

POLICY 8.3.1: PRIVACY		
VERSION: September 2021		AUTHORISED BY: Executive Director
Organisation Statement The management committee of Jubilee is accountable for the delivery of safe and quality care and services.		
Customer Outcome I am confident that Jubilee is well run. I can partner in improving the delivery of care and services.		
DATE LAST REVIEWED: SEPTEMBER 2021	REVIEWED: Executive Executive Director	DATE OF NEXT REVIEW: SEPTEMBER 2022
RESPONSIBILITY FOR REVIEW: Executive Director		
REVIEW PROCESS: Executive Director will draft changes for approval from operational leadership.		
THIS POLICY IS APPLICABLE TO: <ul style="list-style-type: none"> • employees • management committee • volunteers • contractors and consultants 		
LEGISLATION OR OTHER REQUIREMENTS <ul style="list-style-type: none"> • <i>Charter of Aged Care Rights</i> • <i>Age Discrimination Act 2004 (Cth)</i> • <i>Fair Work Act 2009 (Cth)</i> • <i>Racial Discrimination Act 1975 (Cth)</i> • <i>Sex Discrimination Act 1984 (Cth)</i> • <i>Anti discrimination legislation nationally</i> • <i>Australian Privacy Principles 2013</i> • <i>Privacy Act 1988 (Cth), Schedule 1, Australian Privacy Principles</i> • <i>State and Territory food safety and handling legislation and regulations</i> • <i>State and Territory mental health, guardianship and administration, enduring power of attorney and medical directive/advance care planning legislation</i> • <i>State and Territory work health and safety legislation</i> 		

1. PURPOSE

Jubilee is permitted to collect personal and health information as part of our functions as an aged care approved service provider. The purpose of this policy is to:

- uphold the rights of clients and their representatives, staff, volunteers, management committee members, contractors and agencies.
- 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.

2. SCOPE

This policy will apply to all written, verbal and electronic information relating to clients and their representatives, staff, volunteers, management committee members, contractors and agencies.

3. POLICY STATEMENT

Jubilee 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 prescribed under the Commonwealth Privacy Act 1988, the Aged Care Act and the Aged Care Principles.

4. PROCEDURES

PRIVACY OFFICER

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

Jubilee recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and reflected in this Policy that is compliant with the Privacy Act 1988 (Cth).

Jubilee will:

- Only collect information that we require for our primary function.
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered.
- Use and disclose personal information only for the purpose of providing optimum care and support services, with the person's consent. A person has the right to withdraw consent to release their personal information at any time. Withdrawal of consent can be made in writing to the Executive Director Jubilee.
- Store personal information securely, protecting it from unauthorised access; and
- Provide clients and employees with access to their own information, and the right to seek its correction. This is to be done by writing to the Executive Director of Jubilee.

4.1 PRIVACY

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

Jubilee will not provide personal or health information to other entities without the consent of the client or their representative. Exceptions are information provided to State or Federal Agencies for clients accessing subsidised services or if required to do so under law.

We manage our obligations in relation to protecting the privacy of our staff, volunteers, management committee members, contractors and agencies by making sure that we meet the requirements of relevant legislation:

- **Australian Privacy Principal guidelines**
- **Guide to undertaking Privacy Impact Assessments**
- **Guide to securing personal information**
- **Notifiable Data Breaches**
- **Data breach preparation and response — A guide to managing data breaches in accordance with the Privacy Act 1988 (Cth)**
- **Privacy management framework**
- **The Privacy Act 1988 (Cth)**

During the admission process Jubilee's privacy policy is discussed with clients and their representative. Clients are requested to provide their consent to the use and disclosure of personal information collected for the purpose of providing optimum care.

During the induction process of staff and volunteers the Privacy Policy is discussed.

Contractors providing services on behalf of Jubilee have a signed agreement that outlines their obligations to comply with the Privacy Act and the Jubilee Privacy Policy.

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 keep client and staff records in a secure storage area.

Files of former clients, staff and volunteers are confidentially destroyed 7 years after the client or staff member has left our service.

Contractors working on behalf of Jubilee are contractually required to:

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

DATA SECURITY

Enriching later life

We use of passwords when accessing our data storage system and firewalls and virus scanning tools to protect against unauthorised interference.

NOTIFIABLE DATA BREACHES

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>

If remedial action is successful in preventing serious harm to affected individuals, notification is not required.

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 managed devices and services (iPads, laptops, desktops, Outlook Web Access) sent to a Jubilee 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 Newsletter, Latest News, Events and Activities), individuals and businesses may subscribe to our electronic mailing lists on by contacting Jubilee. 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 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.

CONSENT TO SHARE PERSONAL INFORMATION

I, _____, have received a copy of the Jubilee Privacy Policy and give consent to Jubilee Inc to share and obtain relevant personal information with;

- my family
- other service providers and/or health care practitioners involved in the provision of my care, to ensure I am provided with appropriate care and services
- Australian Government Departments of Human Resources, Social Services or Veterans Affairs for the purposes of providing payments under the Aged Care Act 1997
- Quality Assessors working on behalf of the Government funded program(s) from which I receive subsidised services.

I understand that I can withdraw my consent in writing or verbally at any time.

I, _____ on behalf of _____ give consent to Jubilee

Community Care Inc to share and obtain relevant personal information with:

- my family
- other service providers and/or health care practitioners involved in the provision of my care, to ensure I am provided with appropriate care and services
- Australian Government Departments of Human Resources, Social Services or Veterans Affairs for the purposes of providing payments under the Aged Care Act 1997
- Quality Assessors working on behalf of the Government funded program(s) from which I receive subsidised services.

I understand that consent can withdraw in writing or verbally at any time.

I, _____ wish to exclude _____ from being provided with my personal information.

I give consent to Jubilee Inc to enter my premise using the key safe when there is no answer at the door at the time of arranged service. If there is no response, as per the "Not at home policy" family and/or emergency services may be contacted in the interest of my wellbeing.

Yes No Key safe number _____

Signature: _____ **Date:** _____

Witnessed by: _____

Witnesses signature: _____ **Date:** _____