

Authorised By	EDCS	Approval Date	5/6/2014
Meeting Adopted	Executive Meeting	Issue No / Date	1/2014
Review Date	5/6/2017	Person Responsible	EDCS
Scope/Applicable to	All Staff/Contractors/Volunteers		

1. POLICY STATEMENT

- (a) Mayflower is committed to ensuring the privacy and confidentiality of your personal information.
- (b) Mayflower complies with the Australian Privacy Principles (**APPs**) under the *Privacy Act 1988* (Cth) and other applicable privacy laws. You can read more about these laws on the Office of the Australian Information Commissioner’s website.
- (b) The APPs regulate how Mayflower may collect, use, disclose and store personal information and how individuals may access and correct information which Mayflower holds about them.

2. RATIONALE

- (a) Mayflower collects information in order to provide care and services to residents/ clients and may share relevant information with and from other professional individuals/services to ensure their ongoing care and services

To effectively provide such services Mayflower may collect information to ensure the health and safety of a resident/ client receiving its services, and in determining the type of services it should provide to that individual.
- (b) This policy also applies to all staff (including contracted agency staff) and volunteers and relevant general contractors.

3. DEFINITIONS

- (a) Health Information means personal information that is information or an opinion about:
 - the health or disability (at any time) of an individual; or
 - an individual’s expressed wishes about the future provision of health services to him or her; or
 - a health service provided or to be provided to an individual,
 - that is also personal information. (s.6 of the Privacy Act refers).
- (b) Personal Information means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether in material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. Name, address and telephone number are examples of personal information. (s.6 of the Privacy Act refers).
- (c) Sensitive Information means information about an individual’s racial or ethnic origin, political opinions, philosophical or religious beliefs or affiliations, membership of a political, trade or

professional association or trade union, sexual preferences or practices, criminal record or health information about an individual (s.6 of the Privacy Act refers).

2. TYPE OF INFORMATION WE COLLECT

- (a) Mayflower may request information from you, as a Resident or Client including, but not limited to:
- Name
 - Address
 - Phone Number
 - Date of Birth
 - Sex
 - Health Information
 - Financial Information necessary for the purposes of assessing and providing you with relevant care and services
 - Next of Kin/ Legal Representative Details
 - Preferences regarding activities/ programs
- (b) Mayflower will collect and retain relevant information for an Employee Record for all employees. 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:
- The terms and conditions of employment of the employee;
 - The employee's personal and emergency contact details;
 - The employee's hours of employment;
 - Employee's salary or wages;
 - The employee's professional registration details and personal details relevant to obtaining and maintaining the Police Check register requirements.
 - The engagement, training ,disciplining or resignation of the employee;
 - The employee's membership of a professional or trade association;
 - The employee's trade union membership;
 - The employee's recreation, long service, sick, personal, maternity, paternity or other leave; and
 - The employee's taxation, banking or superannuation affairs.
- (c) The termination of the employment of the employee. Mayflower will collect & retain relevant information for a record for all Volunteers. Examples of personal information relating to the engagement of volunteers about all or any of the following:
- The terms and conditions of engagement as a volunteer;
 - The volunteer's personal and emergency contact details;
 - Personal details relevant to obtaining and maintaining the Police Check register.
- (d) We will usually collect your information directly from you. Sometimes, we may need to collect information about you from a third party (such as a family member or another health service provider). Mayflower will only do this where you have given your consent or there is a risk to your life and emergency treatment is required.

- (e) In order to provide you with the services that you have requested, Mayflower will need to collect and use your personal information. If you provide incomplete or inaccurate information to us or withhold personal information from us we may not be able to provide you with the services you are seeking.

3. USE OF INFORMATION

- (a) Mayflower may use the information that it collects for the purpose of providing, managing and administering its services. This includes, but is not limited to:
- Providing care and services
 - Providing activities/ programs
 - Ongoing health monitoring
 - Quality improvement measures
 - Marketing, research, fundraising and statistical analysis
 - Risk Management
 - To receive funding from government agencies
 - To comply with legal obligations under the Aged Care Act 1997 and other applicable laws
 - Resolution of complaints
 - Assessing and (if successful) engaging job applicants.
 - Completion of payroll and its administration
 - Completion of requirements for Police Checks.

4. DISCLOSURE OF INFORMATION

- (a) In order for Mayflower to effectively provide, manage and administer its services, it may be necessary for Mayflower to share information with third parties. This includes, but is not limited to:
- Contractors/ Service Providers;
 - Persons acting on our behalf, including professional advisors;
 - Government and Regulatory Bodies (e.g. Department of Health);
 - Where disclosure is required by law; or
 - Where another organisation processes our transactions, stores data, and accesses data or provides services.
- (b) Mayflower will take reasonable steps to protect the privacy of all information disclosed to third parties, and requires such parties to comply with privacy obligations set out in the *Privacy Act 1988*.
- (c) Additionally, Mayflower may provide your information to a family member, guardians, or a person exercising your power of attorney, unless you tell us that you do not wish us to disclose your information to any such person.

5. ACCESS TO AND CORRECTION OF YOUR INFORMATION

- (a) You have a right to reasonable access to any information that Mayflower holds about you. You will be notified of any associated costs related to providing you with access to such information, as permitted by law. Mayflower will always endeavour to meet your request within a reasonable timeframe.
- (b) You can also request an amendment to your information should you believe that it contains inaccurate, incomplete or out of date information.
- (c) Mayflower will allow access or make the requested changes unless there is a reason under the *Privacy Act 1988* or other relevant law to refuse such access or refuse to make the requested changes.
- (d) If we do not agree to change your medical record/personal information in accordance with your request, we will permit you to make a statement of the requested changes and we will enclose this with your record.
- (e) Should you wish to obtain access to or request changes to your information, please contact the Privacy Officer (see details below).

6. DATA QUALITY, STORAGE AND SECURITY

- (a) Mayflower will take reasonable steps to ensure that the information which we collect, use or disclose is accurate, complete and up-to-date.
- (b) Mayflower may store the information we collect from you in various forms, including through an electronic database and in hard copy.
- (c) Mayflower will take reasonable steps to protect your information from misuse, interference, loss, unauthorised access, modification or disclosure. We use technologies and processes which are protected by secure network links, which are complimented by password protection, virus protection and internal quality procedures.
- (d) Contractors working on our behalf are required to:
 - (i) comply with the Australian Privacy Principles;
 - (ii) Have up-to-date virus protection software and firewalls installed on any device used to access documents containing Personal Information;
 - (iii) Notify us of any actual or potential breaches of security;
 - (iv) Indemnify us in relation to any loss suffered by a breach.
- (e) Mayflower will destroy or permanently de-identify any of your information which is in its possession or control and which is no longer needed for the purpose for which it was collected provided Mayflower is not required under an Australian law or court/tribunal or otherwise to retain the information.



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7. OUR WEBSITE

- (a) When you use our website, we do not attempt to identify you as an individual user and we will not collect personal information about you unless you specifically provide this to us.

For example, we may collect your personal information if you choose to provide this to us via an online form or by email, for example, if you:

- submit a general enquiry via our contact us page;
- send a written complaint or enquiry to our Privacy Officer; and/or
- make a financial donation.

- (b) Mayflower may collect usage data from your computer when you visit our website through the use of our Internet Service Provider (**ISP**) or cookies. This collection is to enable us to maintain and improve our online service.

- (c) We do not disclose domain names or aggregate information to third parties other than agents who assist us with our website and who are under obligations of confidentiality.

- (d) We may create links to third party websites. We are not responsible for the content or privacy practices employed by websites that are linked from our website.

8. COMPLAINTS

If:

- (a) You have questions or comments about this Privacy Policy;
- (b) Mayflower does not agree to provide you with access to your personal information; or
- (c) You have or a complaint about our information handling practices,

You can lodge a complaint with or contact our Privacy Officer on the details below or directly with the Office of the Australian Information Commissioner.

9. CONTACT DETAILS

- (a) Mayflower (All Departments)

In writing: The Privacy Officer
 Mayflower
 7 Centre Road,
 Brighton East, Vic 3187

By Email: info@mayflower.org.au

By Telephone: 03 9591 1100

By Facsimile: 03 9593 1248



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(b) Office of the Australian Information Commissioner

The Office of the Australian Information Commissioner (OAIC) receives complaints under the Act.

In writing: 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

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

By Telephone: 1300 363 992

By Facsimile: 02 9284 9666

10. CROSS BORDER DISCLOSURES

- (a) Mayflower stores all information regarding residents/ clients in Australia.
- (b) In the event that a third party stores information outside of Australia, Mayflower will take reasonable steps to ensure that they do not breach the APPs (for example having appropriate security measures), and that they abide by the same obligations (or substantially the same) as those which bind Mayflower.

11. DOCUMENTS REFERRED TO IN THIS POLICY

- *Privacy Act 1988*
- *Aged Care Act 1997*
- *HRM Confidentiality Policy*
- *L&M Record Keeping Policy*
- *Access for Personal and Health Information Form*
- *Consent to Exchange Information Form*

12. EVALUATION AND REVISION OF POLICY

This policy was updated in May 2014 and may change from time to time. The most up-to-date copy can be obtained by contacting us using the above-mentioned details.

This policy will be reviewed every three years. Special reviews will be undertaken where there are substantial changes in relevant industrial instrument or legislative provisions.