

# Allity Privacy Policy

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## 1 Purpose

Allity and its group of companies (collectively “**Allity/we/us/our**”) respect your right to privacy. This policy sets out how we collect and manage your Personal Information.

Allity’s privacy obligations are governed by the *Privacy Act 1988* (Cth) (the **Privacy Act**) and the Australian Privacy Principles and other state and territory privacy laws which govern the way in which organisations like Allity hold, use and disclose Personal Information (**Privacy Laws**).

The purpose of this policy is to explain:

- (i) the kinds of information that Allity may collect about you and how that information is held;
- (ii) how Allity collects and holds Personal Information;
- (iii) how your Personal Information, including Sensitive Information and Health Information is protected and managed;
- (iv) the purposes for which information is collected, held, used and disclosed;
- (v) how you can access and seek correction of your Personal Information; and
- (vi) the way in which you can complain about a breach of your privacy and how Allity will handle that complaint.

Terms that are capitalised in this policy have the meaning given to them in section 9 (definitions) of this policy.

## 2 Scope

This policy applies to all individuals that we have dealings with if we are collecting, using or disclosing your personal information.

This policy is accessible at [www.allity.com.au](http://www.allity.com.au). If you provide information to us either via the Allity website or by any other means, whether verbal, written or electronic, you agree to our collection, handling, use and disclosure of that information in accordance with this policy.

## 3 Collection, use and disclosure

### 3.1 Types of information collected and use of your Personal Information

The Personal Information we collect, hold, use and disclose will depend on the relationship you have with us. The table below summaries the key types of Personal Information collected and held by Allity and the main ways in which we may use that information.

We only use your Personal Information for the purpose for which it was collected by Allity (**primary purpose**), unless:

- (i) there is another purpose (**secondary purpose**) and that secondary purpose is directly related to the primary purpose, and you would reasonably expect, or Allity has informed you, that your information will be used for that secondary purpose;
- (ii) you have given your consent for your Personal Information to be used for a secondary purpose; or
- (iii) Allity is required or authorised by law to use your Personal Information for a secondary purpose.

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Document Name:	Privacy Policy	Page:	1 of 6
Document Id:	D100-15-202		
Version Date:	15/02/2018	Version Number:	V4.0

For example, we may use your Personal Information:

- (i) to provide care and services to our residents;
- (ii) to enable medical consultants, allied health professionals and other consultants to provide streamlined care to our residents;
- (iii) to improve our care and services to our residents;
- (iv) to improve our marketing, finance and administration procedures;
- (v) to consider applications for employment;
- (vi) to perform our obligations to employees;
- (vii) to perform our obligations under agreements with suppliers, consultants and property contractors; and
- (viii) to comply with our legal obligations and to ensure that Allity meets any applicable governance requirements.

Examples of types of Personal information collected	Example of key use by Allity
<p><b><u>For residents receiving care and services in an Allity home</u></b></p> <p>Resident's name, medical history, medical diagnoses, Aged Care Assessment Team reports, assessments and advice, any information required to complete and update care and treatment plans, family history, information pertaining to guardianship, attorney or Person Responsible, personal and religious preferences, financial details including income and asset information and in the case of residents transferring from another health service provider, historical personal care files and notes.</p>	<p>To ensure provision of care and services to all Residents and compliance with the requirements of the <i>Aged Care Act 1997</i> (Cth) and related Aged Care Principles.</p>
<p><b><u>For medical practitioners and allied health professionals</u></b></p> <p>Name, business contact details, professional or practice details, historical record of business relationship, financial details, Medicare provider number details, other professional association membership details.</p>	<p>To ensure that details contained in the resident's records are accurate and up to date and to enable medical practitioners and allied health professionals to provide services to Allity and Residents and receive payment for their services.</p>
<p><b><u>For applicants for employment with and employees of Allity</u></b></p> <p>Name and contact details, professional qualifications and education, applicable licenses or certificates, prior employment history, references, and any other information that applicant chooses to provide.</p>	<p>To assess suitability of an applicant for employment with Allity and to create, update and maintain any employee record.</p>
<p><b><u>For suppliers, building contractors and other Allity</u></b></p>	<p>To comply with contractual and legislative obligations including but not</p>

Examples of types of Personal information collected	Example of key use by Allity
<p><b><u>business partners</u></b></p> <p>Name and contact details, current and prior business history and dealings, internal governance information and such other information as Allity may obtain on request.</p>	<p>limited to obtaining police clearance certificates and ensuring timely payments to service providers and contractors.</p>

### 3.2 Collection of your Personal Information

We will usually collect your Personal Information directly from you, however sometimes we may need to collect information about you from third parties such as:

- (i) an appointed guardian or attorney;
- (ii) a public trustee or public guardian;
- (iii) another health service provider;
- (iv) past employers and referees;
- (v) government agencies; or
- (vi) any member of our group of companies.

We will only collect information from third parties where:

- (i) you have consented to such collection;
- (ii) such collection is necessary to enable us to provide you with appropriate aged care services (such as in the case of an emergency medical treatment);
- (iii) such collection is reasonably necessary to enable us to appropriately manage and conduct our business (such as in assessing applications for aged care places); or
- (iv) it is legally permissible for us to do.

We only collect information which is necessary to provide you with services or appropriately manage and conduct our business.

Where possible and practicable, you will have the option to deal with us on an anonymous basis. However, if the Personal Information you provide us is incomplete or inaccurate, or you withhold Personal Information, we may not be able to provide the services or support to you are seeking, or deal with you effectively.

### 3.3 Disclosure of your Personal Information

Allity will confine its disclosure of your Personal Information for the primary purpose for which that information has been collected, or for a related secondary purpose. This includes when disclosure is necessary to provide services to you, assist us in running our organisation or for security reasons.

Allity may disclose your Personal Information in the following circumstances:

- (i) to third parties involved in your care such as your general practitioner or other medical and allied health professionals;
- (ii) to regulatory bodies or government agencies where Allity is legally or contractually obliged to do so, for example, the Department of Social Services, the Australian Aged Care Quality Agency;
- (iii) to government bodies, such as Medicare and the Department of Veterans Affairs, in relation to the payments for care and services provided to Residents;
- (iv) to law enforcement agencies, government agencies, courts or external advisers, where permitted or required by law;
- (v) to third parties that assist us in providing care or services to Residents;

- (vi) to third parties contracted to Allity to provide services and to enable us to manage our business;
- (vii) if a Resident is unable to consent to necessary care or treatment, to the Person Responsible in accordance with the Privacy Law;
- (viii) to any member within our company group;
- (ix) with your consent (which may be express or implied) or as otherwise authorised by you; and
- (x) to your relatives, close friends, guardians, lawyers (if we have your consent).

## **4 Use of cookies and links to other sites**

### **4.1 Allity website**

When you visit the Allity website, we may collect information such as browser type, operating system or website visited, immediately before coming to our site. This information is used in an aggregated manner to assess how people use our site, so that we can improve our service. Allity uses “cookies” on its website to help us serve you better on future visits and to help us evaluate and improve the content and functions of our site/s. Cookies are very small files that a website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. We use cookies to improve the experience of people using our websites. If you prefer, you can set your browser to refuse the use of the cookies.

### **4.2 Links to Other Websites**

The Allity website may contain links to other websites that are not owned or operated by Allity. You should carefully review the privacy policies and practices of other websites before providing any Personal Information through them, as we are not responsible for the privacy policies or practices of third party websites.

## **5 Storage, quality and security**

### **5.1 Storage**

All your personal information is stored by Allity securely in either hard copy or electronic form.

Allity does not operate overseas and generally does not store your Personal Information overseas. If we are required to disclose your Personal Information to an overseas recipient we will not do so unless:

- (i) the overseas recipient is subject to similar laws to the Australian Privacy Principles and the individual has mechanisms to take action against the overseas recipient;
- (ii) we reasonably believe the disclosure is necessary or authorised by law; or
- (iii) you have provided express consent to the disclosure.

### **5.2 Quality**

Allity will take reasonable steps to ensure that your personal information which is collected, used or disclosed is accurate, complete and up to date.

### **5.3 Security of Your Personal Information**

Allity has implemented appropriate physical, electronic and administrative safeguards to protect your Personal Information from loss, misuse, alteration, theft, unauthorised access, or unauthorised disclosure. We evaluate our safeguards on an ongoing basis to help minimise risks from new security threats as they become known. However, we unfortunately cannot guarantee 100% security for Personal Information collected.

We expect our employees and contractors who handle Personal Information to comply with Privacy Laws and will take appropriate action in response to breaches of the obligations imposed by the Privacy Laws. All of our staff are required to sign a confidentiality agreement on commencement of employment and matters of privacy and confidentiality are addressed in our contractual arrangements with services external to Allity.

## 6 Access and amending Your Personal Information

### 6.1 Right of access

You have the right to access your Personal Information that Allity holds about you. In certain circumstances permitted under Privacy Laws, a Person Responsible may also obtain a copy of a Resident's Personal Information. You (or a Person Responsible in specific circumstances) can also request an amendment to your Personal Information if you consider that there is an error or inaccuracy in that information.

In all circumstances, we will ask you/the Person Responsible to verify your identity and specify the information that you require. The amount of information that we may require to verify your identity will depend on the complexity/sensitivity of your request. If you do not provide sufficient information we may decline your request.

We will advise you or your Person Responsible of the outcome of our decision in reviewing any request.

### 6.2 Declining access

While Allity aims to meet all requests to access and amendments to Personal Information, there may be some instances (as permitted under Privacy Laws) where Allity is unable to do this, for example if:

- (i) there is a serious threat to life or health of any individual;
- (ii) the privacy of others may be affected;
- (iii) the request is frivolous or vexatious;
- (iv) the information relates to existing or anticipated legal proceedings; or
- (v) the access would be unlawful.

In these cases, we will provide you or, as appropriate, the Person Responsible for the Resident with a written explanation for our refusal to provide access.

As noted above, an individual's identity must be established prior to allowing access to the requested information. If we are dissatisfied with the individual's identity or access is requested from an unauthorised party, we can decline access to the information.

### 6.3 Deceased persons

The Privacy Act does not apply to information about deceased persons. Allity may not be required to provide personal information to family or friends of the deceased person unless they have a legal right of access.

In some states and territories, health and privacy legislation regulates the personal information of deceased persons. Any request for personal information of a deceased person will be considered in line with those legislative requirements.

## 7 Complaints about Privacy

### 7.1 Complaints to Allity

If you consider that any action taken by Allity breaches this policy or the Privacy Principles, you can make a complaint by contacting us by one of the methods set out below. We take privacy complaints seriously and will act promptly in response to a complaint.

#### Allity contact details

You can contact Allity about a privacy related issue by phone, post or email as follows:

Phone: 02 9431 1000  
Email: [privacy.officer@allity.com.au](mailto:privacy.officer@allity.com.au)  
Post: Allity Privacy Officer  
Level 1, 39 Albany Street  
Crows Nest NSW 2065

## 7.2 Complaints to the Office of the Australian Information Commissioner

You can also complaint to the Office of the Australian Information Commissioner. All complaints have to be in writing. You can find more information about the complaint process here: <https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint>

## 8 Updates to this policy

As we continue to provide additional services and as the Privacy Law and other laws change, it may be necessary to revise or update this policy. We encourage you to review this policy from time to time so that you are familiar with any changes. You may contact us to obtain the latest copy of this policy at any time.

## 9 Definitions

The following words, acronyms and abbreviations are referred to in this document:

Term	Definition
Personal Information	Any information or an opinion that whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. References in this policy to Personal Information include Sensitive Information and Health Information.
Sensitive Information	Information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record, biometric information, biometric templates, health information about an individual and genetic information.
Health Information	Health Information is: <ul style="list-style-type: none"> <li>(i) information or an opinion about:               <ul style="list-style-type: none"> <li>A. the health or a disability (at any time) of an individual;</li> <li>B. an individual's expressed wishes about the future provision of health services to him or her; or</li> <li>C. a health service provided, or to be provided, to an individual that is also Personal Information; or</li> </ul> </li> <li>(ii) other Personal Information collected to provide, or in providing, a health service;</li> <li>(iii) other Personal Information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.</li> </ul>
Person Responsible	Resident's attorney, guardian, personal and/or legal representative.