Esperance Aged Care Facility practices an open and transparent management of personal information that is in accordance with the Privacy Act 1988, the Privacy Amendments Act (2012, 2018).

Esperance Aged Care Facility collects, stores, uses and discloses a broad range of information that may include personal, sensitive and financial information from residents and their representatives, staff and external agencies in order to effectively provide employment and relevant and appropriate care and services necessary to enable us to function as an aged care provider. This may include:

* Personal contact details of the residents’ family and representatives and staff
* Social contact – Enduring Guardian, Enduring Power of Attorney, Next of Kin, and persons responsible for financial decisions
* Relevant financial and banking details
* Details about current and past health matters
* Hospitals information and social service agencies who have a relationship with you
* Registration details – such as pension, health fund and Medicare numbers
* Social history- (family and work history and general interests)
* Employment history
* Education qualifications, languages spoken
* Driver’s licence
* Criminal record
* Emergency contact details
* Health information including medical and mental health illnesses
* Culturally specific information related to care
* Religious beliefs and affiliation
* Sexual orientation
* Professional memberships or associations
* Employment references
* Up-dates and changes to your personal information

Information about a resident’s health status is routinely collected on an ongoing basis throughout the resident’s time in the home, to enable the delivery of appropriate heath and care services.

Unsolicited personal information collected about a staff member, resident or representative will be used, stored and disclosed according to this policy

###### **Use and disclosure of information**

Esperance Aged Care Facility may collect, store (in hard copy or electronic form), use or disclose personal information for the primary purpose of conducting and supporting the business activities as an aged care provider and employer.

All information collected from staff, residents and their representatives is used to enable employment and the appropriate delivery of health and care services. Where required, some information may be provided to external agencies, including government departments and agencies, medical practitioners, hospitals and pharmacies, in order to asses an application for care or for employment. Information that may be disclosed includes Medicare numbers, ambulance fund membership and next-of-kin contact details.

Residents’ financial and medical information is only discussed with the resident or their nominated person/s.

###### **Security of information**

Esperance Aged Care Facility holds personal information in a combination of secure computer storage facilities and paper based files. Steps are taken to protect the personal information held from misuse, loss, unauthorized access, modification or disclosure. This includes appropriate physical and technological barriers and security measures to protect your personal information in both hard copy and electronic form.

Esperance Aged Care Facility may need to maintain records of personal and sensitive information for a significant period. However, when information is no longer needed and required, paper based records will be securely archived and destroyed according to legislative requirements. Disposal of electronic records may include overwriting records before deleting and/or deleting backup files.

**Up-Dating Information**

Esperance Aged Care Facility endeavours to ensure that the personal and sensitive information held is accurate and current. We acknowledge that some information may change frequently, thus accuracy of information is dependent upon the information provided. Where we receive a request to correct information we hold about you, we will take reasonable steps to rectify the situation free of charge if we are satisfied that the information we hold is inaccurate, out-of-date, incomplete, irrelevant or misleading. We may require proof of identity if a request is made for correction of personal information. If we refuse to correct the personal information, we will provide a written notice setting out our reasons for the refusal and the mechanisms available to complain about the refusal.

**Right to Access Information**

Individuals have the right to access, amend and or delete personal and sensitive information held by Esperance Aged Care Facility. Under the Privacy Act, individuals have the right to obtain a copy of any personal and sensitive information which Esperance Aged Care Facility holds about them and to advise Esperance Aged Care Facility of any inaccuracy. To request access to personal and sensitive information held a written application is required, identifying the person requesting the information and specifying what information is required. Access to sensitive information will not be approved for vexatious, frivolous or unlawful reasons, or to information relating to existing or anticipated legal proceedings or that would detrimentally affect the privacy of another individual or pose a serious threat to a resident’s wellbeing.

In the event that a request for access is made, Esperance Aged Care Facility will review our records to determine what relevant personal information is held and endeavour to respond to the request within a reasonable period after the request is made, usually within 30 days. We will organise access to the personal information in the manner requested, if it is reasonable and practicable to do so. Esperance Aged Care Facility will acknowledge such a request within 14 days and respond promptly. A fee may be charged to cover the cost of verifying the application and locating, retrieving, reviewing and copying any material requested.

The Privacy Act provides instances where a holder of personal information may refuse to provide an individual with access to their personal information. If we refuse to provide access to personal information, we will provide a written response that sets out our reasons for the refusal and the mechanisms available to complain about our refusal.

**Notifiable data breach**

In the event of a security breach of eligible data records Esperance Aged Care Facility will take all necessary steps to ensure all obligations for reporting a data breach to the Office of the Australian Information Commissioner (OAIC) are complied with in accordance with the legislation.

Esperance Aged Care Facility will take reasonable steps to investigate any suspected breach and determine the scope of any breach, the risk of harm to affected individuals whose information may have been compromised and notify the individual/s involved and the Privacy Commissioner, and take steps to minimise any harm caused as a result of the breach.

An eligible data breach arises when the following three criteria are satisfied:

* Unauthorised access to or unauthorised disclosure of personal information, or loss of personal information that is held by Esperance Aged Care Facility
* This is likely to result in serious harm to one or more individuals, and
* Esperance Aged Care Facility has not been able to prevent the likely risk of serious harm with remedial action.

**Complaints Management**

To make a complaint about a breach of your privacy or to contact Esperance Aged Care Facility regarding its privacy policy or practices, please contact the General Manager in writing at:

Esperance Aged Care Facility

PO Box 1350

ESPERANCE WA 6450

All complaints will be investigated and responded to as quickly as possible, usually within 30 days. We will notify you of the outcome of the investigation, including how we propose to resolve your complaint and what, if any, corrective measures we will implement.

If you are not satisfied with our handling of your complaint, you may lodge a complaint with the Office of the Australian Information Commissioner (OAIC). For more information about doing so, visit:  <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>

I have read and understand this Privacy Policy

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

🞏 Resident 🞏 Representative 🞏 Staff Member