

OXLEY HOME CARE PRIVACY POLICY

Oxley Home Care (hereby also “we”, “us” or “our”) will use all reasonable efforts to protect the privacy of individuals’ personal information and to comply with the obligations imposed by the Privacy Act 1988 (Cth) (**Privacy Act**), the Aged Care Act and the Aged Care Principles.

This policy applies to all individuals (hereby also “you”, “people” or “clients”) we come in contact with, including clients, (and potential clients), our staff (and potential staff), subcontractors and volunteers.

We will only collect personal and sensitive health information (hereby “by lawful and fair means and will only collect personal and sensitive health information that is necessary for one or more of our organisation’s functions or activities.

If it is reasonable and practicable to do so, we will collect personal and sensitive health information about an individual only from that individual, but we may also collect personal and sensitive health information from relevant third parties with the purpose of assisting with the provision care and services the individual requires, or in relation to their employment.

In meeting our obligations with respect to the privacy of you, we acknowledge that people with vision or hearing impairments and those people of culturally and linguistically diverse backgrounds may require special consideration.

The purpose of this policy is to:

- ensure personal information is managed in an open and transparent way;
- protect the privacy of personal information including Health Information of clients and staff;
- provide for the fair collection and handling of personal information;
- ensure that personal information we collect is used and disclosed for relevant purposes only;
- regulate the access to and correction of personal information; and
- ensure the confidentiality of personal information through appropriate storage and security.

Collection of personal information

Purpose of collection of Personal Information

We will only collect Personal Information including sensitive and health information (hereby “Personal Information”) about individuals by fair and lawful means and only if the information is necessary for one or more of our functions as an aged care provider and collection of the Personal Information is necessary to:

- comply with the provisions of state or commonwealth law;
- provide data to government agencies in compliance with state or commonwealth law;
- determine eligibility to entitlements provided under any state or commonwealth law;
- provide appropriate services and care;
- enable contact with a nominated person regarding a client’s health status; and
- lawfully liaise with a nominated representative and to contact family if requested or needed.

Some individuals may not want to provide information to us. The information we request is relevant to providing them with the care and services they need. If the individual chooses not to provide us with some or all of the information we request, we may not be able to provide them with the care and services they require.

We will not collect your Sensitive Information (including Health Information) unless the collection of the information is reasonably necessary for, or directly related to one or more of our functions and:

- you have consented to the collection of this information; or
- the collection of the information is required or authorised by, or under an Australian law or a court/tribunal order; or

- a permitted general situation exists to the collection of the information; or
- a permitted health situation exists in relation to the collection of the information; or
- the information relates to our activities; and the information relates only to the members of the organisation, or to individuals who have regular contact with us and our activities.
- enable the selection and recruitment of employees and volunteers

Methods of collection

Personal Information and Sensitive Information (including Health Information), may be collected:

- from a client;
- from any person or organisation that assesses health status or care requirements, for example the Aged Care Assessment Team;
- from the health practitioner of a client;
- from other health providers or facilities;
- from family members or significant persons of a client; and
- from a legal advisor of a client.

We will not collect Personal Information from the client unless:

- if is in accordance with our Collection Notice or;
- we have the consent of the client to collect the information from someone else; or
- we are required or authorised by law to collect the information from someone else; or
- it is unreasonable or impractical to do so.

At admission, a client should identify any parties from whom they do not wish Personal Information (including sensitive information) to be disclosed. This will be recorded in the file of the client and complied with to the extent permitted by law.

With respect to potential employees, Personal Information may be collected:

- from previous employers, referees and third-party organizations including academic institutions, criminal referencing organisations and other relevant institutions.

Collection Notices

You may request to read our Collections Notices which explain how we collect information in relation to clients or employment applicants.

Access

You have a right to request access to the Personal Information we hold about you (and we shall make all reasonable attempts to grant that access) unless providing access:

- is frivolous or vexatious;
- poses a serious threat to the life or health of any individual;
- unreasonably impacts upon the privacy of other individuals;
- jeopardises existing or anticipated legal proceedings;
- prejudices negotiations between the individual and us;
- be unlawful or would be likely to prejudice an investigation of possible unlawful activity;
- an enforcement body performing a lawful security function asks us not to provide access to the information; or
- giving access would reveal information we hold about a commercially sensitive decision-making process.

Privacy Policy

Requests for access to information can be made orally or in writing and addressed to the manager of the relevant service. We will respond to each request within a reasonable time.

We aim to ensure that the Personal Information we hold is accurate, complete and up-to-date. 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 we have about you is not accurate, complete or up-to-date.

Security

We are committed to keeping secure the Personal Information you provide to us. We will take all reasonable steps to ensure the Personal Information we hold is protected from misuse, interference, loss, from unauthorised access, modification or disclosure.

Person Information

We may collect, use and disclose Personal and Sensitive Health Information about you for the purposes of providing care and services to you and any associated purpose such as facilitating our internal business operations.

We may disclose Personal and Sensitive Health Information about you to;

- Your authorised representatives, next of kin and or enduring guardians
- Medical or government authorities in the event of an emergency
- Service providers and contractors that Oxley Home Care engages including but not limited to allied health providers, nursing agencies, health specialists and general practitioners (GPs).
- Ambulance and emergency services, hospitals and other health care facilities, aged care assessment teams and other relevant government agencies.
- Product suppliers including but not limited to pharmacists and consumables suppliers for items to assist and support your care needs including hire services for equipment and aides.

Complaints Management Policy

Oxley Home Care has a Complaints Management Policy which details how complaints can be made, addressed and resolved. The Policy also advises that individuals can make a complaint directly to the Aged Care Complaints Scheme as shown below.

We will address any complaint an individual may have in a fair, prompt and confidential manner. If there is a dispute which cannot be resolved with the staff of the company, the dispute may be referred by you to our senior management for resolution.

You may make a privacy complaint or request to access, correct personal and sensitive health information we hold about you. To enquire about the Personal Information we hold about you and how it is handled, or to request access or make complaint contact:

Oxley Home Care;

Call: (02) 9986 2266

Email: confidential@oxleyhomecare.com.au

Post: Oxley Home Care Pty Ltd, Attention: The General Manager
PO Box 151, Belrose NSW 2085

Our Privacy Policy and our Collection Notice can also be found on our website at www.oxleyhomecare.com.au. If you would like more information about the Privacy Act 1988, you can contact the Federal Privacy Commissioner's hotline service on 1300 363 992 or visit www.privacy.gov.au

For further details about the collection and use of health information you can contact the office of the Health Services Commissioner on 1800 136 066 or visit www.health.vic.gov.au

Additionally to make a complaint directly to the Aged Care Complaints Scheme visit www.agedcarecomplaints.govspace.gov.au/concern or call 1800 550 552