style="list-style-type: none"> iv) the employee's personal and emergency contact details; v) the employee's performance or conduct; vi) the employee's hours of employment; vii) the employee's salary or wages; viii) the employee's membership of a professional or trade association; ix) the results of an employee's criminal history check; x) the employee's trade union membership; xi) the employee's recreation, long service, sick, personal, maternity, paternity or other leave; and xii) the employee's taxation, banking or superannuation affairs. |
| Personal Information | Any information or an opinion that whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. |
| Privacy Law | Refers to the Australian Privacy Act 1988 as amended from time to time. |
| Privacy Principles | Refers to the Australian Privacy Principles as established under the Privacy Law. |
| Sensitive Information | Information or an 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, biometric information, biometric templates, health information about an individual and genetic information. |
| Health Information | <p>Health Information is:</p> <ul style="list-style-type: none"> i) information or an opinion about: <ul style="list-style-type: none"> A. the health or a disability (at any time) of an individual; B. an individual's expressed wishes about the future provision of health services to him or her; or C. a health service provided, or to be provided, to an individual that is also Personal Information; or ii) other Personal Information collected to provide, or in providing, a health service; iii) other Personal Information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual. |