



Privacy Policy

1. Introduction

Southern Cross Care (SA, NT & VIC) Inc (**we or us**) values your privacy. This Privacy Policy is a summary of the way in which we handle personal information about individuals. Personal information means information or an opinion which identifies an individual or from which their identity can reasonably be ascertained.

We are required to comply with the Australian Privacy Principles under the Privacy Act 1988 (Cth). You can obtain a copy from the Office of the Australian Information Commissioner (**OAIC**) at its website www.oaic.gov.au.

2. What do we do?

We provide a range of services including Residential Aged Care, Retirement Living, Home Support Services, Transition Care Program (**TCP**), Care Awaiting Placement (**CAP**), Short Term Restorative Care (**STRC**) and Day Therapy, Rehabilitation and Respite (**Services**). We provide these services to our residents, care recipients, and other recipients of our services (**Consumers**). We also conduct activities including research through our Southern Cross Care Research & Innovation Centre (**Research Centre**), and raise funds through our Southern Cross Care Community Foundation (**Foundation**) (**Activities**).

3. Kinds of personal information collected and purposes we collect, hold, use and disclose the information

3.1 Purpose

The main purpose for which we collect, hold, use and disclose personal information is to enable us to provide, administer and improve our Services and Activities, for internal management of our operations, and to meet our legal and compliance obligations. We will only collect, hold, use or disclose personal information for other purposes if we have obtained the individual's consent or if permitted by an Australian law or a Court or Tribunal order.

We will only collect personal information if it is reasonably necessary for one or more of our Services or Activities.

We do not disclose personal information to overseas recipients except in relation to the Activities of our Research Centre, or where a service provider is given access to our systems in order to assist us in providing Services or engaging in our Activities. As noted in section 3.4, information may be disclosed to overseas recipients such as researchers from international universities. Any information accessed by overseas recipients will not contain information that could identify you.

3.2 Residential Aged Care, Home Support Services, TCP, CAP, Day Therapy, Rehabilitation & Respite

We collect, hold, use and disclose the following kinds of personal information from applicants for Residential Aged Care, Home Support Services, TCP, CAP, STRC and Day Therapy and Rehabilitation, and from people receiving those services:

- Name, addresses, contact details and date of birth.
- The manner in which an individual interacts with us and our Services and Activities, including records of how an individual has communicated with us, what Services they have acquired from us, their preferences, and their history with the organisation.
- Details of next of kin, emergency contacts, guardians, attorneys, substitute decision makers, relatives and persons responsible (**Representatives**).
- Sensitive information including health and medical information, family, social and medical histories, racial or ethnic origin and religious beliefs or affiliations.
- Financial information, including asset and income information, bank account details, credit and debit card details, pension and Department of Veterans' Affairs (**DVA**) details, and payment and transaction history. This information is necessary to assess an individual's financial situation before we provide Services to them or they provide services to us, and to determine fees payable to us for our Services.
- Government related identifiers, for example Medicare numbers.
- Closed circuit television (**CCTV**) footage.

3.3 Retirement Living

We collect, hold, use and disclose the following kinds of personal information from applicants for and residents of our retirement accommodation:

- Name, addresses, contact details and date of birth.
- Health and medical information.
- Details of Representatives.
- Financial information, including asset and income information, bank account details, credit and debit card details, pension and DVA details, and payment and transaction history.
- CCTV footage, but only at sites where SCC management considers CCTV is necessary.

We collect, hold, use and disclose this information so that we can provide suitable accommodation and determine fees payable.

3.4 Research Centre

What we do

We aim to be involved in research projects that offer the opportunity to enhance our policies and procedures to ensure we are delivering the best possible care and services. In accordance with this, our Research Centre will collect, hold, use and disclose de-identified personal and sensitive information for the purpose of conducting research that follows all relevant ethical guidelines for health and medical research.

The results of our research activities will allow us to distribute what we have learned within our organisation to the wider community and to facilitate advancements within the Aged Care sector as a whole. The findings from our research activities may be disclosed outside of our organisation in publications, conference presentations and award/funding applications.

Maintaining Confidentiality & Anonymity

Be assured that you will never be personally identified in any publications or presentations produced by us and your data will remain anonymous and confidential unless required by law. On occasion, your data may be accessed by researchers outside of our organisation, such as university researchers, and this may include disclosure to overseas researchers. Your data will only be accessed by these people if they agree to preserve your anonymity and ensure confidentiality of the data and abide by the terms specified in this Privacy Policy. Data provided to researchers outside of our organisation, including Australian and overseas researchers, will not contain information that could identify you.

What data is used?

As part of our agreement with you, the Research Centre may use any data that is collected as part of the routine care or services provided to you. For example, depending upon our arrangements with you, this could include information about assessments, care plans, progress notes, diagnoses, clinical and critical incidents, medications, hospital admissions, demographics, early intervention, comments and complaints, activity participation records, well-being plans etc.

Research projects that only make use of routinely collected data will not involve active participation from you. Your active participation may be requested for research projects that involve the collection of additional information that is not part of routine care or services. These research projects are completely voluntary and you will always have the option to opt-out of participating in projects that involve active participation.

How is the data stored?

All data will be stored securely with access to electronic data requiring a password. When data is used for a particular research project, it will be stored in either non-identifiable or re-identifiable format. Data stored in non-identifiable format contains no identifying information and cannot be linked back to you. Storage in re-identifiable format involves removing identifying information such as your name, and replacing it with a unique identification code. Your identifying information will be linked to this identification code in a separate location. Data that is extracted from existing records/databases will have identifying information removed but will remain identifiable in the record/database.

Contact Person

If you have any questions regarding the activities of the Research Centre please contact:

Phone: (08) 8291 8000, and ask to speak to the Project Manager for Research, Evaluation & Better Practice.

Email: research@southerncrosscare.com.au

Mail: PO Box 155, Glen Osmond SA 5064

3.5 Foundation - Donations & bequests

We collect, hold, use and disclose the following personal information so that we can accept donations and bequests, which are managed through our Foundation:

- Name, addresses and contact details.
- Donation details which may include bank account, credit or debit card details and transaction history.

3.6 Sensitive information

We only collect sensitive information about an individual if they consent, and only if the information is reasonably necessary for one or more of our Services or Activities. However, we are not required to obtain consent in the following situations:

- If we are required or authorised to collect the information by Australian law or a Court/tribunal order. For example most of the health information and sensitive information we collect is required under the Aged Care Act 1997 (Cth) or the various Principles under the Act. We collect information about financial and criminal history because it is required under the Aged Care Act 1997.
- If we are permitted to collect the information under the Privacy Act, for example, if it is unreasonable or impracticable to obtain consent and the information is necessary to lessen or prevent a serious threat to the life, health or safety of any individual.

We will use or disclose sensitive information for the purpose for which it was collected. For example, if we collect an individual's health information before admission to a Residential Aged Care facility, it will be used for the purpose of providing care to the individual. As explained in section 3.4, we will also use or disclose sensitive information for the purpose of conducting research. We will only use or disclose sensitive information for the purpose of direct marketing, if the individual has provided their consent, unless approval to do so without consent is given by an appropriately registered Human Research Ethics Committee in accordance with the *Privacy Act 1988*.

We will only use or disclose sensitive information for another purpose if it is directly related to the purpose for which it was collected, and the individual would reasonably expect us to do so. For example, we will use a Consumer's health information where necessary for administration purposes related to their care.

3.7 Disclosure outside of our organisation

We will only disclose personal information outside of our organisation in the following circumstances:

- In situations permitted under the Privacy Act, for example, to assist locating a person who has been reported as missing, or to assist with enforcement activities.
- To other health service providers as part of the provision of health services, if the individual provides their consent, or if it is necessary in order to provide our Services and is in accordance with the recognised customs of health and medical practice.
- To an individual's Representative (for example, a guardian or substitute decision maker), unless the individual requests that we do not disclose information to them. We are permitted by law to disclose health information to an individual's Representative in certain circumstances if the individual is physically or legally incapable of giving consent to the disclosure, or physically cannot communicate consent to the disclosure.
- To other aged care service providers, contractors or agents that provide related services to our Consumers, if the individual provides their consent for us to do so.
- To government agencies if required by law or Court/tribunal order, for example, to the Department of Health for reporting purposes.
- To Courts or to the Coroner's Office, if required by law or by Court order.
- To organisations that provide services to us, such as legal advisers.

- To researchers with whom we are collaborating as described in section 3.4 above.
- In external publications as described in section 3.4 above.

3.8 Deceased estates

We collect, hold, use and disclose personal information including contact details and other information regarding deceased estates, so that we can refund amounts we owe to the estate, or receive bequests from the estate.

3.9 Photos and security videos

We collect, hold and use video footage at our sites for security purposes and to ensure the wellbeing of Consumers. We may also use footage for the purpose of managing complaints, investigations and inquiries in relation to, and taking disciplinary action against, our contractors, employees, volunteers, officers and students. We may be required by law to disclose video footage, for example in relation to a police investigation.

We collect, hold and use photos of our Consumers for record keeping purposes when providing Services. We collect, hold and use photos of our employees for identification and security purposes. We will only use a photograph of an individual for other purposes, for example in newsletters or brochures, if we have first obtained their consent.

3.10 Government related identifiers

We only collect, hold, use and disclose government related identifiers if permitted by the APPs. For example, we use and disclose Medicare numbers, or DVA numbers, if necessary to verify an individual's identity, or if required to fulfil our obligations to Medicare or DVA.

3.11 Criminal history

We collect, hold and use information about any criminal record of job applicants, employees, officers, prospective contractors and contractors, and volunteers, including the country of origin or previous countries of residence, to satisfy requirements under the Aged Care Act 1997 (Cth). We only disclose this information if required by law or to third parties if necessary for the protection of individuals, for example to legal advisers.

3.12 Employment information

We collect, hold and use health and medical information of job applicants, employees, prospective contractors and others. This includes information from and the contact details of health care professionals. This is for the purpose of determining suitability to our organisation. We only disclose this information if required by law, or to third parties if necessary for the protection of individuals, for example to legal advisers.

Staff provide biometric data (fingerprint scans) for the purpose of clocking on and off each shift using SCC's time clock device. This biometric data is encrypted by the time clock device, and the image of each fingerprint is not saved, nor can it be reproduced from the data collected.

3.13 Credit information

If we allow payment for the provision of our Services to be deferred for at least 7 days, then under the Privacy Act we will be a credit provider. We collect and hold information about those payment terms and other information about the credit provided.

3.14 Website and social media

We collect electronic information via our website and social media channels (including but not limited to Facebook, Instagram, Twitter, LinkedIn and YouTube). For example, we collect information about visits to our website by using cookies, and information about users who create accounts for donations and other purchases. Generally, we use cookies for security purposes, to assess the usage and improve the functionality of our website, and to improve the relevance of information we provide to users.

We may also use tools such as Facebook Pixels and remarketing tools in order to serve you with content relevant to your interests, and statistical analysis tools such as Google Analytics to monitor use of our online platforms. Where this occurs, the data will generally be aggregated and de-identified following collection.

3.15 Direct Marketing

We will only use or disclose personal information for the purpose of direct marketing if the individual has provided their contact details to us. For example we provide information about our Services and Activities via brochures and newsletters

to people who have indicated their interest in receiving that information. All direct marketing communications will provide users with the ability to opt-out of receiving further marketing communications from us, as is required by the Australian Privacy Principles.

We may use other analytics tools within our online channels (eg social media, Google tools) to determine general demographic information about our user-base, in order to provide more relevant marketing materials and offers to users generally. This collection of information is undertaken in line with Australian Privacy Principles.

4 How do we collect and hold personal information?

We collect and hold personal information from:

- Our Consumers before they receive our Services, for example from applicants for Residential Aged Care.
- Individuals before they provide services to us, for example, from prospective contractors, job applicants and prospective volunteers.
- A range of individuals during Service provision or while conducting our Activities, including our Consumers, contractors, employees, volunteers, officers, students, Representatives, executors and beneficiaries of estates, donors to the Foundation, our members, visitors to our website, members of the public, and other individuals who come in contact with us.

We collect personal information directly from individuals wherever possible. However, if it is unreasonable or impracticable for us to do so, we collect personal information from other people or organisations. For example we collect information from Representatives, hospitals and other health service providers. We do this if it is necessary for us to have the information to provide Services to the individual or for administration purposes for those Services. We also collect information from third parties who hold information, for example, from providers of financial or criminal history.

If we have collected personal information from someone other than the individual, we will notify the individual of the collection and the circumstances.

We hold personal information in hard copy and/or in electronic form. Information held in electronic form may be shared within our organisation and stored in a number of ways. These include through apps on mobile devices, via secure website links, using cloud storage provided by other parties, and at times storage may be on servers overseas via our information technology service providers. Our service providers (some of whom are located overseas including in the United Kingdom) may require access to our servers to provide technical support to our teams. When this occurs, they may be given access to files that contain personal information, and their access will be limited to that necessary for them to provide the relevant service and support. We take steps to protect the personal information we hold by using password protection and access privileges. The use, sharing and storage of this information is for the purposes described in section 3 above, that is, generally speaking, to enable us to provide our services to you.

5 Unsolicited information

Information is unsolicited if we do not ask for the information but receive it anyway. If we receive unsolicited personal information from anyone, we will, within a reasonable period assess the information to determine if it is information we would ordinarily be permitted to collect. If it is, we will hold and disclose that information in accordance with this Privacy Policy.

If it is not information that we would ordinarily be permitted to collect, then we will, as soon as practicable, destroy or de-identify the information, if it is lawful and reasonable to do so.

6 What happens if you do not want to provide personal information?

In most cases we will only be able to provide Services or conduct our Activities if we have first obtained your personal information. This is because the nature of the Services and Activities that we provide is personal. If you do not provide the personal information that we request, we may be unable to properly determine the appropriate Services for you, unable to provide our Services, unable to involve you in our Activities, or we may be unable to refund money owed to you or your estate.

You have the option of not identifying yourself, or using a pseudonym. This is most likely to be relevant in relation to providing feedback or a complaint, or making a donation. If you interact with us anonymously or under a pseudonym, this may limit our ability to provide you with Services or access to our Activities.

7 How do we keep personal information secure?

We have systems and processes in place to hold personal information securely. Only authorised personnel are given access to personal information. We also identify individuals dealing with us by phone, by email or face-to-face. We do this so that we only disclose your personal information to you, or someone properly authorised by you.

We will destroy or de-identify any personal information that is no longer needed for the purposes we use and disclose it, unless the information is contained in a Commonwealth record, or we are required by law or a court/tribunal order to retain it.

8 How can you access personal information about you, or correct or update that information?

You have a right to access personal information we hold about you, and a right to correct or update the information if you believe it is inaccurate or out of date. To do this, contact one of our Privacy Officers (see contact details on the last page).

We will only accept written requests for access or correction. We will respond to your request for access within a reasonable time. We will not charge for correcting personal information, however we will charge reasonable costs for accessing personal information.

We will require you to provide proof of identity or other information before we release information to you. We may provide access under supervision in some circumstances.

An individual's Representative can request access to information about an individual for whom they are responsible. We will require proof of their authority to make this kind of request and proof of identity before we release information.

If we are unable to provide you with access to or correction of your personal information, we will inform you of the reasons why, unless it is unreasonable for us to do so, and we will also advise you of mechanisms for complaint. For example, we are not obliged to give access to your personal information if it would pose a serious threat to the life, health or safety of any individual, or if giving access would have an unreasonable impact on the privacy of other individuals.

9 Can you opt-out of direct marketing?

You can opt-out of any direct marketing at any time. Generally there will be opt-out instructions in the marketing material. Alternatively, please contact us as follows, providing your name, address, phone number and the marketing material you do not want to receive:

Phone: (08) 8291 8000, and the receptionist will record your request

Email: optout@southerncrosscare.com.au

Mail: PO Box 155, Glen Osmond SA 5064

10 Can you opt-out of research activities?

Research activities that involve your active participation are completely voluntary and you will always have the option to opt-out of those projects.

11 Changes to Privacy Policy

This Privacy Policy is subject to change.

12 Complaints

For any complaints about personal information, please contact us in the first instance (**see contact details in section 13 below**). We will respond to your complaint within 30 days.

It is our intention to resolve any complaint within a reasonable timeframe and to your satisfaction. If you are unhappy with the response provided by us, you can make a written complaint to the Office of the Australian Information Commissioner as follows:

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

Email: enquiries@oaic.gov.au

Mail: GPO Box 5218 Sydney NSW 2001

Telephone enquiries: 1300 363 992

13 Contact us

If you have any concerns or queries about our Privacy Policy, or if you would like further information about the way we handle personal information, please contact us by:

Phone: (08) 8291 8000, and ask to speak to a Privacy Officer

Email: privacy.officers@southerncrosscare.com.au

Mail: PO Box 155, Glen Osmond SA 5064

This Privacy Policy is issued by Southern Cross Care (SA, NT & VIC) Inc ARBN 129 895 905, South Australia, liability limited.

14 Approved by Board on

3 December 2019

15 Document owner

Company Secretary

16 Review frequency

Annual Biennial Triennial Periodic