

## PRIVACY POLICY FOR RESIDENTS

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Windermere acts in a serious and committed manner to meet obligations under the Privacy Act ensuring personal or sensitive information is collected, held, used and disclosed in accordance with the Australian Privacy Principles (APP) and the Aged Care Quality Standards.

### Personal Information

The personal information Windermere may hold includes the following:

- Name and Date of birth
- Country of birth and whether Aboriginal and/or Torres Strait Islander origin
- Current address
- Next of kin details
- Person responsible for resident, e.g., Power of Attorney, Enduring Power of Attorney, Guardian, Trustee, etc.
- Entitlement details including Medicare, pension and health care fund
- Medical/Family medical and Social history
- Religion
- Sexual preferences/practices
- Political opinions
- Clinical information including assessments and monitoring charts
- Care and service plans and Progress Notes
- Pathology/X-Ray results
- Financial and billing information including Income and Asset Notifications
- Accident and incident forms
- Medication charts
- Aged Care Assessment Team records entered on the 'My Aged Care' system
- Resident agreements
- Nursing, medical and allied health information
- Photographs (for medical purposes such as medication administration)

### Collection and Use of Personal Information

- In most cases Windermere collects information directly from the individual with their consent (Note: consent can be withdrawn at any time by the resident if inappropriate)
- Personal information may be gathered from forms, telephone calls, faxes, emails, face to face meetings, interviews and assessments
- Generally, only personal information is collected if it is necessary to provide health services and to comply with our obligations under Australian law (e.g. tax office obligations, immigration legislation, industrial instruments, etc.) or a court/tribunal order. Where information is collected from other sources, Windermere will inform the individual that Windermere holds their personal information.
- The potential consequences of not allowing Windermere to collect and to hold the required personal information. We may be unable to:
  - Provide appropriate health care and health services and meet our legislated obligations
  - Meet the individual requirements of the resident
- If Windermere receives 'unsolicited information' such as personal information that is not relevant to the functions of the organisation, it will 'de-identify or destroy the information as soon as practicable'.

## PRIVACY POLICY FOR RESIDENTS

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### Disclosure of information

- Personal information may be disclosed:
  - If Windermere is required or authorised by Australian law or a court/tribunal order
  - If we believe on reasonable grounds that the disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety, or a serious threat to public health or safety
  - If we have reason to believe that an unlawful activity has been, is being, or may be engaged in
  - Including other health care professionals that are or may be involved in the care of residents including general practitioners, hospitals, and other allied health providers
  - Including other external agencies that Windermere have contracts with to provide services to residents on our behalf
  - Including funding bodies and other government agencies as required by Commonwealth and State legislation
  - Including approval to disclose information by the resident or the person designated by the resident as the 'person responsible' for giving and accessing their information.
- If it is necessary to transfer personal information to someone overseas, Windermere will comply with this policy and the APPs, and take reasonable steps to ensure that the recipient does not breach the APPs in relation to that information.
- Personal information relating to any group or individual will not be used for other purposes such as fundraising or direct marketing activities without seeking written consent of the person or the 'person responsible' for the resident.
- Residents, representatives and visitors must also maintain the privacy of other residents living in the home. The Resident Privacy Agreement specifically outlines this requirement. Signage and staff protocols in the Home will also reinforce this requirement, for e.g., not providing information to a resident or a visitor without resident consent.

### Anonymity

We will provide individuals the option of not identifying themselves, or of using a pseudonym, where it is lawful and practicable to do so. However, we may not be able to provide you with the best service or effectively deal with any issues raised, without all of your personal information.

### Personal Information Security

We are committed to keeping secure the Personal Information you provide 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. Our security measures include, but are not limited to:

- All staff are bound by a formal code of conduct and our confidentiality policy
- We train staff on their obligations with respect to resident's personal information
- All our electronic systems that hold personal information have up to date security protection systems
- Secure disposal of electronic and paper-based records
- Assessments, reviews, meetings and discussions will take place in areas which afford privacy and confidentiality
- External contractors and service providers are contracted, engaged and managed in accordance with Windermere's external services policy. Information will not be disclosed without consent unless required by law or a permitted general or health situation exists.
- All computers have password access
- We must keep records of a resident in secure storage areas

## PRIVACY POLICY FOR RESIDENTS

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- Monitoring, compliance and quality system procedures are in place
- Appropriate security devices on premises

### Access to Personal Information

- You have a right to request that we provide you access to the Personal Information we hold about you.
- Requests for access to information can be made in writing and addressed to our privacy officer.
- An individual's identity should be established prior to allowing access to the requested information. If unsatisfied with the individual's identity or access is requested from an unauthorised party, we can decline access to the information. We will provide in writing the reasons for declining access to the requested information.
- If we charge for providing access to Personal Information, those charges will not be excessive.

### Personal Information quality

We aim to ensure that the personal information we hold is accurate, complete and up-to-date. Please contact us if any of the personal information you have provided to us has changed. Please also contact us if you believe that the information we have about you is not accurate, complete or up-to-date.

### How to make a complaint

If you wish to make a complaint about the way we have managed your personal information, you may make a written complaint to our Privacy Officer. All complaints will be dealt with confidentially and promptly.

**Privacy Officer:** Rita Lawrence

Phone: 0407 131 206 Email: [rita@jesmondgroup.com.au](mailto:rita@jesmondgroup.com.au)

Alternatively, complaints may also be referred to:

**Office of the Australian Information Commissioner** by:

Calling the Privacy Hotline on 1300 363 992

Visiting the website at [www.oaic.gov.au](http://www.oaic.gov.au)

Emailing: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Writing to: Office of the Australian Information Commissioner

GPO Box 5218, Sydney NSW 2001

If you need an interpreter, you can phone the Translating and Interpreting Service on 131 450.

For hearing or speech impaired TTY users' phone 1800 555 677 and ask for the phone number you wish to contact.

For speak and listen users' phone 1800 555 727 then ask for the number you wish to contact.