

# Privacy Policy

Yass Valley Aged Care Limited (ABN 32 150 316 895) (**we, our, us**) recognise the importance of protecting the privacy and the rights of individuals in relation to their personal information. This document is our privacy policy (**Policy**) and it describes how we collect, manage, use and disclose your personal information.

We respect your rights to privacy and we comply with the *Privacy Act 1988* (Cth) (**Privacy Act**) and other applicable privacy legislation (e.g. the *My Health Records Act 2012*).

## 1 What is your personal information?

When used in this Policy, the following terms have the meanings given to them in the Privacy Act:

- a. “personal information” – In general terms, if information can identify you, or you are reasonably identifiable from it, the information will be considered personal information. For example, this may include your name, date of birth, and contact details.
- b. “health information” – This includes any personal information that is:
  - collected to provide a health service to you. Health services include activities that take place in the course of providing aged care, to record, assess, maintain, manage, or improve your health, or to diagnose or treat an illness, disability or injury; or
  - information or opinion about your health, your wishes about the provision of health services to you, or a health service provided to you.
- c. “sensitive information” – This includes your health information (see above), and information or an opinion about an individual’s racial or ethnic origin, religious beliefs or affiliations, and sexual orientation, among other things.

## 2 What personal information do we collect and hold?

Yass Valley Aged Care Limited is an approved provider of respite and permanent residential aged care, home care services, Meals on Wheels, and day care services. The various categories of personal, health and other sensitive information that we may collect, in the course of providing these services, are summarised below.

### 2.1 Residents of our aged care facility

If you are a resident of our aged care facility, we may collect the following kinds of personal and health information about you (and, where appropriate, the representatives handling your estate):

- a. name and contact details (e.g. address, phone numbers and email address)
- b. date of birth and gender
- c. details of the services you have purchased from us, or enquired about, together with any additional information necessary to deliver those services or respond to your enquiries
- d. billing information (e.g. bank account, pensioner concession, private health insurer, Medicare and DVA details)
- e. financial information relevant to assess whether you can receive government assistance for your aged care and accommodation costs
- f. health information necessary to ensure future care and activities are appropriate and available to you. For example:
  - i. your medical history, current medications, treating health practitioners’ details, Medicare numbers, COVID-19 vaccination status, medical reports, pathology and other test results, diagnoses, etc, together with any information relating to your healthcare history that is recorded in the Australian Government’s My Health Records system

- ii. information you have provided to the Australian Government's My Aged Care service, the Aged Care Assessment Team or any government agency or body for purposes of receiving aged care services from us
- iii. other personal information collected to provide, or while providing, a health service to you (including via telehealth services)
- g. other relevant sensitive information (e.g. religious beliefs or affiliations) and
- h. any additional information relating to you that you provide to us directly through client satisfaction surveys, visits by our representatives from time to time, and the like.

## 2.2 Persons enquiring about our aged care services

We may collect the following information about you to manage your enquiry:

- a. name and contact details (e.g. phone numbers and email address)
- b. prospective service recipient's name, date of birth and relevant health information and
- c. details of the services you have enquired about, together with any additional information necessary to respond to your enquiries.

## 2.3 Visitors to our aged care facility

To assist in managing the risk posed to residents of our aged care facility and our staff by the COVID-19 pandemic, and in accordance with the advice of the New South Wales Chief Health Officer with respect to residential aged care facilities<sup>1</sup>, we will collect the following classes of personal and health information from all visitors to our facility:

- a. name and contact details (e.g. phone numbers and email address), and name of resident(s) to be visited
- b. the purpose of the visit (e.g. to provide essential caring functions, to visit a resident who is at the end of life)
- c. whether the person:
  - i. has checked in to the facility via Service NSW's COVID Safe Check in tool<sup>2</sup>
  - ii. is fully vaccinated with a COVID-19 vaccine approved by the Therapeutic Goods Administration of the Commonwealth
  - iii. is under 12 years of age
  - iv. has had a negative Rapid Antigen Test prior to entry
  - v. has been to any close, casual or monitor for symptoms locations, or to other hot spot locations/places of concern, at relevant times
  - vi. has been overseas within the previous 14 days
  - vii. has any COVID-19 symptoms (e.g. fever (37.5°C or higher), cough, sore throat, runny nose, loss of taste and/or smell, shortness of breath, nausea)
  - viii. is a close or casual contact of a person with confirmed COVID-19, and have completed their self-isolation and testing requirements
  - ix. lives in a household with a person who is currently isolating
  - x. is waiting for a COVID-19 test result
  - xi. has applied a mask (or supplied evidence of relevant exemption).

We also use security cameras, as signposted, at various locations around our facility (e.g. entry and exit points, car park) for security monitoring purposes. These cameras may capture your image when you visit our facility. We will only use this information to monitor security and investigate incidents

<sup>1</sup> Current as at 16 February 2022, <https://www.health.nsw.gov.au/Infectious/covid-19/Pages/racf-latest-advice.aspx>.

<sup>2</sup> Service NSW may separately collect personal information from you when you visit our facility as a result of your use of either the COVID Safe Check-in tool via the Service NSW app or the online concierge webform. Please refer to Service NSW's "COVID Safe Check-in – Privacy Collection Statement" (<https://www.service.nsw.gov.au/covid-safe-check-privacy-collection-statement>) and/or "Privacy policy" (<https://www.service.nsw.gov.au/privacy>) for further details of how it will handle personal information collected.

and will ensure recorded personal information is secure and destroyed or de-identified when it is no longer needed (usually after 30 days, unless relevant to investigation of a security incident).

## 2.4 Non-resident clients

To provide you with non-resident aged care services (e.g. recipients of home care services, Meals on Wheels, etc), we may collect the following information about you:

- a. your name and the name(s) of your nominated representative
- b. contact details for you and for your nominated representative (e.g. address, phone numbers and email address)
- c. your date of birth and gender
- d. details of the services you have purchased from us, or which you have enquired about, together with any additional information necessary to deliver those services or to respond to your enquiries, including:
  - i. *Home Care Residents:*
    - o billing information (e.g. bank account, pensioner concession, private health insurer, Medicare and DVA details)
    - o financial information relevant to assess whether you can receive government assistance for your home care costs
    - o health information necessary to ensure future care is appropriate and available to you. For example:
      - your medical history, current medications, treating health practitioners' details, Medicare numbers, COVID-19 vaccination status, medical reports, pathology and other test results, diagnoses, etc, together with any information relating to your healthcare history that is recorded in the Australian Government's My Health Records system
      - information you have provided to the Australian Government's My Aged Care service, the Aged Care Assessment Team or any government agency or body for purposes of receiving aged care services from us
      - other personal information collected to provide, or while providing, a health service to you (including via telehealth services)
  - ii. *Meals on Wheels clients:*
    - o details of your dietary requirements, and relevant health information (e.g. whether you have any vision / sensory loss, or any physical / psychological capacity loss)
- e. information you provide to us directly, through satisfaction surveys or visits by our representatives from time to time, or when you communicate with us by email, telephone, in writing or in person.

Further, to assist in managing the risk posed to our staff by the COVID-19 pandemic, we may also collect the following personal information from non-resident clients – that is, whether the person:

- a. is fully vaccinated with a COVID-19 vaccine approved by the Therapeutic Goods Administration of the Commonwealth
- b. has had a negative Rapid Antigen Test prior to attendance by our staff
- c. has been to any close, casual or monitor for symptoms locations, or to other hot spot locations/places of concern, at relevant times
- d. has been overseas within the previous 14 days
- e. has any COVID-19 symptoms (e.g. fever (37. 5°C or higher), cough, sore throat, runny nose, loss of taste and/or smell, shortness of breath, nausea)
- f. is a close or casual contact of a person with confirmed COVID-19, and have completed their self-isolation and testing requirements
- g. lives in a household with a person who is currently isolating

- h. is waiting for a COVID-19 test result
- i. has applied a mask (or supplied evidence of relevant exemption).

## **2.5 Volunteers**

To enable us to assess your application to volunteer at our aged care facility, we may collect the following personal information about you:

- a. name and contact details (e.g. address, phone numbers and email address)
- b. date of birth and gender
- c. qualifications and relevant experience
- d. sensitive information such as police checks, COVID-19 vaccination status (e.g. evidence of vaccination or a medical contraindication certificate), influenza vaccination status, and whether you are able to wear a mask (or cannot because of a risk to health and safety) and
- e. other information provided to us (including by your nominated referees) in connection with the application.

Further, to assist in managing the risk posed to residents of our aged care facility and our staff by the COVID-19 pandemic, and in accordance with the advice of the New South Wales Chief Health Officer with respect to residential aged care facilities<sup>3</sup> we will also collect the following personal information from volunteers who work on-site at our facility – namely, whether the person:

- a. has checked in to the facility via Service NSW's COVID Safe Check in tool<sup>4</sup>
- b. is fully vaccinated with a COVID-19 vaccine approved by the Therapeutic Goods Administration of the Commonwealth
- c. has had a negative Rapid Antigen Test prior to entry
- d. lives in an area of concern
- e. has been to any close, casual or monitor for symptoms locations, or to other hot spot locations/places of concern, at relevant times
- f. has been overseas within the previous 14 days
- g. has any COVID-19 symptoms (e.g. fever (37. 5°C or higher), cough, sore throat, runny nose, loss of taste and/or smell, shortness of breath, nausea)
- h. is a close or casual contact of a person with confirmed COVID-19, and have completed their self-isolation and testing requirements
- i. lives in a household with a person who is currently isolating
- j. is waiting for a COVID-19 test result
- k. has applied a mask (or supplied evidence of relevant exemption).

## **2.6 Employees**

To enable us to assess your application for employment with us, we may collect the following personal information about you:

- a. name and contact details (e.g. address, phone numbers and email address)
- b. date of birth and gender
- c. qualifications (e.g. licences and registrations) and relevant experience
- d. prior employment history
- e. tax file numbers
- f. other sensitive information such as police checks, COVID-19 vaccination status (e.g. evidence of vaccination or a medical contraindication certificate), influenza vaccination status, and whether the person is able to wear a mask (or cannot because of a risk to health and safety) and

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<sup>3</sup> See footnote 1 above.

<sup>4</sup> See footnote 2 above.

- g. other information provided to us (including by your nominated referees) in connection with the application.

Further, to assist in managing the risk posed to residents of our aged care facility and our staff by the COVID-19 pandemic, and in accordance with the advice of the New South Wales Chief Health Officer with respect to residential aged care facilities<sup>5</sup>, we will also collect the following classes of personal information from employees who work on-site at our facility – namely, whether the person:

- a. has checked in to the facility via Service NSW's COVID Safe Check in tool<sup>6</sup>
- b. is fully vaccinated with a COVID-19 vaccine approved by the Therapeutic Goods Administration of the Commonwealth
- c. has had a negative Rapid Antigen Test prior to entry
- d. lives in an area of concern
- e. has been to any close, casual or monitor for symptoms locations, or to other hot spot locations/places of concern, at relevant times
- f. has been overseas within the previous 14 days
- g. has any COVID-19 symptoms (e.g. fever (37.5°C or higher), cough, sore throat, runny nose, loss of taste and/or smell, shortness of breath, nausea)
- h. is a close or casual contact of a person with confirmed COVID-19, and have completed their self-isolation and testing requirements
- i. lives in a household with a person who is currently isolating
- j. has had a COVID-19 test in the preceding 7 days
- k. is waiting for a COVID-19 test result
- l. has applied a mask (or supplied evidence of relevant exemption).

## 2.7 Allied health providers and other contractors

If you are an allied health provider or other contractor engaged by us, we may collect information about you and your employees, officers and representatives to enable us to manage that engagement. This may include the following:

- a. contact names and addresses
- b. tax file numbers and
- c. other sensitive information such as police checks, the COVID-19 status of individuals who are to work on-site at our facility (e.g. evidence of vaccination or a medical contraindication certificate), and whether the person is able to wear a mask (or cannot because of a risk to health and safety).

Further, to assist in managing the risk posed to residents of our aged care facility and our staff by the COVID-19 pandemic, and in accordance with the advice of the New South Wales Chief Health Officer with respect to residential aged care facilities<sup>7</sup>, we will also collect the following classes of personal information from allied health workers and other contractors who work on-site at our facility – namely, whether the person:

- a. has checked in to the facility via Service NSW's COVID Safe Check in tool<sup>8</sup>
- b. is fully vaccinated with a COVID-19 vaccine approved by the Therapeutic Goods Administration of the Commonwealth
- c. has had a negative Rapid Antigen Test prior to entry
- d. lives in an area of concern
- e. has been to any close, casual or monitor for symptoms locations, or to other hot spot locations/places of concern, at relevant times
- f. has been overseas within the previous 14 days

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<sup>5</sup> See footnote 1 above.

<sup>6</sup> See footnote 2 above.

<sup>7</sup> See footnote 1 above.

<sup>8</sup> See footnote 2 above.

- g. has any COVID-19 symptoms (e.g. fever (37. 5°C or higher), cough, sore throat, runny nose, loss of taste and/or smell, shortness of breath, nausea)
- h. is a close or casual contact of a person with confirmed COVID-19, and have completed their self-isolation and testing requirements
- i. lives in a household with a person who is currently isolating
- j. has had a COVID-19 test in the preceding 7 days
- k. is waiting for a COVID-19 test result
- l. has applied a mask (or supplied evidence of relevant exemption).

### **3 How do we collect your personal information?**

In accordance with the Australian Privacy Principles (APPs), we only collect personal information (including health information) that is reasonably necessary for our functions and activities, including the provision of permanent and respite residential aged care services, home care services, Meals on Wheels, and day care services.

#### **3.1 Personal information**

We collect your personal information directly from you unless it is unreasonable or impracticable to do so. When collecting personal information from you, we may collect in ways including:

- a. during conversations or correspondence between you or your nominated representative and our representatives
- b. when you complete an application for our residential or home care services through the My Aged Care Portal or
- c. any other interaction between you and us in relation to our services.

While we will usually collect your personal information directly from you, if it is unreasonable or impracticable to do so (e.g. because you do not have a record of the information), we may also collect personal information about you from third parties including:

- a. your nominated representative or family members
- b. your general practitioner, pharmacist or any other health care provider
- c. any record for you on the Australian Government's My Health Record system
- d. the My Aged Care Portal and Aged Care Assessment Team or any replacement body
- e. Australian Aged Care Quality Agency or any replacement body
- f. the Department of Human Services, Department of Veterans' Affairs or any government entities or agencies with information relevant to your admission to our services
- g. a public trustee/guardian
- h. past employees and other referees and
- i. public sources e.g. professional medical registration boards.

#### **3.2 Sensitive information**

We will usually collect sensitive information (including relevant health information) with your consent (or consent from your nominated representative if you are unable to give consent).

However, in limited circumstances authorised under APP 3, we may collect sensitive information without your consent. For example, where:

- a. collection is required or authorised by or under an Australian law or court/tribunal order
- b. it is unreasonable or impracticable to obtain your consent and we reasonably believe the collection is necessary to lessen or prevent a serious threat to the life, health or safety of any individual or to public health or safety
- c. the information is necessary to provide a health service to you, and either:
  - o the collection is required or authorised by or under an Australian law or

- the information is collected in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind us.

If you choose not to provide us with the personal information that we request, it could mean that we are unable to provide you with our services to the same standard or at all.

#### **4 For what purposes do we collect your personal information?**

We collect personal, health and other sensitive information about you (as referred to above) so that we can perform our business activities and functions and to provide the best possible quality of services to you.

This includes the following purposes, as applicable:

- a. to provide respite and permanent residential aged care and accommodation services to you and to send communications requested by you
- b. to provide home care services, Meals on Wheels, and/or day care services to you
- c. to maintain a safe residence for clients, and a safe workplace for staff and visitors to our facility, including by maintaining appropriate security monitoring, and screening and infection prevention measures during the COVID-19 pandemic, in accordance with relevant Public Health Orders, advice from the New South Wales Chief Health Officer and COVID-19 Industry Codes and National Guidelines
- d. to answer enquiries and provide information or advice about existing and new services
- e. to enable health care providers and medical practitioners to provide care and services to you
- f. to provide your updated personal information to our contractors or allied health service providers (for example, a podiatrist, a dental hygienist or speech therapist)
- g. to enable contact between us and your nominated representative
- h. to assess whether you are eligible for government funding in relation to the services we provide to you
- i. to assess applications for employment, and manage staff (including volunteers and contractors), and manage our contracts of engagement with allied health professionals and others
- j. for our administrative functions, funding requirements, planning, service development, quality control, human resource management, research purposes, soliciting donations, fundraising and marketing (including direct marketing)
- k. to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority of any country
- l. to conduct business processing functions including the outsourcing of some of those functions to our contractors and service providers and
- m. to assess the performance of our website and to improve its operation.

#### **5 How may we use and disclose your personal information?**

We will ordinarily use and/or disclose the personal information we collect for the primary purpose for which it was collected (e.g. for the provision of aged care and services, or to manage the risk posed to residents of our aged care facility and our staff by the COVID-19 pandemic, etc).

In some cases we may use and/or disclose your personal information for a related secondary purpose (i.e. purposes related to the primary purpose of collection) or, in the case of sensitive information, a directly related secondary purpose, but we will only do so with your consent or otherwise as permitted by law.

For example, we may disclose your personal information:

- a. directly to your health care provider (e.g. general practitioner) or other medical or allied health professionals who assist us in providing care or services to you, in each case with your prior consent
- b. to the Australian Government's My Health Record system (e.g. the medicines you are taking, any allergies you may have and treatments you have received), which can then be viewed by other healthcare providers involved in your care
- c. to your family member or nominated representative (as persons who are responsible for you), in each case with your prior consent, unless:
  - o you are physically or legally incapable of giving consent to the disclosure, or physically cannot communicate consent to the disclosure and
  - o we are satisfied that either the disclosure is necessary to provide appropriate care or treatment to you, or the disclosure is made for compassionate reasons and
  - o the disclosure is not contrary to any wish you expressed before you became unable to give or communicate consent, and of which we are aware or could reasonably be expected to be aware and
  - o the disclosure is limited to the extent reasonable and necessary for providing appropriate care or for compassionate reasons
- d. to any organisation (e.g. your private health insurer) or government agency (e.g. Department of Health, Medicare, Department of Social Services, Department of Veterans' Affairs, Centrelink, Guardianship Board and Department of Housing) or entity for any authorised purpose with your express consent
- e. to our employees, volunteers, contractors or service providers (including web hosting providers, IT systems administrators, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors and consultants) for the purposes of operation of our business (e.g. billing/debt-recovery, development, planning and evaluation, security monitoring, budgeting, auditing, complaint handling, incident reporting, etc) fulfilling requests by you, and to otherwise provide services to you
- f. to a medical expert for opinion, an insurer, or an employed practitioner's lawyer, for the purpose of addressing liability/indemnity matters (e.g. following an adverse incident, or for anticipated or existing legal proceedings)
- g. where it is unreasonable or impracticable to obtain your consent and we reasonably believe the collection is necessary to lessen or prevent a serious threat to the life, health or safety of any individual or to public health or safety
- h. where the disclosure is required or authorised by or under an Australian law or a court/tribunal order
- i. where we reasonably believe the disclosure of the information is reasonably necessary for an enforcement related activity conducted by, or on behalf of, an enforcement body and
- j. to any other third parties as expressly authorised by you.

## **6 Are we likely to disclose your personal information to entities outside of Australia?**

We do not disclose your personal information to overseas recipients and do not store your personal information overseas.

## **7 Direct marketing**

We do not provide your personal information to other entities for the purposes of direct marketing.

We may send you direct marketing communications and information about our services that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS, fax and email, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth).



If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so.

In addition, at any time you may opt-out of receiving marketing communications from us by contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list.

## **8 How do we secure your personal information?**

We take reasonable steps to ensure your personal information is protected from misuse and loss and from unauthorised access, modification or disclosure. We may hold your information in either electronic or hard copy form.

We secure personal information in hard copy form in a protected filing system in our offices. Personal information in electronic form is held on a secure server on our premises and in the facilities of our information technology service providers. We ensure that your personal information is only accessible to our employees whose duties require access.

We retain your personal information in accordance with our legislative record keeping obligations. Personal information is destroyed or de-identified when it is no longer needed by us or required to be retained by law.

## **9 Can you deal with us under a pseudonym or anonymously?**

The nature of the provision of our aged care services does not easily accommodate clients engaging with us anonymously or under a pseudonym. For example, if you are a resident, often medical histories are required and identities need to be confirmed before appropriate aged care services can be provided. You may experience detriment in the services you receive if you choose to remain anonymous and may not be eligible for government funding and/or benefits to which you would otherwise be entitled.

Further, if you are an employee, volunteer, or allied health professional or other contractor engaged by us, it is not possible for us to deal with you anonymously or under a pseudonym.

However, whenever we are providing general assistance (e.g. responding to a request for basic information or on issues such as the range of services we offer) anonymity or pseudonymity may be used.

## **10 How can you access and correct your personal information?**

You may request access to any personal information we hold about you at any time. To make a request please contact our Privacy Officer using the contact information provided below, provide proof of your identity and specify the information sought.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires amendment.

There may be instances where we cannot correct or grant you access to the personal information we hold. For example, we may need to refuse your request if we disagree with your grounds for amendment or if granting access would interfere with the privacy of others. If that happens, we will give you written reasons for any refusal. We will also add a note to the personal information stating that you disagree with it.

Any request for the correction of or access to personal information should be addressed to our Privacy Officer using the contact information provided below.

## **11 How can you make a complaint about a breach of privacy?**

If you believe that your privacy has been breached, please contact our Privacy Officer using the contact information below and provide details of the incident so that we can investigate it. We request that complaints or concerns about breaches of privacy be made in writing, so we can be sure about the details of the incident. Forms can be made available upon request or are readily available in our foyer.

On receiving a formal complaint, the Privacy Officer will contact you to discuss the incident. We will attempt to confirm as appropriate and necessary with you your understanding of the conduct relevant to the complaint and what you expect as an outcome. We will aim to ensure that your complaint is resolved in a timely and appropriate manner.

After we have completed our enquiries, we will contact you, usually in writing, to advise the outcome and invite a response to our conclusions about the complaint. If we receive a response from you, we will assess it and advise if we have changed our view.

If you are unsatisfied with the outcome of our investigation, you may take your complaint to the Office of the Australian Information Commissioner (“OAIC”). Further information about the OAIC can be found on their website (<https://www.oaic.gov.au/>).

## **12 Contacting us**

If you have any questions about this Policy, any concerns regarding the treatment of your personal, health or other sensitive information or a possible breach of your privacy, please use the contact link on our website or contact our Privacy Officer using the details set out below.

We will treat your requests or concerns confidentially. Our representative will contact you within a reasonable time after receipt of your concern to discuss the matter and outline options regarding how it may be resolved.

Please contact our Privacy Officer at:

Privacy Officer  
Yass Valley Aged Care Limited  
Post: P.O. Box 465 YASS NSW 2582  
Tel: (02) 6226 3090  
Email: [ceo@hortonhouse.com.au](mailto:ceo@hortonhouse.com.au)

## **13 Changes to our Policy**

We may update this Policy from time to time. The latest Policy will always be posted on our website ([www.yassvalleyagedcare.com.au](http://www.yassvalleyagedcare.com.au)), or you can contact us if you would like a printed copy. Please review it regularly to ensure you are aware of any changes.

This Policy was last updated in February 2022.