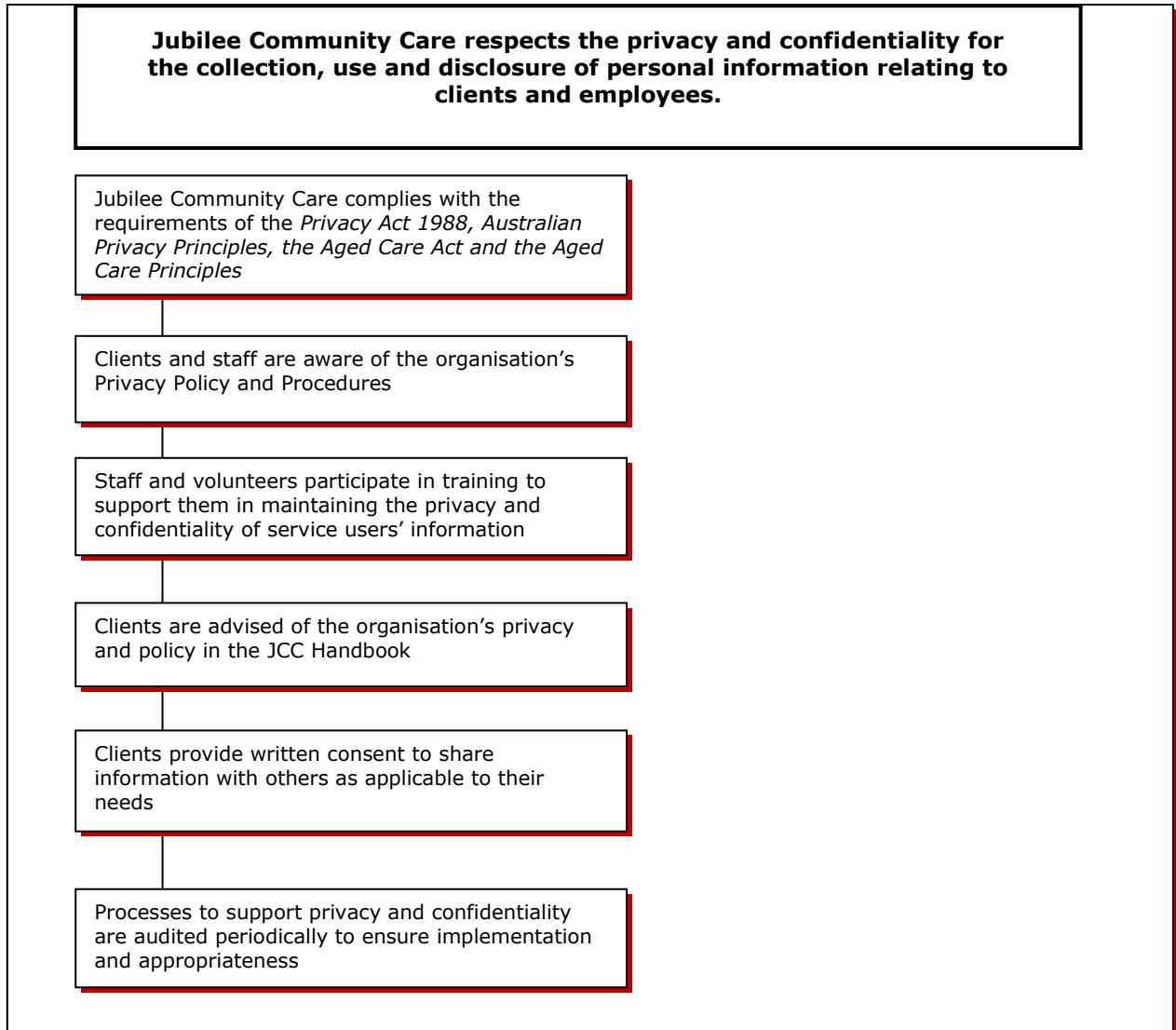


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PRIVACY POLICY



FORMS AND RECORDS

JCC Handbook	Shared Drive
Privacy Collection Statement and Consent Form	Client records
Client Consent Form	Client records

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PRIVACY POLICY

Jubilee Community Care Inc routinely collect and use individuals' personal and sensitive information to ensure delivery of appropriate, timely and quality health and care services.

In line with our values, Jubilee Community Care respects and upholds individuals' rights to privacy and rights to their personal information.

Jubilee Community Care is committed to protecting the privacy of personal information it collects, holds and administers in the process of providing its services. These commitments are undertaken to comply with the Australian Privacy Principles (APPs) prescribed under the Commonwealth Privacy Act 1988, the Aged Care Act and the Aged Care Principals.

PURPOSE OF POLICY

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.

PRIVACY OFFICER

The Director of Jubilee Community Care is our Privacy Officer, to manage and administer all matters relating to protecting the privacy of individual's Personal Information.

INFORMATION WE COLLECT, USE AND STORE

To ensure the delivery of optimum health and care services, we usually collect the following types of personal information:

- Name/contact details of client (including address, telephone number and email address).
- Health status and services provided.
- Clinical care information, including images and scans.
- Relevant demographic and social information, such as date of birth.
- Name/contact number of any carers or relevant family members.
- Name/contact number of the client's GP and other relevant health care providers.
- Financial institution information.
- Government-related identifiers (inc but not limited to Medicare and Centrelink numbers).

OBLIGATIONS FOR OBTAINING CONSENT

Jubilee Community Care is permitted to collect your personal information (including sensitive information) as part of its functions as a not for profit aged care approved service provider. However, using and disclosing your personal information requires consent where it is practical and reasonable to do so. As such, prior to admission, Jubilee Community Care's privacy policy is discussed with you or your representative. Clients are requested to provide their consent to the use and disclosure of personal information collected for the purpose of providing optimum care.

In the absence of your consent, or a person authorised to act on your behalf, under the Privacy Act 1988, information can only be released to another if:

1. There is a statutory obligation to disclose certain information (e.g. subpoenas, warrants, coronial inquiries, provisions of other acts, such as the Guardianship and Administration Act (Qld) 2000).
2. The public interest requires the release of confidential information.

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DISCLOSURE OF PERSONAL INFORMATION TO OTHERS

Disclosure of your personal information to Jubilee Community Care places the organisation in a position of trust within the community and as such we seek to protect and uphold the privacy of individuals in accordance with the APPs.

Jubilee Community Care will not provide your personal information (including health or sensitive information) to other entities unless it is required under law (such as through contractual agreements with the Commonwealth under the Aged Care Act 1997), or it reasonably believes that the recipient of the information will not disclose the personal information derived from Jubilee Community Care. Where it is required by law, personal information disclosed to other sources will be de-identified.

There are a number of specific instances under which Jubilee Community Care needs to provide personal information to other agencies, bodies and individuals. The following are examples:

- where Jubilee Community Care is authorised to provide another agency (such as to the Queensland Department of Communities, Child Safety and Disability Services) with personal information to enable care to be delivered to the client;
- where, for legal reasons, Jubilee Community Care is obligated to provide information under a Court Order or other legal enforcement authority such as the Adult Guardian - the Privacy Act 1988 provides strict guidelines for the release of information under these circumstances;
- where we provide de-identified information to funding agencies and government departments to meet our contractual requirements (de-identified information cannot be linked directly back to an individual);
- where we maximise the efficient delivery of our care through engaging aged care specialists who work on our behalf to improve the quality of life for our clients (client consent is sought prior to this release of information);
- where we engage with other companies and individuals who perform certain activities and functions on our behalf (e.g. mail houses and printers to send information to clients and IT service providers including onshore cloud computing) or seek assistance and advice from lawyers, auditors, data support specialists and other advisers, in either case strict confidentiality provisions are applied;
- where a client is incapable of giving or communicating consent and providing personal information, consent is required to be given to their 'substitute decision-maker' (under the Guardianship and Administration Act (Qld) 2000) or 'responsible person' (under the Privacy Act 1988) for the necessary provision of appropriate care or treatment or for compassionate reasons.

In all other situations, the release of your personal information may only occur with your written consent or your representative who has legal authority, such as your Enduring Power of Attorney.

Notwithstanding the above, as a Jubilee Community Care client you have the right to withdraw consent to release your personal information at any time. Ideally such communication should be in writing to the Director Jubilee Community Care.

Unsolicited personal information that Jubilee Community Care receives will be de-identified or destroyed unless it falls within Commonwealth or State funding arrangements, or is required to be retained by law.

REPORTING REQUIREMENTS

Under contractual arrangements with various funding bodies and government departments, Jubilee Community Care is also obliged to provide a range of different reports. Some reports provide de-identified information on the amount of care provided and the types of clients that Jubilee

Community Care supports and some reports include the client name, date of birth and address. For example, under the funding provided by the Commonwealth Home Support Programme deidentified data is supplied.

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USE OF CONTRACTORS

At times Jubilee Community Care uses contractors to provide aspects of care and support to clients. Contractors are required to abide by the same confidentiality and privacy requirements as Jubilee Community Care employees and this is clearly stated within non-disclosure clauses in their contract. There may be disclosures of personal information where there is a change of contractors, in which case personal information may be transferred to a new contractor.

KEEPING INFORMATION UP TO DATE AND ACCURATE

Jubilee Community Care makes every effort to keep your personal information up to date and accurate. This may mean that at times our staff will review the personal information held and request verification as to its accuracy.

ACCESS TO INDIVIDUAL PERSONAL INFORMATION

You can request access to all your personal information held by Jubilee Community Care by contacting the Director. This request will be evaluated as per the requirements and conditions of the Privacy Act 1988. There may be instances where access is denied to certain records or aspects of records in accordance with the APPs.

Generally, if requested, an individual will be provided access to any personal information held about them, unless:

- it is unlawful to provide the information;
- it poses a serious and imminent threat to the life or health of any individual;
- it has an unreasonable impact upon the privacy of other individuals;
- the request is frivolous or vexatious; or
- access is otherwise exempt under the Australian Privacy Principles.

Jubilee Community Care will ensure the request is handled in a timely manner. It is reasonable to expect that extraction of the personal information required may then take up to fifteen working days due to the need to access both paper based and computerised information systems. A nominal fee may be charged to meet the costs of extracting and photocopying the information.

CORRECTION

If an individual establishes the Personal Information held about them is inaccurate, incomplete, out-of-date, irrelevant or misleading we will take reasonable steps to correct the information.

If we refuse to correct the Personal Information as requested by the individual, we will give the individual written notice that sets out:

- (a) the reasons for the refusal, except to the extent that it would be unreasonable to refuse;
- (b) the mechanisms available to complain about the refusal; and
- (c) any other matter prescribed by the regulations.

CROSS-BORDER DISCLOSURE OF PERSONAL INFORMATION

Jubilee Community Care will not transfer your personal information to third parties outside Australia unless your consent has been obtained.

PERSONAL INFORMATION SECURITY

We are committed to keeping secure the Personal Information provided 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.

We will keep the records of a Client in a secure storage area. If the records are being carried while providing care only the staff member carrying the records will have access to them.

Records of previous Clients and earlier unused volumes of current Clients shall be archived and stored in a locked service away from general use.

Only health professionals attending to the care of a Client are to have access to information of the Client. All records shall only be used for the purpose it was intended.

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SECURITY MEASURES

Our security measures include, but are not limited to:

- training our staff on their obligations with respect to your Personal Information;
- use of passwords when accessing our data storage system;
- the use of firewalls and virus scanning tools to protect against unauthorised interference and access; this applies to staff including contracted staff who are required to have up-to-date virus protection software and firewalls installed on any device used to access documents containing personal information.

Contractors working on behalf of Jubilee Community Care Inc are required to:

- a. comply with the Australian Privacy Principles
- b. comply with Privacy Policy of Jubilee Community Care Inc
- c. have up-to-date virus protection software and firewalls installed on any device used to access documents containing personal information;
- d. notify Jubilee Community Care Inc of any breaches;
- e. provide contractual indemnity for Jubilee Community Care Inc in relation to any losses suffered by any breach.

We will, as soon as practicable and in accordance with the law, destroy or de-identify any Personal Information that is no longer required for our functions.

DATA SECURITY

Jubilee Community Care strives to ensure the security, integrity, and privacy of your personal information. Systems and procedures are in place to protect your personal information from misuse and loss and from unauthorised access, modification or disclosure. Jubilee Community Care will retain information in line with its record retention policies. When information is no longer required or relevant it will be disposed of in a secure and confidential manner.

NOTIFIABLE DATA BREACHES

The *Privacy Amendment (Notifiable Data Breaches) Act* applies to all agencies and organisations with existing personal information security obligations under the Australian **Privacy Act 1988** (Privacy Act) from 22 February 2018.

The Notifiable Data Breaches (NDB) scheme places an obligation to notify individuals whose personal information is involved in a data breach that is likely to result in serious harm. If a breach occurs the notification to an individual must include recommendations about the steps individuals should take in response to the breach. The Australian Information Commissioner (Commissioner) must also be notified of eligible data breaches through the **Notifiable Data Breach statement – Form** <https://forms.uat.business.gov.au/smartforms/landing.htm?formCode=OAIC-NDB>

REMEDIAL ACTION

At any time, including during an assessment, we must take steps to reduce any potential harm to individuals caused by a suspected or eligible data breach. If remedial action is successful in preventing serious harm to affected individuals, notification is not required.

HOW TO NOTIFY

If we believe an eligible data breach has occurred, we are obligated to promptly notify individuals at likely risk of serious harm. The Commissioner must also be notified as soon as practicable through a statement about the eligible data breach. The notification to affected individuals and the Commissioner must include the following information:

- the identity and contact details of the organisation
- a description of the data breach
- the kinds of information concerned and;
- recommendations about the steps individuals should take in response to the data breach.

WHAT MUST BE INCLUDED IN THE STATEMENT

A statement about an eligible data breach must include:

- the identity and contact details of the entity

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- a description of the eligible data breach
- the kind or kinds of information involved in the eligible data breach
- steps we have recommended for individuals take in response to the eligible data breach

WEBSITE COOKIES

A "cookie" is a small file supplied by a website and stored by the web browser software on your computer when you access a website. The cookie allows a website to recognise you as an individual as you move from one page to another. You may refuse the use of cookies by selecting the appropriate settings on your browser. However, please note that if you do this you may not be able to use the full functionality of the Website. A further explanation of cookies can be found at the website of the Office of the Australian Information Commissioner (www.oic.qld.gov.au/privacy-policy).

EMAIL

All emails from Jubilee Community Care managed devices and services (iPads, laptops, desktops, Outlook Web Access) sent to a Jubilee Community Care address (i.e. name@jccagedcare.org.au) is secured using SSL encryption

ELECTRONIC MAILING LISTS

To be kept informed of informational, marketing or promotional content (e.g. Jubilee Community Care Newsletter, Latest News, Events and Activities), individuals and businesses may subscribe to our electronic mailing lists on by contacting Jubilee Community Care. We do not under any circumstances, sell these lists, or share these lists with any other party, unless required by law. Only authorised employees have access to view Distribution Lists.

Should individuals or businesses not wish to continue receiving email updates from Jubilee Community Care simply reply to one of our emails with the word unsubscribe in the subject line. Alternatively you can unsubscribe at any time by sending an email stating your request to: admin@jccagedcare.org.au. We will try to comply with your request as soon as reasonably practical.

SOCIAL MEDIA PAGES

Our social media pages (e.g. Facebook and LinkedIn) provide instructions as to how individuals and businesses can unsubscribe from the relevant social media website or page.

PRIVACY CONCERNS, COMPLAINTS AND SUGGESTIONS

Jubilee Community Care will adhere to the APPs and protect the individual's right to privacy. If you have any concerns, complaints, suggestions or questions as to how we might improve in this area please contact the Privacy Officer Jubilee Community Care. It is reasonable to expect a response to your complaint, concern or suggestion within five working days. Where a complaint requires investigation, we seek to provide the findings of the investigation and discuss these with the complainant within ten working days. If after that you are still not satisfied, you can complain about a privacy matter to the Office of the Australian Information Commissioner <https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint>.

AMENDMENTS

Jubilee Community Care may amend this Privacy Policy at any time. Amendments to this Privacy Policy will be posted to Jubilee Community Care's website and will be effective when posted. Please check our Privacy Policy regularly for updates and amendments.

FURTHER QUESTIONS

Any questions about this policy can be directed to the:
Privacy Officer
Jubilee Community Care
PO Box 1052
Indooroopilly 4068
Ph. 07 3871 3220
Email: admin@jccagedcare.org.au