

PRIVACY POLICY

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PRIVACY POLICY

1 Purpose

This Privacy Policy outlines how we manage personal information in accordance with the Australian Privacy Principles (**APPs**) under the *Privacy Act 1988* (Cth). It also reflects our obligations under other applicable laws, including the *Aged Care Act 2024*, the *Aged Care Rules 2025* and relevant health records legislation where applicable. The purpose of this policy is to promote transparency in our information handling practices and to demonstrate our commitment to protecting the privacy of individuals.

2 Policy Statement

We are committed to managing personal information responsibly and in compliance with all applicable privacy laws. Under the *Privacy Act 1988* (Cth), we are required to have a Privacy Policy that sets out how we collect, use, disclose, and protect personal information. We are also subject to other laws relating to management of personal information such as under the *Aged Care Act 2024*, the *Aged Care Rules 2025* and relevant health records legislation where applicable. We reserve the right to modify, amend or replace this Privacy Policy at our discretion. Any updates will be published on our website https://www.newagedcare.com.au/resources, and we encourage you to review the policy regularly to stay informed about how your personal information is handled.

3 Employee Records

This Privacy Policy does not apply to employee records, as the handling of employee records by a private sector employer is exempt from the Privacy Act if it is directly related to the employee's current or former employment relationship. However, if you do have questions regarding the handling of your employee records, you can contact our Privacy Officer (see below) for assistance.

4 Why we collect personal information

(1) As a provider of home care and general practice service, we collect and hold a range of personal information about our clients and patients (collectively referred to as **clients**), job applicants and the associated providers/contractors we engage.

(2) We collect this personal information so we can deliver the best possible services to our clients and to comply with our legal obligations.

5 The personal information we collect and hold

(1) Clients

We collect various types of personal information about our clients and their representatives, including:

(a) names, addresses and contact details

(b) gender at birth, dates of birth, marital status

(c) identification documents (e.g. drivers' licence, passport)

(d) banking details

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(e) photographs and/or video recordings, for example, recordings of events or CCTV/surveillance cameras

(f) information about clients' preferences and requirements for the services we provide and existing conditions that affect the services we provide

(g) information about the services we provide to clients and any claims made for aged care services with us

(h) information about a client's income, assets, liabilities, superannuation or pension status and other information used to support a claim for funded aged care services or assess a client's ability to meet financial commitments

(i) documentation relating to powers of attorney, guardianship orders, advance care planning documents, estate matters, registered supporters, as well as statutory health attorneys / responsible persons / medical treatment decision makers or other statutory decision makers

(j) feedback, complaints, reports and investigation records

(k) government related identifiers, such as tax file numbers (TFNs), Medicare card numbers, Veteran card numbers and Customer Reference Numbers (CRNs), which may be displayed on concession or health care cards

(l) records that we are required to keep to comply with the *Aged Care Act 2024* and the *Aged Care Rules 2025*, including records concerning the funded aged care services clients access, the cost of those services, the workers and registered providers responsible for delivery of those services, provision of specialist aged care programs, details of any requests clients have made to correct their information, or complaints or reportable incidents concerning clients

(m) sensitive information, such as:

(i) racial or ethnic origin (including whether you are of Aboriginal or Torres Strait Islander origin)

(ii) religion

(iii) sexual orientation

(iv) whether you have a criminal record

(v) medical and health information, including medical histories, test results, and details of treatments, disabilities or illnesses you may have

(2) Job applicants and Associated Providers/Contractors

We also collect and hold certain personal information about applicants for employment with us and contractors wishing to supply products and/or services to us as well as their employees, including:

(a) resumes, employment histories and qualifications, Ahpra registrations, provider numbers

(b) training records and competency assessments

(c) photographs and/or video recordings, for example, recordings of events or CCTV/surveillance cameras

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(d) sensitive information, such as:

(i) police checks and other suitability checks

(ii) medical histories directly related to the individual's ability to perform the inherent requirements of the position

(iii) immunisation history

(3) Online privacy

(a) We use cookies on our website. Cookies are small files placed on your device by a web server when you visit a website. They help collect information for statistical and analytical purposes, such as tracking usage patterns and improving user experience. Cookies typically identify the device, not the individual user, and do not contain personal identification details unless combined with other data. You can manage or disable cookies through your browser settings.

(b) Websites often use cookies. Most internet browsers accept cookies by default. You can control the use of cookies by configuring the preferences and settings in your browser and/or firewall. If you decide not to display cookies, then you may not be able to gain access to all the content and facilities of our website.

6 Anonymity

You have the option of not identifying yourself to us or using a pseudonym where that is practicable. However, in most circumstances, we will not be able to assist you effectively or provide you with services if you do not provide us with your personal information when requested.

7 How we collect personal information

(1) We collect personal information using lawful and fair means and generally only when the information is relevant to our business and activities (including providing services to clients) unless otherwise required or authorised by law.

(2) We may collect personal information about an individual from a range of sources using a variety of means including:

(a) forms (either physical or online), mail correspondence, emails and other electronic communications

(b) from our website using various technologies, including 'cookies'

(c) through feedback provided by our clients to us in relation to the services provided

(d) through interactions between us and care partners, client representatives, social workers, siblings, children, grandchildren and any other individual interested in or involved in providing services to our clients

(e) through telephone, email or in-person inquiries or discussions about us and/or the services we provide

(f) through publicly available sources of information

(g) through interactions with our social media channels that we offer or monitor

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(h) from job applicants and staff members

(i) direct contact in the course of us providing services (including the administration of accounts established with us)

(j) in the course of conducting market research, including customer satisfaction surveys

(k) from current and prospective suppliers of goods and/or services to us.

(3) Clients

We collect personal information directly from our clients and their representatives. We also collect information from other sources such as health care providers, government departments and bodies and other people or organisations who have provided or do provide services to our clients.

(4) Job applicants and Associated Providers/Contractors

We always try to collect information about applicants for employment with us directly from them. We also collect information about job applicants:

(a) through background checks and police checks

(b) from referees, professional registration and affiliate boards and agencies (including Ahpra), the Aged Care Quality and Safety Commission, the NDIS Quality and Safeguards Commission and employment agencies.

Information about associated providers/contractors and their employees is collected directly from the associated providers/contractors and from our clients and their representatives.

8 How we store personal information

(1) We strive to ensure the security of personal information we collect and hold. We take reasonable steps to protect personal information from misuse, interference and loss, and from unauthorised access, modification and disclosure. This includes both technical measures, such as securing access to premises, encrypting data, anti-virus software, two-factor authentication and strong passwords and organisational measures, such as training employees on data protection, and developing standard operating procedures and policies for securing personal information.

(2) Under the *Aged Care Act 2024* and *Aged Care Rules 2025* and other laws, we are required to retain certain personal information for prescribed minimum periods. Once the applicable retention period has expired, and unless otherwise required by law, personal information will be destroyed or de-identified in accordance with any legislative requirements.

9 How we use personal information

(1) Clients

We primarily use clients' personal information to provide them with services in their home and services at our residential care homes. We also use clients' personal information for other purposes including, but not limited to:

(a) complying with our obligations under laws, for example, to comply with our legal obligations under the *Aged Care Act 2024*, the *Aged Care Rules 2025* and other laws in respect of the provision of care and services.

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(b) claiming and administering funds or supplements

(c) transferring clients to another registered provider or service

(d) enabling internal administration, training, assessment, and review and investigation into and notification and management of complaints, claims, serious incidents and reportable events

(e) quality assurance, risk management and continuous improvement activities.

From time to time, we use clients' personal information for direct marketing. Clients who do not wish to have their personal information used for this purpose should contact us on the details below and let us know.

(2) Job applicants and contractors

We use personal information about job applicants and associated providers/contractors:

(a) to assess their suitability to perform the duties required and deliver services to our clients, where required

(b) to meet our obligations under relevant laws, including workplace laws, and to comply with our legal obligations under the *Aged Care Act 2024*, the *Aged Care Rules 2025* and other laws in respect of the provision of care and services to our clients

(c) to improve the services we offer through quality improvement activities such as training.

10 Circumstances in which we disclose personal information

(1) Clients

(a) Personal information collected about our clients may be disclosed to other parties involved in providing, evaluating or administering services. This may include disclosure of information to, for example, a client's doctor or their allied health service providers, cleaners, gardeners or maintenance personnel who provide services to the client at their home or at our residential care homes.

(b) We may disclose personal information (including sensitive information) about our clients to:

(i) our agents and associated providers/contractors (eg to enable them to perform services under contract with us which may directly or indirectly benefit the client from whom the information was collected or to enable internal administration, training, assessments and reviews)

(ii) marketing providers to facilitate our marketing of our services to current and to prospective clients

(iii) other providers to ensure continuity of services and anyone who may become responsible for providing services instead of us or assist with you transferring to another registered provider

(iv) funding bodies and other government agencies as required by Commonwealth and State legislation

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(v) comply with record-keeping and reporting requirements under the Aged Care Act 2024 and the Aged Care Rules 2025, including requirements relating to records concerning the funded aged care services and accommodation that clients access, the workers and registered providers responsible for delivery of those services, provision of specialist aged care programs and details of any complaints or reportable incidents concerning our clients

(vi) local, state and Commonwealth government agencies and statutory authorities and regulators, including Centrelink, the Department of Health and Aged Care, Services Australia, NDIA, NDIS Quality and Safeguards Commission, the Aged Care Quality and Safety Commission, Ahpra, the TAC, the Fair Work Commission, the police and in compliance with requests from state and Commonwealth ombudsmen;

(vii) our professional advisers, such as lawyers or auditors, insurance providers and finance providers

(viii) clients' nominated relatives or appointed contacts in the event of an emergency

(ix) carry out reviews of the services provided for the purpose of improving our quality of care, services or facilities provided or industry benchmarking and analysis

(x) related organisations.

(c) We may also disclose personal information (including sensitive information) about a client when required by law or court order or where we are required to do so as a result of any obligations we owe under any contract.

(2) Job applicants and Associated Providers/Contractors

(a) We may disclose personal information (including sensitive information) about job applicants and contractors:

(i) to state and Commonwealth government agencies and statutory authorities and regulators, including Centrelink, the Department of Health and Aged Care, Services Australia, NDIA, NDIS Quality and Safeguards Commission, the Aged Care Quality and Safety Commission, Ahpra, the TAC, the Fair Work Commission, the police and in compliance with requests from state and Commonwealth ombudsmen;

(ii) to comply with record-keeping and reporting requirements under the Aged Care Act 2024 and the Aged Care Rules 2025, including requirements relating to records concerning the funded aged care services and accommodation that clients access, the workers and registered providers responsible for delivery of those services, provision of specialist aged care programs and details of any complaints or reportable incidents concerning our clients

(3) Cross-border disclosure

(a) While our services are primarily delivered within Australia, there may be circumstances where personal information is disclosed to overseas recipients.

(b) These circumstances may include:

(i) where a client or their representative requests us to share information with an overseas party

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(ii) where we engage international service providers, consultants, or contractors to support our operations

(iii) where we use cloud-based or online platforms for data storage, communication, or service delivery, and the servers are located outside Australia.

(c) Before disclosing personal information to an overseas recipient, we will take reasonable steps to ensure that the recipient does not breach the APPs in relation to the information. This may include assessing the recipient's privacy practices, implementing contractual safeguards, or other appropriate measures. In some cases, we may rely on exceptions under the Privacy Act, such as where the individual has provided informed consent to the disclosure or where the recipient is subject to a law or binding scheme that is substantially similar to the APPs.

11 Sale, Merger or Organisational Transition

Personal information we hold may be disclosed to third parties in connection with a proposed or actual organisational change, such as a sale, merger, integration, or transfer of services or assets. This may occur, for example, where we join with another organisation to continue or expand service delivery. Any such disclosure will be subject to strict undertakings to preserve the confidentiality and security of the information, and will be managed in accordance with applicable privacy and other laws.

12 Direct marketing

(1) We may directly market ourselves and our services to an individual on the basis that the individual would reasonably expect us to do so, where we have already collected the individual's personal information directly from the individual.

(2) Where we collect information about an individual from a third party, we will not use that information to directly market to that individual unless the individual consents to this. Such consent may be express or may be implied.

(3) All of our direct marketing communications contain a facility whereby you can opt out of receiving future communications. You may also at any time separately request not to receive direct marketing communications from us. We will comply with all such requests as soon as reasonably possible.

13 Automated Decision Making and Artificial Intelligence

(1) We do not use computer programs or automated systems to make decisions about individuals using their personal information in a way that could reasonably be expected to significantly affect their rights or interests. All decisions that may impact individuals are made by our staff, with appropriate consideration and oversight. If this changes in the future, we will update this Privacy Policy to explain how such systems are used and how your information is involved.

(2) We may use artificial intelligence technologies, including generative AI, to support internal operations and client services. These tools are used to enhance efficiency, automate routine tasks, and improve decision-making. All AI usage is subject to oversight and complies with applicable privacy laws and internal governance policies. Personal information processed by AI systems is handled securely and only for the purposes outlined in this policy.

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14 Links to third party websites

(1) Our website may contain links to websites operated by third parties. Those links are provided for convenience and may not remain current or be maintained. Unless expressly stated otherwise, we are not responsible for the privacy practices of, or any content on, those linked websites and have no control over or rights in those linked websites.

(2) Before using those websites, we encourage you to read their privacy policies as they may differ substantially from our policy.

15 Accessing and correcting your personal information

(1) It is important that the information we hold about our clients, job applicants and associated providers/contractors is accurate. Except in certain situations, you have the right to access your personal information and ask us to correct it. In particular, the Statement of Rights under the *Aged Care Act 2024* provides that clients have the right to seek, and be provided with, records and information about the funded aged care services they access, including the costs of those services. We will take reasonable steps to update or correct, as soon as possible, any information in our possession that is inaccurate, incomplete, out-of-date, irrelevant or misleading.

(2) We may refuse to grant you access where this is allowed or required by law, for example, where this would have a negative impact on someone else's privacy. If we do refuse to grant access, we will give you written reasons.

(3) If you would like to access your personal information, please contact our Privacy Officer:

Kellie Tobias - *Director of Clinical Services*

Address: 63 Urquhart Street, PO Box 860, Woodend VIC 3442

Phone: (03) 5427 2002

Email: enquiries@newagedcare.com.au

(4) We may charge a reasonable fee to cover the cost of providing access (such as printing or postage), but we will not charge you for making the request. We will inform you of any applicable fees before providing access.

16 Complaining about a breach of privacy

(1) You have the right to complain if you believe we have breached this policy or your rights under the Australian Privacy Principles.

(2) To lodge a complaint, please write to our Privacy Officer at the following address:

Kellie Tobias - *Director of Clinical Services*

Address: 63 Urquhart Street, PO Box 860, Woodend VIC 3442

Phone: (03) 5427 2002

Email: enquiries@newagedcare.com.au

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(3) You can also make a complaint by:

Written: Opportunity for Improvement Form and/or Incident Form

Email: feedback@newagedcare.com.au

In person: Any New Aged Care staff member

(4) We will promptly acknowledge receipt of your complaint and we will endeavour to deal with your complaint and to provide you with a response within a reasonable time period following receipt of your complaint (generally within 30 days of receipt). Where a complaint requires a more detailed investigation, it may take longer to resolve. If this is the case, then we will provide you with progress reports.

(5) We reserve the right to verify the identity of the person making the complaint and to seek (where appropriate) further information from the complainant in connection with the complaint.

(6) Where required by law, we will provide our determination on your complaint to you in writing.

(7) Please note that we may refuse to investigate or to otherwise deal with a complaint if we consider the complaint to be vexatious or frivolous.

(8) If you are not satisfied with our response, you can contact the Office of the Australian Information Commissioner:

Office of the Australian Information Commissioner

Postal address: GPO Box 5288 Sydney NSW 2001

Phone: 1300 363 992

Website: www.oaic.gov.au

(9) For the avoidance of doubt, complainants also have the right to make a complaint or give feedback in accordance with our complaints and feedback policy. Likewise, individuals may make a whistleblower disclosure in line with our whistleblower policy.

17 Review

Issued: December 2027

This policy will be reviewed annually, or earlier if there are changes to relevant legislation, regulatory requirements, a breach of the policy, or a significant incident.

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