

Policy & Procedure Manual	Resident Health Care & Lifestyle
Policy/Procedure Name	Corporate Privacy Policy
Issue date	March 2014
Last review date	July 2021
Authorised by	Chief Executive Officer

Consumer outcome

I am confident the organisation is well run. I can partner in improving the delivery of care and services.

Organisation statement and message to our residents, representatives, staff and visitors:

SwanCare's governing body is accountable for the delivery of safe and quality care and services.

SwanCare respects your personal information and your right to privacy. SwanCare knows that when you give us your personal information, it imposes a serious responsibility upon us. We are committed to protecting your personal information and maintaining your trust.

This privacy policy describes the information that may be collected by SwanCare, the choices you can make about your personal information, and how we protect it.

COLLECTION COVERED BY THIS POLICY

This privacy policy applies to situations in which SwanCare collects your personal information, including but not limited to collection via websites operated by or on behalf of SwanCare.

Websites may contain links to non-SwanCare websites. SwanCare is not responsible for the privacy policies of those other websites. We recommend you review the privacy policies of each site you visit.

1. WHY WE COLLECT PERSONAL INFORMATION AND HOW WE MAY USE IT

Generally, SwanCare will collect personal information directly from you, and only to the extent necessary to provide a SwanCare product or service, including our agency functions, or to carry out our internal administrative operations. An agency function means a service that we provide to you on behalf of another organisation such as union deductions or similar that you have authorised.

We may collect personal information from you when:

- You fill in an application form
- Deal with us over the telephone
- E-mail us
- Participate in marketing
- Ask us to contact you after visiting our website, or
- Have had contact with us in person.

You may also be able to transact with us anonymously where this is lawful and practicable. We will collect personal information from you by lawful and fair means and not in an unreasonably intrusive way.

We will use your personal information only for the particular purpose that you provided it, or for a directly related purpose. We may otherwise use your personal information where that other use is:

- Required or permitted by law, or
- With your express or implied consent

1.1 **Information Sharing**

We have a strict duty to maintain the privacy of all personal information we hold about you. However, certain exceptions do apply. For example, where disclosure of your personal information is:

- **Authorised or required by law**

Disclosure to various government departments and agencies such as the Australian Taxation Office, CentreLink, Child Support Agencies, or disclosure to courts under subpoena

- **Authorised or required by law**

Where a crime, fraud or misdemeanour is committed or suspected, and disclosure against the employee's rights to confidentiality is justified

- **With your consent**

Your consent may be implied or express and it may also be verbal or written. Where verbal consent to release information is given there will be an accompanying file note to verify the conversation

- **Disclosure overseas**

We are unlikely to disclose information to overseas recipients. If we do, we will take all steps that are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles.

1.2 **Use of Third Party Service Providers**

When we provide or store personal information with companies and individuals who perform services for us, such as specialist information technology companies, doctors, pharmacies, specialists, or other contractors to SwanCare, we require those companies and individuals to protect your personal information as diligently as we do. We may also receive and store your personal information from these third parties. Stringent contractual and/or other quality assurance measures are used to ensure your personal information is protected.

1.3 Updating Your Information

It is inevitable that some personal information which we hold will become out of date. We will take reasonable steps to ensure that the personal information which we hold remains accurate and, if you advise us of a change of details, we will amend our records accordingly.

1.4 Direct Marketing

We may use your personal information, including your contact details, to provide you with information about products and services (including those of third parties) which we consider may be of interest to you.

From time to time we may telephone or send you direct marketing material. At any time you may advise us that you do not wish to receive marketing communications. You may opt out at any time if you no longer wish to receive marketing information or do not wish to receive marketing information through a particular channel (such as by email, telephone, text message, or mail).

If you do not want us to send you marketing communications via email you can opt out at any time by using the unsubscribe option available. To opt out of all other means of communication, please phone our Manager Brand & Marketing on 08 6250 0000.

1.5 CCTV

We utilise CCTV surveillance systems to monitor and record activities at SwanCare properties with the main purpose to maintain a safe and secure environment at SwanCare.

The personal information which we collect and hold about you via CCTV may be used for various activities including:

- Security and risk management
- Loss prevention
- Incident investigation
- Reviewing and analysing use of SwanCare facilities
- Other uses as permitted by law

Once the data collected by our CCTV systems is no longer needed for business or legal purposes, it is securely discarded.

2. ACCESS TO YOUR PERSONAL INFORMATION

SwanCare will, upon your request, and subject to privacy laws, provide you with access to your personal information that is held by us. However, we ask that you identify, as clearly as possible, the type(s) of information requested. SwanCare will deal with your request to provide access to your personal information in a reasonable time.

2.1 Exceptions

Your right to access your personal information is not absolute. In certain circumstances, the law permits us to refuse your request to provide you with access to your personal information, such as circumstances where:

- Access would pose a serious threat to the life or health of any individual
- Access would have an unreasonable impact on the privacy of others
- The request is frivolous or vexatious
- The information relates to a commercially sensitive decision-making process
- Access would be unlawful, or
- Access may prejudice enforcement activities, a security function, or commercial negotiations.

2.2 Freedom of Information Laws

In addition to privacy laws, you may have rights to access your personal information contained in certain SwanCare documents. Details on how to apply for access to these documents are contained in the Freedom of Information Act 1982 (FOI Act).

3. **INFORMATION SECURITY**

SwanCare employs appropriate technical, administrative, and physical procedures to protect personal information from unauthorised disclosure, loss, misuse or alteration.

We limit access to personal information to individuals with a business need consistent with the reason the information was provided. We keep personal information only for as long as it is required for business purposes or by law.

4. **QUERIES OR COMPLAINTS**

If you have any questions or complaints in relation to privacy, please contact

Manager OSH, Risk & Compliance (SwanCare) on 6250 0000.

All complaints will be dealt with in accordance with our organisational Complaints policy and procedure

Related legislation: **The Privacy Act 1988**
Australian Privacy Principles (Schedule 1 of the Privacy Act)

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