OUR PRIVACY AND CONFIDENTIALITY POLICY

CHURCHES OF CHRIST
LIFE CARE LIMITED

Policy Statement

Source of Obligation

Strengthened Aged Care Quality Standard 1.2 requires aged care providers to ensure that each client's privacy is respected, and personal information is kept confidential.

Life Care is required to comply with the 13 Australian Privacy Principles (APPs) incorporated in the Privacy Act 1988 (Cth).

Life Care is also required to comply with the Aged Care Act 2024 (Cth), including obligations relating to the Statement of Rights, and any applicable requirements under the Aged Care Rules 2025 (Cth).

The APPs set out the standards, rights and obligations we hold in relation to collecting, storing, accessing and correcting personal information.

Policy Statement

A key aspect of dignity and respect is making sure a client's privacy is respected. In the course of Life Care's activities we respect, manage and protect personal information in accordance with the strengthened Aged Care Quality Standards, the Aged Care Act 2024 (Cth), including the Statement of Rights, the Privacy Act 1988 (Cth) (Privacy Act) and the 13 Australian Privacy Principles (APPs).

Life Care recognizes each client's right to have their personal privacy respected, their personal information protected, and records and information about their care and services made available in accordance with applicable law.

It is our policy that:

- the communication, behaviour and interactions of our workforce and others does not compromise clients' privacy and ensures that confidentiality and respect for privacy and dignity is upheld
- clients' preferences for personal privacy are gathered at the time of engagement and entry to the service and recorded in the relevant Client Management System
- clients are supported by our workforce to communicate their preferences for how they want their privacy maintained including their information, their living space and how they are treated or cared for
- personal and confidential information about clients is only shared with others when there is a legitimate and lawful reason to do so
- clients' personal space and privacy is respected including within their home and for others living in or visiting the home
- clients are supported in providing feedback or making a complaint if their personal privacy has not been respected or upheld in accordance with their preferences

- our workforce is trained on principles and procedures for respecting clients' personal privacy and preferences at induction, and through ongoing learning.

In the course of providing aged care services we may collect and hold:

- Personal Information including names, addresses and other contact details, dates of birth, next of kin details, photographic images and financial information.
- Sensitive Information (particularly in relation to client records) including government identifiers (such as TFN), religious beliefs, nationality, country of birth, professional memberships, powers of attorney, guardianship orders and criminal records.
- Health Information (particularly in relation to client records) including medical records, disabilities, and psychological reports.

As part of our recruitment processes for employees, associate providers and volunteers, we may collect and hold:

- Personal Information including names, addresses and other contact details, dates of birth, financial information, citizenship, employment references, regulatory accreditation and driver's licence information.
- Sensitive Information including government identifiers (such as TFN), nationality, country of birth, professional memberships and criminal records.
- Health Information (particularly in relation to prospective workers and client records) including medical records, disabilities, psychological reports, vaccination evidence.

Generally, we will seek consent from the individual in writing before we collect their sensitive information (including health information).

It is noted that, once they have been collected from employees, employee records are exempt from the APPs where they relate to current or former employment relations between the organisation and the employee. The collection of the information from employees, however, is now considered to be not exempt from the application of the APPs. When requesting personal information from employees, Life Care will comply with APPs (Notification of the collection of personal information).

Scope

The policy applies to the governing body and all current Life Care employees, students, volunteers and approved associate providers.

Definitions

Personal Information	Personal information is information or an opinion about an individual from which they can be reasonably identified. Depending on the circumstances, we may collect personal information from the individual in their capacity as a client,

	associate provider, volunteer, stakeholder, job applicant, visitors or others that come into contact with the organisation. Personal information also includes: • Sensitive Information including government identifiers (such as TFN), nationality, country of birth, professional memberships and criminal records. • Health Information (particularly in relation to prospective workers and client records) including medical records, disabilities, psychological reports, vaccination evidence.

Roles and Responsibilities

Life Care is responsible for ensuring that care and services that are provided are in keeping with clients' individual views of dignity and respect. Workers are responsible for ensuring:

- all clients who require support in showering, dressing and grooming are being assisted and having these services provided according to their likes and preferences, wherever possible
- clients are supported to maintain their continence with dignity and in respect of their personal privacy, for example through toileting programs and prompt assistance to attend the toilet
- care procedures are undertaken in private areas that support the individual's dignity.

The Privacy Officer

We have appointed a Privacy Officer that is responsible for:

- promoting a culture where each client's privacy is respected, and the personal information of individuals is protected in accordance with our obligations under the strengthened Aged Care Quality Standards and the Privacy Act 1988 (Cth)
- integrating privacy obligations into existing practices and procedures and policy documents
- providing or organising ongoing training support for managers to ensure that all relevant persons receive privacy training
- managing privacy queries, feedback and complaints
- liaising with regulators (where necessary)
- monitoring privacy compliance performance
- analysing performance to identify the need for corrective action
- ensuring privacy issues are factored into contracts with external suppliers
- ensuring our Privacy Policy is reviewed on a regular basis
- ensuring personal information audits are conducted on a regular basis.

Life Care can be contacted about this Privacy Policy or about personal information generally, by emailing privacy@lifecare.org.au

All members of the workforce must ensure that:

- they knock prior to entering the client's personal environment or premises
- if a client's personal environment is open, they announce themselves and check to ensure that the client is happy for the worker to enter, where this is not possible (for example for clients living with dementia) they announce themselves, greet the client and explain the purpose of their visit
- they check the client's preference for having doors and curtains opened or closed when leaving the space
- client files are stored securely and away from public access
- electronic information is password protected and individual for each user.

Procedures

Collection of Personal Information

The collection of personal information depends on the circumstances in which Life Care is collecting it. If it is reasonable and practical to do so, we collect personal information directly from the individual.

At or before the time personal information is collected, or as soon as practicable afterwards, Life Care will take reasonable steps to notify individuals why the information is being collected, how it may be used, who it may be disclosed to, whether overseas disclosure is likely, and how they can access or correct their information or make a privacy complaint.

Solicited Information

Life Care has, where possible, attempted to standardise the collection of personal information by using specifically designed forms (e.g. a Health Information Disclosure Form). However, given the nature of our operations we also receive personal information by email, letters, notes, via our website, over the telephone, in face-to-face meetings, through financial transactions and through surveillance activities such as the use of CCTV security cameras or email monitoring.

We may also collect personal information from other people (e.g. a third-party administrator, referees for prospective employees) or independent sources. However, we will only do so where it is not reasonable and practical to collect the personal information from the individual directly.

We may collect information based on how individuals use our website. We use "cookies" and other data collection methods to collect information on website activity such as the number of visitors, the number of pages viewed and the internet advertisements which bring visitors to our website. This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. We do not use this information to personally identify individuals.

Unsolicited Information

Life Care may be provided with personal information without seeking it through our normal means of collection. This is known as "unsolicited information" and is

often collected by:

- misdirected postal mail – letters, notes, documents
- misdirected electronic mail – emails, electronic messages
- employment applications sent to us that are not in response to an advertised vacancy
- additional information provided to us which was not requested.

Unsolicited information obtained by Life Care will only be held, used and or disclosed if it is considered as personal information that could have been collected by normal means. If that unsolicited information could not have been collected by normal means then we will destroy, permanently delete or de-identify the personal information as appropriate.

Collection and Use of Sensitive Information

We only collect sensitive information if it is:

- reasonably necessary for one or more of these functions or activities, and we have the individual's consent
- necessary to lessen or prevent a serious threat to life, health or safety
- another permitted general situation
- another permitted health situation.

How Do We Use Personal Information?

Life Care only uses personal information that is reasonably necessary for one or more of our functions or activities (the primary purpose), a related secondary purpose that would be reasonably expected by you, or for an activity or purpose to which a person has consented.

Primary uses of personal information include, but are not limited to:

- providing aged care services
- satisfying our legal obligations including our duty of care obligations
- keeping clients, their carers/supporter(s) and communities informed about relevant matters through correspondence, newsletters and magazines
- marketing, promotional and fundraising activities
- supporting the activities of the Board of Directors
- supporting community-based causes and activities, charities and other causes in connection with the organisation's functions or activities
- helping us to improve our day-to-day operations including training our workers
- systems development, developing new programs and services, undertaking planning, research and statistical analysis
- administration, including for insurance purposes
- the employment of staff
- the engagement of associate providers and volunteers.

Life Care only uses or discloses sensitive or health information for a secondary purpose if a person would reasonably expect us to use or disclose the

information, and the secondary purpose is directly related to the primary purpose.

Life Care may disclose personal information to related bodies corporate, but only if necessary, for the organisation to provide our services.
Life Care will only disclose information about an individual to overseas recipients where it is necessary and permitted under the APPs, including where the individual has consented or where Life Care has taken reasonable steps to ensure the overseas recipient will handle the information in accordance with the APPs or a substantially similar privacy regime.

Storage and Security of Personal Information

Life Care stores Personal Information in a variety of formats including, but not limited to:

- databases
- hard copy files
- personal devices, including laptop computers
- third party storage providers such as cloud storage facilities
- paper based files.

Life Care takes all reasonable steps to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure.

Life Care will retain personal information only for as long as it is required for the purpose for which it was collected, or as otherwise required by law, and will take reasonable steps to securely destroy or de-identify personal information when it is no longer required.

These steps include, but are not limited to:

- Employee screening;
- Third party provider screening, both contractual and cyber;
- Physical security controls;
- Cyber security controls;
- Strong passwords;
- Multifactor authentication;
- Regular training for all staff

Our public website may contain links to other third-party websites outside of Life Care. Life Care is not responsible for the information stored, accessed, used or disclosed on such websites and we cannot comment on their privacy policies.

Responding to Data Breaches

Life Care will take appropriate, prompt action if we have reasonable grounds to believe that a data breach has, or is suspected to have, occurred. Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, assessing whether the breach is an eligible data breach under the Notifiable Data Breaches scheme, and notifying

affected individuals and the Office of the Australian Information Commissioner (OAIC) where required.

If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

Disclosure of Personal Information

Personal information is used for the purposes for which it was given to Life Care, or for purposes which are directly related to one or more of our functions or activities.

Personal information may be disclosed to government agencies, other clients, other aged care providers, recipients of our publications, visitors, carers, advocates, our service providers, agents, associate providers, business partners, related entities and other recipients from time to time, if the individual:

- has given consent; or
- would reasonably expect the personal information to be disclosed in that manner.

Life Care may disclose personal information without consent or in a manner which an individual would reasonably expect if:

- we are required to do so by law
- the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual, or to public safety
- another permitted general situation applies
- disclosure is reasonably necessary for a law enforcement related activity
- another permitted health situation exists.

Disclosure of Personal Information to Overseas Recipients

Personal information about an individual may be disclosed to an overseas organisation in the course of providing our services. For example, when storing information with a “cloud service provider” which stores data outside of Australia.

We will, however, take all reasonable steps not to disclose an individual’s personal information to overseas recipients unless:

- we have the individual’s express or implied consent;
- we have satisfied ourselves that the overseas recipient is compliant with the APPs, or a similar privacy regime;
- we form the opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety; or
- we are taking appropriate action in relation to suspected unlawful activity or serious misconduct.

Mental Capacity, Privacy and Consent

The Case Manager will ensure consent forms are completed on commencement and reviewed annually or updated as the client’s preferences change, to ensure that the privacy wishes of the client remain current.

Where a client lacks the capacity to consent to the use of their personal information, we will seek consent from their supporter(s) in accordance with Commonwealth, state and territory guardianship laws.

The Quality of Personal Information

We take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up to date, including at the time of using or disclosing the information.

If Life Care becomes aware that the personal information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information.

Access and Correction of Personal Information

Anyone may submit a request to us to access personal information of theirs that we hold, or request that we change that personal information. Upon receiving such a request, we will take steps to verify your identity before granting access or correcting the information.

If we reject the request, the person will be notified accordingly. Where appropriate, we will provide the reason/s for our decision. If the rejection relates to a request to change personal information, an individual may make a statement about the requested change, and we will attach this to their record.

Complaints

Anyone can make a complaint about how Life Care manages personal information, including a breach of the APPs, by notifying us in writing as soon as possible. We will respond to the complaint within a reasonable time (usually no longer than 30 days), and we may seek further information in order to provide a full and complete response.
Life Care does not charge a fee for the handling of complaints.
If a complainant is not satisfied with our response, or Life Care has not responded within a reasonable time, they may refer the complaint to the OAIC.
A complaint can be made via OAIC online form or by mail or fax.
A referral to OAIC should be a last resort once all other avenues of resolution have been exhausted.

Changes to Our Privacy and Information Handling Practices

This Policy is subject to change at any time.

This Policy was last reviewed: September, annually

Breach

Breaches of this policy or procedure may result in disciplinary action, up to and including termination of employment, in accordance with relevant laws and organisational policies.

Related Policies

Constitution
Audit Framework
Clinical Governance Framework
Organisational Governance Framework
Quality Management Framework
Risk Management Framework
Records Management Policy

Related Documents and Forms

Client Consent Form
File Plan

References and Resources

Aged Care Act 2024 (Cth)
Aged Care Rules 2025 (Cth)
Australian Government, Statement of Rights | Aged Care Quality and Safety Commission
Australian Government, Strengthened Quality Standards (2025) Aged Care Quality and Safety Commission
Dignity in Care | SA Health
Privacy Act 1988 (Cth)

What is Personal Information

Australian Government Office of the Australian Information Commissioner (2022) What is Personal Information?
What is a Permitted General Situation for Use or Disclosure of Personal Information?
Australian Government Office of the Australian Information Commissioner (2019) Chapter C – Permitted general situations What is a Permitted Health Situation for Use or Disclosure of Personal Information?
Australian Privacy Principles
Australian Government Office of the Australian Information Commissioner (2025) APP Guidelines

Securing Personal Information

Australian Government Office of the Australian Information Commissioner (2018) Guide to securing personal information

Data Breach

Australian Government Office of the Australian Information Commissioner (2024) Data breach notification – A guide to handling personal information security breaches

De-identification of Data and Information

Australian Government Office of the Australian Information Commissioner (2018) De-identification and the Privacy Act
Australian Government Office of the Australian Information Commissioner (2018) Destruction or de-identification of personal information

General

Aged Care Quality and Safety Commission (2025) Access to Information

Department of Health and Ageing (2024) Responsibilities of Approved Aged Care Providers

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