
Policy
AUSTRALIAN PRIVACY PRINCIPLES

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Health & Personal Information Collection and Disclosure

Warramunda Village will create an environment that undertakes to consult, inform and involve residents and/or their representative in all aspects of provision of care and services.

Regulatory Obligations

As an aged care service this organisation is bound by to collect a range of personal information according to the Aged Care Act 1997. The organisation is also bound by the Australian Privacy Principles within the Privacy Amendment (Enhancing Privacy Protection) Act 2012 which amends the Privacy Act 1988 and the Victorian Health Records Act 2001. Both these acts set out the requirements for ensuring systems and processes are in place to appropriately manage personal information.

What personal information do we collect?

Personal details such as;

- Name, gender, date of birth, next of kin details, pension status and number
- Photograph for identification on records including the medication chart
- Medicare number, health fund details if relevant, ambulance membership number, pharmaceutical entitlement, state trustee number if relevant
- Financial and banking details relevant for payments as required by the Aged Care Act

Health information including;

- Previous and current physical and mental health conditions and or disabilities
- Advance care wishes
- Health assessments about physical, mental and lifestyle needs and preferences, an individualised plan of care, ongoing health charting, health professional reports and notes and test results that form the health record.

Sensitive information such as;

- Ethnicity or cultural background
- Religious beliefs and practices
- Sexual preferences.

Please note you have a right not to provide sensitive information if you do not wish to.

How we collect and hold information?

We continue to collect and record information throughout your time as a resident at Warramunda Village. Information is collected using a combination of paper-based forms and computer programs and is stored either as a paper record files or electronic records in our computer system.

Warramunda Village has taken reasonable steps to safeguard the information we have collected about you against misuse, loss, unauthorised access, modification or disclosure. e.g.; record storage areas are secured always with limited access and computer records are password secured with levels of access according to staff role and responsibility.

Purposes for which we collect, hold, use and disclose personal/health information?

We use the information to provide you with appropriate care, accommodation & hospitality services. In an emergency information is provided to health professionals for example ambulance officers and locum doctors.

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As required by the Aged Care Act, the police and the Department of Health are informed where a resident is unexplainably missing, if physical elder abuse has occurred, and the Victorian Department of Health and Human Services must be notified of certain illnesses such as; gastroenteritis or influenza.

As an aged care service, we are required by law to communicate some personal information to the Department of Health to enable the organisation to receive the correct level of funding for the care required and the appropriate running of the service. The organisation is also bound by law to provide access to your personal and health information to the Aged Care Quality Assessors. The Department of Health and quality assessors are also bound by the Australian Privacy Principles.

Information is also used to monitor and assess the effectiveness and appropriateness of care through a range of continuous improvement activities including documentation audits, surveys, reviews, staff training and data analysis activities. Such activities are undertaken by managers and staff and in some cases contracted consultants who are all bound by the privacy legislation to maintain confidentiality of your information.

We do not use your personal details to direct market. It is unlikely that your information will be disclosed to an overseas recipient unless required by law or if requested or consented by yourself for a purpose.

How can you access and or correct your information?

The Chief Executive Officer has been delegated as the Privacy Officer for the organisation to assist you with your right to access or correct your personal information held by the organisation. If you have any questions or would like to access or correct information that you believe is incorrect, please write or speak to the Privacy Officer. The Privacy Officer will inform you of any documentation requirements associated with your request and promptly deal with your request as soon as practicable and within 30 days.

How to make a complaint?

If you wish to make a complaint about a situation where you believe your personal information has been inappropriately handled or there has been a breach of privacy, please write or speak to the Privacy Officer. The Privacy Officer will follow the organisation's Complaints Procedure which involves a response as soon as practicable and action taken based on a risk assessment and within 30 days. A copy of the procedure is available upon request.

If you are dissatisfied with the response and or the handling of your complaint you may contact the following:

Health Services Commissioner (Vic)

Call: 1300 582 113

Address: 26th Floor, 570 Bourke Street

Melbourne Vic 3000

Website:

<http://www.health.vic.gov.au/hsc/complaint.htm>

Office of the Australian Information Commissioner

Call: 1300 363 992

Address: GPO Box 5218

Sydney NSW 2001

Email: enquiries@oaic.gov.au

Website: <http://www.oaic.gov.au/>

References: Privacy Amendment (Enhancing Privacy Protection) Act 2012, No.197, 2012 available at: <https://www.legislation.gov.au/Series/C2004A03712/Amendments>

Health Records Act 2001, Act No. 2/2001 available at: http://www.austlii.edu.au/au/legis/vic/consol_act/hra2001144/

Office of the Australian Information Commissioner (OAIC), Australian Privacy Principles guidelines March 2015,

Privacy Act 1988 (as at 2 March 2018) available at: <https://www.oaic.gov.au/agencies-and-organisations/app-guidelines/>

Office of the Australian Information Commissioner (OAIC), Frequently Asked Questions –

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Workplace, available at: <https://www.oaic.gov.au/individuals/faqs-for-individuals/workplace/>

OAIC, February 2018, Data breach preparation and response, A Guide to managing data breaches in accordance with the Privacy Act 1988 (Cth), available at: <https://www.oaic.gov.au/agencies-and-organisations/guides/data-breach-preparation-and-response>
