

1. APPLICATION OF PRIVACY PRINCIPLES

- 1.1 We are bound by the National Privacy Principles which require that organisations which hold Personal Information about people handle that information responsibly. The National Privacy Principles are effective from 21 December 2001.
- 1.2 'Personal Information' means information, 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 that information, regardless of its source.
- 1.3 This policy applies to the following TriCare Group Facilities;
- (a) Residential Aged Care Facilities:
 - Annerley Nursing Centre
 - Bayview Place Nursing Centre
 - Bundaberg Nursing Centre
 - Cypress Gardens Nursing Centre
 - Jindalee Nursing Centre
 - Kawana Waters Nursing Centre & Hostel
 - Labrador Nursing Centre
 - Mermaid Beach Aged Care Residence
 - Mt Gravatt Nursing Centre
 - Mt Gravatt Private Hostel
 - Pimpama Nursing Centre
 - Pt Vernon Nursing Centre
 - Stafford Heights Private Nursing Centre & Hostel
 - Toowoomba Nursing Centre
 - (b) Retirement Living Facilities:
 - Compton Gardens Retirement Village
 - Cypress Gardens Retirement Community
 - Hastings Point Retirement Community
 - Hayville Village
 - James Ommaney Retirement Village
 - Mt Gravatt Retirement Village
 - Runaway Bay Village
 - Willow Glen Retirement Village
 - (c) Queensland Community Care
 - (d) Sunshine Coast Community Care
 - (e) NutriFresh
 - (f) TriCare Central Office

2. EXEMPTIONS

2.1 Despite paragraph 1.1, we will be relying on the exemptions provided in the *Privacy Act 1988* concerning acts done, or practices engaged in, by us:

Individuals in non-business capacity

(a) that are done, or engaged in, other than in the course of the business carried on by us;

Employee Records

(b) that are directly related to:

- (i) a current or former employment relationship between us and the Individual; and
- (ii) an ***Employee Record*** held by us and relating to the Individual;

‘Employee Record’, means a record of Personal Information relating to the employment of the employee, including, health information about the employee and Personal Information about:

- (i) the engagement, training, disciplining or resignation of the employee;
- (ii) the termination of the employment of the employee;
- (iii) the terms and conditions of the employment of the employee;
- (iv) the employee’s personal and emergency contact details;
- (v) the employee’s performance and conduct;
- (vi) the employee’s hours of employment;
- (vii) the employee’s salary or wages;
- (viii) the employee’s membership of a professional or trade association;
- (ix) the employee’s trade union membership;
- (x) the employee’s recreation, long service, sick, personal, maternity, paternity or other leave; or
- (xi) the employee’s taxation, bank or superannuation affairs;
- (xii) the act is done, or practice engaged in, for the purposes of meeting an obligation under the contract,

3. INFORMATION HELD

3.1 Where relevant, we may hold the following Personal Information

Residents/Prospective Residents:

- (a) Information provided about the Individual to the Aged Care Assessment Team
- (b) Information provided about the Individual to Department of Health and Ageing (‘DHA’)
- (c) Information about the Individual’s financial status
- (d) Assessments done by DHA and any classification records; Details of psycho-social history
- (e) Information concerning Social Security status
- (f) Information concerning details of the appointment of attorneys or other alternative decision makers
- (g) Contact details for relatives of the Individual of the Nursing Home / Retirement Village

- (h) Documentation required to complete Residential Care Service documentation pursuant to the Aged Care Act 1997
- (i) Progress Notes
- (j) Medical reports from Individual's medical practitioners and health care providers
- (k) A medical history
- (l) Details of the Individual's health insurance provider
- (m) Individual's family contact details
- (n) Information concerning the Individual's religion and end of life arrangements
- (o) A Care Plan recording the Individual's ongoing care needs and strategies (including an interim care plan)
- (p) Records relating to the approved provider meeting prudential requirements for accommodation bonds;
- (q) Records relating to the payment of accommodation bonds (including periodic payments) or accommodation charges;
- (r) Records relating to the Individual's entry, discharge and leave arrangements, including death certificates where appropriate. Information provided to the Aged Care Assessment Team;
- (s) Records relating to contract documentation for the village accommodation unit;
- (t) Records relating to accommodation tenure, accommodation unit contractual obligations and arrangements and, at termination of contracts, death certificates and Wills, where appropriate.
- (u) Records relating to the payment of village fees (including periodic payments) and recoverable charges.
- (v) Records relating to your sales enquiry for entry into a retirement village.
- (s) Any other information required by regulation, legislation or TriCare's duty of care

This information is collected to provide or in providing a health service and is therefore also 'Sensitive Information' as prescribed by the *Privacy Act 1988 (as amended)*.

Section 88 of the *Aged Care Act 1997* requires us to collect Personal Information prescribed by that Act and the Aged Care Principles.

Prospective Employees:

- (t) Resumes
- (u) Information gathered during assessment of prospective employees' applications for employment
- (v) Health information directly related to the Individual's ability to perform the inherent requirements of the position collected with the Individual's consent.

Other Individuals with whom we have contact:

- (w) Personal contact details
- (x) Information relevant to that person's relationship with the organisation.

Where we are required by the *Privacy Act 1988(as amended)* to obtain consent for the collection, use or disclosure of the Individual's personal information we will do so.

4. PURPOSE OF INFORMATION HELD

4.1 We may hold Personal Information for the following purposes:

Residents/Prospective Residents:

- (a) To provide appropriate ongoing care
- (b) To comply with the provisions of the Aged Care Act 1997 and/or the Retirement Villages Act 1999.
- (c) To determine the Individual's eligibility to entitlements provided by the Aged Care Act
- (d) To determine the Individual's eligibility to reside in a retirement village.
- (e) To enable us to contact any nominated person to lawfully inform of an Individual's health status
- (f) To enable the facility to provide relevant financial and asset information to the Commonwealth Government to determine our funding entitlements and to set the Individual's daily bed fee.
- (g) To lawfully enter into contract arrangements with the Individual for the lease of an accommodation unit within a retirement village complex;
- (h) To lawfully liaise with the Individual's nominated representative and to contact family if requested or needed.
- (i) To meet any other regulatory, legislative or care requirement

Prospective Employees:

- (j) To enable us to properly assess the quality of applications for employment applied for.

Other Individuals with whom we have contact:

- (k) To enable us to contact the Individual
- (l) To enable us to fulfil any obligation or undertaking to the Individual which is intrinsic to the relationship with TriCare

5. COLLECTION

5.1 We may collect 'Personal Information' in any of the following ways:

Residents/Prospective Residents:

- (a) From the Commonwealth Government Department of Aged Care Assessment Team
- (b) From the Individual
 - (i) Upon the Individual's initial inquiry by the Individual's completion of our enquiry form
 - (ii) During interviews with the Individual
 - (iii) Upon completion of the Individual's Residential Care Agreement
 - (iv) During the retirement village acquisition or termination of lease process
- (c) From the Individual's medical practitioner
- (d) From other health providers or facilities
- (e) From the Individual's legal advisor

Prospective Employees:

- (f) Information provided from the Individual
- (g) Information provided by referees proposed by the Individual
- (h) Information provided on request from previous employers

Other Individuals with whom we have contact:

- (i) Personally by mail, phone or face to face

6. STORAGE

6.1 We may store Personal Information about the Individual in any of the following ways:

- (a) Electronically on our computer databases
- (b) Hard copy documents kept securely within the premises

7. USE AND DISCLOSURE

7.1 We may use or disclose Personal Information about the Individual in any of the following ways:

Residents/Prospective Residents:

- (a) To provide appropriate ongoing care
- (b) To comply with the provisions of the Aged Care Act 1997 and / or Retirement Villages Act 1999
- (c) To determine the Individual's eligibility to entitlements provided by the Aged Care Act
- (d) To enable us to contact any nominated person to lawfully inform of a resident's health status
- (e) To enable the facility to provide relevant financial and asset information to the Commonwealth Government to determine our funding entitlements and to set the Individual's daily bed fee.
- (f) To lawfully liaise with the Individual's nominated representative and to contact family if requested or needed.

Prospective Employees:

- (g) To enable us to properly assess the quality of applications for employment applied for.
- (h) To enable us to contact a prospective employee who has been previously unsuccessful should an appropriate position come available.

Other Individuals with whom we have contact:

- (i) To enable us to contact the Individual
- (j) To enable us to meet any undertaking or obligation arising from the relationship between TriCare and the individual.

8. ACCESS

- 8.1 An Individual may access Personal Information held about them by us on request except where we can lawfully deny or limit access as prescribed by the *Privacy Act 1988*.
- 8.2 Access may be obtained by
- (a) Contacting TriCare Limited's nominated Privacy Officer at Central Office (250 Newnham Road, Mt Gravatt Qld 4122) on telephone number (07) 3360 9052
 - (b) Completing a request form available at the residential aged care facility upon request
- 8.3 An Individual does not need to provide a reason for requesting access.
- 8.4 We will provide a reasonable range of choices of how access will be available depending on an Individual's particular needs.
- 8.5 We may choose to charge for the service of providing access. What is charged will be reasonable and consistent with fees imposed by the Commonwealth for access to documentation under the Freedom of Information Act 1982.
- 8.6 We will not charge a fee for lodging a request for access.
- 8.7 If the Individual believes the Personal Information held about the Individual is inaccurate incomplete or not up to date, the Individual may request amendment. If we do not agree we will note the Individual's disagreement.

9. GRIEVANCE PROCEDURE

- 9.1 If the Individual wishes to make a complaint about our management of the Individual's personal information we ask that the Individual do so by contacting the Privacy Officer whose details are provided below.

10. HOW TO CONTACT US

- 10.1 If the Individual has any questions, complaints or requires further information, please contact us via the Privacy Officer, TriCare Limited, 250 Newnham Road, Mt Gravatt Qld 4122 (P O Box 439, Mt Gravatt Qld 4122) Phone: (07) 3360 9052 Fax: (07) 3360 9100 Email: tricare@tricare.com.au