

ETHNIC COMMUNITY CARE LINKS INC.

PRIVACY STATEMENT

1. APPLICATION OF PRIVACY PRINCIPLES

- 1.1 ECCLI is bound by the National Privacy Principles, which requires that organisations who hold Personal Information¹ about people handle that information responsibly. The National Privacy Principles is 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.

2. EXEMPTIONS

- 2.1 Despite paragraph 1.1, ECCLI 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 ECCLI

Employee Records

- (b) that are directly related to:
- (i) a current or former employment relationship between ECCLI and the Individual; and
 - (ii) an Employee Record held by ECCLI 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:

- the engagement, training, disciplining or resignation of the employee;
- the termination of the employment of the employee;
- the terms and conditions of the employment of the employee;
- the employee's personal and emergency contact details;
- the employee's performance and conduct;
- the employee's hours of employment;
- the employee's salary or wages;
- the employee's membership of a professional or trade association;
- the employee's trade union membership;
- the employee's recreation, long service, sick, personal, maternity, paternity or other leave; or
- the employee's taxation, bank or superannuation affairs;
- the act is done, or practice engaged in, for the purposes of meeting an obligation under the contract,

3. INFORMATION HELD

3.1 ECCLI may hold the following Personal Information

Clients/Potential Clients:

- (a) Information provided about the Individual to the Aged Care Assessment Team;
- (b) Information about the Individual's financial status
- (c) Details of physio-social history
- (d) Information concerning Social Security status
- (e) Information concerning details of the appointment of attorneys or other alternative decision makers
- (f) Progress Notes
- (g) Health Progress Reports from health care providers
- (h) A medical history
- (i) Details of the Individual's health insurance provider
- (j) Individual's family contact details
- (k) Information concerning the Individual's religion
- (l) A Care Plan recording the Individual's ongoing care needs and strategies
- (m) Records relating to the Individual's entry, discharge and cessation of services

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. The Home and Community Care Act 1985 requires us to collect Personal Information.

Prospective Employees:

- (n) Resumes
- (o) Information gathered during assessment of prospective employees applications for employment
- (p) 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 ECCLI has contact:

- (q) Personal contact details
- (r) Next of Kin contact details

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 ECCLI may hold Personal Information for the following purposes:

Clients/Potential Clients

- (a) To provide appropriate ongoing care
- (b) To comply with the provisions of the Aged Care Act 1997
- (c) To comply with the provisions of the Home and Community Care Act 1985
- (d) To determine the Individual's eligibility to entitlements .
- (e) To enable ECCLI to contact any nominated person to lawfully inform of an Individual's health status
- (f) To enable ECCLI to determine our funding entitlements and to set the Individual's fee for services.
- (g) To lawfully liaise with the Individual's nominated representative and to contact family if requested or needed.

Prospective employees

- (h) To enable ECCLI to properly assess the quality of applications for employment applied for.
- (i) To protect vulnerable clients as part of ECCLI's security clearance procedures.
- (j) To ensure resume fraud is minimised/avoided.

Other Individuals with whom we have contact

- (k) To enable ECCLI to contact the Individual

5. COLLECTION

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

Clients/Potential Clients

- (a) From the Aged Care Assessment Team or other health providers
- (b) From the Individual
 - (i) During assessment and/or interviews with the Individual
 - (ii) For completion of the Individual's Care Plan
- (c) From the Individual's medical practitioner.
- (d) From other health providers or facilities

Prospective employees

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

Other Individuals with whom we have contact

- h. Queensland Health Providers/Professionals
- i. General Practitioners/Medical Specialists
- j. Nursing Service Professionals
- k. Community Services Workers
- l. Consultants
- m. Contractors

6. STORAGE

6.1 ECCLI 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 office premises

7. USE AND DISCLOSURE

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

Clients/Potential Clients

- (a) To provide appropriate ongoing care
- (b) To comply with the provisions of the Aged Care Act 1997 and HACC Act 1985
- (c) To determine the Individual's eligibility to entitlements provided by the Aged Care Act/HACC Act
- (d) To enable ECCLI to contact any nominated person to lawfully inform of an Individual's health status
- (e) To enable ECCLI to determine our funding entitlements and to set the Individual's fee for services.
- (f) To lawfully liaise with the Individual's nominated representative and to contact family if requested or needed.

Prospective employees

- (g) To enable ECCLI to properly assess the quality of applications for employment applied for.
- (h) To protect vulnerable individuals as part of ECCLI's security clearance procedures.
- (i) To ensure resume fraud is minimised/avoided.

Other Individuals with whom we have contact

- (j) To enable ECCLI to contact the Individual

8. ACCESS

- 8.1 An Individual may access Personal Information held about them by ECCLI 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 our Manager/Senior Case Manager on telephone number 47239419
 - (b) Sending a request in writing to the Manager, ECCLI, P O Box 575, Kirwan 4817
- 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 in accordance with our Privacy-Grievance Policy available from any of ECCLI's offices in Ayr, Ingham and Townsville.

10. HOW TO CONTACT US

- 10.1 If the Individual has any questions, complaints or requires further information, they may contact us at ECCLI's main office address at PO Box 575, Kirwan 4817.