

Privacy and Data Handling Policy

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1. RESPECTING YOUR PRIVACY

Melville Cares Inc (ABN 35 141 024 152) (**Melville Cares, us, we, or our**) understands the importance of protecting your personal information. This privacy policy sets out how Melville Cares collects, holds, uses and discloses your personal information.

We may update this policy from time to time, and the most current version will be published on our website www.melvillecares.org.au. We will treat your continued use of our website or our services, or your provision of further personal information to us, as acceptance of the updated policy.

2. COLLECTION OF PERSONAL INFORMATION

2.1 The kinds of personal information we collect and hold

The personal information we collect and hold about you will depend on the nature of your interaction with us, but will generally include:

- your name, address, contact details, date of birth, gender, marital status;
- government identifiers (such as your Medicare number or your My Aged Care ID number);
- details of next of kin;
- details of any government funding that you receive;
- health and medical information; and
- any other personal information you may provide to us.

Personal information may include “sensitive information” (as defined in the *Privacy Act 1988 (Cth)*), such as information about your racial or ethnic origin, sexual orientation, your criminal record or health information about you. We will only collect sensitive information with your consent and if it is reasonably necessary for us to do so or where we are otherwise authorised by law.

2.2 How we collect personal information

Melville Cares will only collect personal information if it is reasonably necessary for us to do so for the provision of aged care services, ensuring it is relevant and adequate for the intended purpose, as per the Office of the Australian Information Commissioner (OAIC) guidelines on data minimisation. Generally, we will collect personal information either directly from you, or from third parties if you have consented to your information being used in this way, or would reasonably expect us to collect it in this way. Situations in which we may collect personal information include, but are not limited to:

- when you or somebody close to you engages our services;
- when you make an enquiry or a request for our services;
- when you communicate or interact with us or others, including through our website or social media accounts;
- if you participate in one of our surveys to identify areas of service improvement and/or development;
- if you register for, or attend one of our seminars, events, workshops or other functions;
- if you have uploaded information to your My Aged Care government portal;
- from certain government agencies;
- if you have consented to third parties disclosing that information to us (such as health professionals);
- when you sign up to our mailing list;
- when required by law; or



- when dealing with clients who contact us regarding our activities, or the activities of our members.

Melville Cares will generally start to collect your personal information when you first contact us by telephone, email, letter, in person or through another medium. We will take reasonable steps to ensure that you are aware of:

- who we are and our full contact details;
- the purposes for which the personal information is collected;
- the organisations (or types of organisations) we will usually disclose or transfer personal information to;
- any law which requires us to collect the personal information; and
- the main consequences (if any) if all (or part) of the personal information requested by us is not provided.

Unsolicited personal information is personal information that we have not asked for. If we receive any unsolicited information that is not reasonably necessary or directly related to one or more of our service activities, then we will de-identify or destroy it as soon as practicable.

3. ONLINE ACTIVITY

3.1 Social media and communication services

Melville Cares uses social media and communication services such as Facebook and LinkedIn to communicate with the public about our services. The social networking and communications services such as Facebook and LinkedIn will also handle your personal information for its own purposes. These services have their own privacy policies. You can access the privacy policies for Facebook and LinkedIn on their websites.

3.2. Cookies

We use data collection services called “cookies” and data collected by other technologies that allow us to track your use of the Website. The technical data is used to determine visitor traffic, trends, remember your preferences and deliver personalised content to you while you are using the website. Cookies can be accepted or declined at your preference.

We may also share aggregated, non-personally identifiable information publicly, for example, to show trends about the general use of the website.

4. PROVIDING PERSONAL INFORMATION ABOUT OTHERS

You must not provide us with personal information about any other individual unless you have the express consent of that individual to do so. If you do provide us with such information, before doing so, you:

- must tell that individual that you will be providing their information to us and that we will handle their information in accordance with this privacy policy;
- must provide that individual with a copy of, (or refer them to) this privacy policy; and
- warrant that you have that individual’s consent to provide their information to us.

5. USE AND DISCLOSURE OF YOUR PERSONAL INFORMATION

5.1 Use of your personal information



We use the personal information, (which is not sensitive information) that we collect for the purposes for which it was provided to us and for other related purposes, or as permitted or required by law. We will only use your sensitive information for the purpose for which you have provided it to us, and to the extent that it is reasonably necessary for us to provide our services to you or where we are otherwise authorised by law.

In particular, we may use your personal information:

- to communicate with you;
- to provide you with the services that you have requested;
- to maintain membership records;
- to enable service provision;
- to respond to your enquiries or requests for assistance from us;
- to provide information or recommend services that may be of interest to you;
- to send you newsletters or marketing material;
- for the administrative purpose of running our business, or to otherwise facilitate our business operations and processes.

You do not have to provide personal information to us if you do not wish to, but if you do not do so, it may affect our ability to provide you with our services.

5.2 Disclosure of your personal information

Generally, we will not disclose your personal information to any third parties unless you have consented to such disclosure. Such consent may be given expressly, or it may be implied by conduct.

We may disclose your personal information in the following circumstances:

- to third parties where you have given your consent (express or implied), for the purpose of providing you with our services, or facilitating your care (such as health professionals, including allied health professionals, or other health service providers to provide emergency care or services).
- if you are a client and you indicate that you (or an individual on whose behalf you are acting), have some form of government funding, we may share your personal information (or the personal information of the relevant individual), with third parties, including the relevant funding provider or funding manager, in order to verify the funding;
- to organisations that we may receive grants from, such as Local, State and Commonwealth Government which have reporting and audit requirements. Your file may be reviewed to ensure compliance or personal information from your file may be used as part of reporting required by the granting entity;
- for accreditation and quality assurance activities and the investigation of incidents and complaints (such as the Aged Care Quality Commission if you have made a complaint against us or where we are required by law to do so);
- to specialist advisers who have been engaged to provide us with legal, administrative, financial, insurance, research, marketing or other services;



- to third party contractors or service providers that we use in the ordinary course of our business to assist with the delivery of our services, such as hosting services, provision of infrastructure, IT services, data analysis, email delivery services, and customer services. The information will be provided on a confidential basis and such service providers will be limited in their use of the information to the purpose of our business only;
- to other external providers, consultants or business partners of ours who we may work with us to improve or develop our website or services, operate or develop our business, conduct surveys or seek feedback from you, conduct market and other research, or facilitate or collaborate with us in relation to promotions. We take reasonable steps to ensure these third-party service providers, consultants and partners do not use your personal information other than for the purpose for which it was provided to them by us;
- without limiting the immediately preceding paragraph, to providers of consumer review websites or platforms, to enable those providers to send you an invitation to leave a review of our services. We take reasonable steps to ensure these third-party service providers do not use your personal information other than for the purpose for which it was provided to them by us; and
- to any other person authorised, implicitly or expressly, when the personal information is provided to or collected by us.

We reserve the right to disclose any personal information (including sensitive information) to law enforcement or other government officials where we reasonably believe that this may be necessary or appropriate.

We will never sell, trade, lease or rent your personal information to third parties.

6. DIRECT MARKETING

We want to send you marketing and promotional communications only if you want to receive them from us. If you prefer not to receive these communications from us, please let us know using the contact details below.

If we send you any marketing or promotional communications by email, you can also click on the “unsubscribe” link at the bottom of the message.

7. DATA SECURITY AND HANDLING

7.1 Data security

Melville Cares takes reasonable steps to ensure the security of personal information we hold, whether in electronic or other form, from misuse, interference and loss and from unauthorised access, modification or disclosure. These measures include:

- Access restricted to authorised personnel.
- Password protection of all computers.
- All files are stored in lockable filing cabinets with limited access.
- Regular supervision of workers to ensure confidentiality is upheld.
- External quality auditing.
- Regular backups of a secure central server.
- Regular password access updates.



- Antivirus programs and active firewalls.
- Regular installation of updates.
- Education of workplace participants on use of emails and websites.

When no longer required or when requested by you, we will take reasonable steps to destroy, delete or permanently de-identify personal information we hold, by archiving or shredding in a secure manner ensuring it cannot be reconstructed or accessed by unauthorised individuals.

7.2 Data breaches

A data breach happens when personal information is accessed or disclosed without authorisation or is lost.

Examples of data breach that cause serious harm include when:

- A device containing your personal information is lost or stolen.
- A database containing your personal information is hacked.
- Your personal information is mistakenly provided to the wrong person.

As stipulated in the Privacy Act, if there is a data breach involving your personal information that is likely to result in serious harm, Melville Cares will notify you. This notification will include:

- A description of the data breach.
- The kinds of personal information concerned.
- Recommendations about the steps you should take in response to the data breach.

If required by the Privacy Act, Melville Cares will also inform the Office of the Australian Information Commissioner.

8. ACCESS AND CORRECTION

Requests for access to personal information that we hold about you should be made in writing to a member of our Executive team by using the contact details provided below. If you request, then in most circumstances we will make available to you the personal information about you that we have collected. In certain circumstances we might not allow you access to your personal information. These circumstances include, where:

- It would have an unreasonable impact on the privacy of others.
- The information relates to legal proceedings with you.
- The information would reveal our commercially sensitive decision-making process.
- Providing access to the information would prejudice certain investigations.
- We are required by law not to disclose the information. This includes duties we may have under common law.

We will respond to a request for access to information as a priority and will seek to do so within a maximum of 10 days. We will not charge you for requesting access to your own personal information.

If you believe that any information that we hold about you is inaccurate or out of date, please contact us and we will review and update the relevant information. On request, we will take reasonable steps to correct the personal information we hold about you so that it is accurate, complete and up to date, or will provide reasons for not doing so.



9. COMPLAINT HANDLING

Melville Cares wants to improve our systems and procedures to give you full confidence in our ability to respect and safeguard the privacy of the personal information you provide to us.

If you wish to make a complaint about a breach of this policy or the Australian Privacy Principles, you can contact us using the contact details below. You will need to provide sufficient details regarding your complaint, as well as any supporting evidence and information.

Your complaint will be reviewed by a member of our Executive team, who will investigate the issue and determine the steps that we will take to resolve your complaint. We will contact you if it requires any further information from you and will notify you in writing of the outcome of the investigation.

If you are not satisfied with our determination, you can contact us to discuss your concerns or contact the Australian Privacy Commissioner through its website at www.oaic.gov.au or refer your complaint in writing to enquiries@oaic.gov.au.

10. CONTACT DETAILS

If you have any questions about our privacy policy, or the way in which we handle your personal information, please contact our Executive team using the following details:

Telephone Number:	(08) 9319 0900
Title:	Executive Manager Corporate Services
Email Address:	blowe@melvillecares.org.au
Postal Address:	PO Box 266, Melville WA 6956

11. LEGISLATION

Key legislation, regulations, and other requirements applicable to this policy include but are not limited to:

- Aged Care Act 1997
- Privacy Act 1988 (Cth)

12. RESOURCES AND REFERENCES

- Aged Care Quality and Safety Commission, Aged Care Quality Standards
 - Standard 8 Organisational Governance
- Privacy Act 1988
 - Australian Privacy Principles
 - Notifiable Data Breaches Scheme
- Office of the Australian Information Commissioner
 - Privacy Governance Guidelines
 - Guide to Data Security
 - De-identification and the Privacy Act



- Access and Correction

13. RELATED DOCUMENTS

- Data Breach Response Plan
- Business Continuity Plan
- FRM-7 Collection Notice and Consent Form
- FRM-38 Photo Authorisation

FURTHER INFORMATION

Further information is available from the Executive team.