

Caretrac Privacy Policy

POLICY:

The Company respects the privacy and protection of all personal information and adheres to the Australian Privacy Principles in the Privacy Act 1988.

The Company will develop and implement statements for the various areas of its business for all relevant documents (printed or electronic) that are used for collection personal information.

DEFINITIONS:

Consent: For the purposes of this policy, "consent" is limited to permission for the collection, recording, storing and/or sharing of personal information and should not be confused with other types of consent (e.g. participation in research).

Consent can either be express (e.g. on a signed consent form) or implied. It is best practice to seek express consent wherever possible, particularly where significant privacy implications are involved.

Implied consent: Consent may be implied where it is reasonable to conclude from a person's words or actions that they consent, e.g. if a person expresses interest in a business's services and provides a business card, it could general be implied that the person consents to the business sending him or her information about its services.

Implied consent is likely to be established the more an organisation can demonstrate that:

- the individual was given details about uses and disclosures (e.g. in a Privacy Statement);
- the individual was given an opportunity to withhold consent (e.g. on an application form);
- the individual was aware of the consequences of giving consent;
- the disadvantages of giving consent were negligible; and
- the individual will not be disadvantaged by choosing to withhold consent at a later date.

The Company: Caretrac P/L

Reasonable steps: The reasonable steps test is an objective test: whether a reasonable person in those circumstances would agree that we have acted reasonably in providing a notice or ensuring awareness. It is our responsibility to show that reasonable steps were taken.

1. Collection of Personal Information (Australian Privacy Principle 3)

The Company collects personal information from individuals, only for purposes that are lawful and related to a function or activity of the Company. Information is collected through electronic, verbal and written correspondence by lawful and fair means.

Images of individuals in photographs or film are treated as personal information where the person's identity is clear or can reasonably be worked out from that image. If an image records sensitive information about an individual, consent will be obtained from the individual prior to acquiring the image, an explanation given of what the image is required for and how the individual can get access to it later.

Caretrac Privacy Policy

The Company will provide, or offer to provide, to individuals providing personal information:

- the company's identity and contact details
- information on how the individual can gain access to the information
- the purpose for which the information is collected
- any details of disclosure to another organisation
- any law that requires the particular information to be collected and
- any consequences for the individual if all or part of the information is not provided.

2. De-Identified Data Collection

In some circumstances de-identified data is collected and kept on a secure database with only authorised staff having access to it via a unique user name and password.

3. Use and Disclosure (Australian Privacy Principle 6)

The Company will only use or disclose personal information for the purpose for which it was collected unless;

- (i) the individual has expressly consented to its further use or disclosure
- (ii) any secondary purpose is related to the primary purpose and the individual would reasonably expect this information to be used or disclosed for the secondary purpose
- (iii) it is required by law.

4. Data Quality (Australian Privacy Principle 10)

The Company will make every effort to ensure the personal information collected, used or disclosed, is accurate, complete and up to date.

5. Data Security and Retention (Australian Privacy Principle 11)

Every effort will be made to store collected personal information in a secure manner. The Company will, at all times, safeguard the health information held against misuse, loss, unauthorised access and modification. Destruction or deletion of records will take place in strict adherence of the Act.

Outside service contractors are required as part of their contract conditions to abide by the Company's Privacy Policy. All outside service contractors must demonstrate they comply with both State and Commonwealth privacy laws.

Information collected in a physical format will be stored in a locked cabinet. Information provided by electronic means will be stored in designated computer network directory where access is restricted to authorised staff with a unique username and password.

Access to personal information will be restricted to authorised Company staff for approved purposes and will be destroyed once no longer needed.

6. Openness (Australian Privacy Principle 1)

The Company when requested will make available this Privacy Policy and will make known in general terms, what personal information is collected, for what purposes and how it is collected.

7. Access and Correction (Australian Privacy Principles 12 and 13)

Any requests regarding another individual's information (ie not by the individual personally) will be referred to the General Manager who will only provide access to an individual's information under the limitations noted in the National Privacy Principles 12 and 13.

Corrections or removal of information will be completed as required by an individual.

Caretrac Privacy Policy

No person or organisation outside of the company will be allowed to access the company's internal documentation, data, systems or processes. Any information requested by an external body in relation to our internal systems or processes will be generated by the Company and distributed at our discretion.

Any policies, procedures or training material developed by the company, remain the property of the company. Any client of the Company requesting copies of such material will be supplied with a PDF copy at the discretion of the management of the Company.

8. Identifiers (Australian Privacy Principle 9)

The Company will use the person's full name as the identifier for each individual and will not adopt an existing identifier assigned by any other agency (eg Driver's Licence, Tax File Number).

9. Anonymity (Australian Privacy Principle 2)

Individuals will be allowed to anonymously enter into transactions where lawful and practicable to do so. Where this is not possible for practical or legal reasons, the individual need only submit the minimum of personal information in order to complete the transaction.

10. Trans Border Data Flow (Australian Privacy Principle 8)

Personal information held will not be transferred to any organisation or individual in any foreign country, unless the individual resides in that country or consents. The Company will take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles (other than Australian Privacy Principle 1) in relation to the information.

11. Dealing with unsolicited personal information (Australian Privacy Principle 4)

Unsolicited information is information received where the Company has taken no active step to collect the information (e.g. referrals, unsolicited CVs, student placement enquiries, misdirected mail/email).

If the information could have been collected under Australian Privacy Principle 3 (which deals with solicited information) it can be retained and must be dealt with in accordance with Australian Privacy Principles 5-13 (i.e. as solicited information).

If the information could not have been collected under Australian Privacy Principle 3 it must be destroyed or de-identified as soon as practicable if it is lawful to do so.

Caretrac Privacy Policy

12. Notification of the collection of personal information (Australian Privacy Principle 5)

The Company will take "reasonable steps" to notify the individual, or otherwise ensure the individual is aware, of certain matters, including:

- APP5.2(a) – the Company's name and contact details (including the position title, telephone number and email address of the contact who handles enquiries in relation to the Privacy Act). A generic phone number and email address (customercare@caretrac.com.au and main phone number) will be used.
- APP5.2(b) - The fact and circumstances of collection, including the fact either that we have collected personal information from the individual, if the individual may not be aware of this, or that the information has been collected from a third party. The notice includes the circumstances of the collection, such as the date, time, place and method of collection.
- APP5.2(c) - Whether the collection is required or authorised by law.
- APP5.2(d) - The purposes of collection, including the primary purpose of collection.
- APP5.2(e) - The consequences if personal information is not collected.
- APP5.2(f) – The Company's usual practices in disclosing personal information to other entities or persons.
- APP5.2(g) & (h) - Information about the Company's privacy policy, including how an individual may access and seek correction of personal information and complain about a breach of the Australian Privacy Principles.
- APP5.2(i) & (j) - Whether the Company is likely to disclose personal information to overseas recipients.

Notification must be provided before, or at the time the personal information is collected, or if not practicable, as soon as practicable after collection.

Special needs of the individual need to be taken into account (e.g. non-English speaking, disabled).

13. Direct marketing (Australian Privacy Principle 7)

The Company will not use or disclose personal information for the purpose of direct marketing (communicating directly to an individual to promote goods and services) unless an exception applies.

Where the Company is permitted to disclose personal information for the purpose of direct marketing, the Company will always provide a means for an individual to 'opt out' and must comply with this request.

The Company will provide the source of an individual's personal information if requested to do so by the individual.

14. Sensitive Information

Sensitive information will only be collected about an individual who consents to providing such information. Where the collection of sensitive information is required for a particular program or service (eg, health or fitness assessment) the individual will be given the option to choose not to participate in this event.

15. Concerns or Complaints

Any concerns or complaints regarding the manner in which personal information is collected, used or disclosed should be directed to the General Manager.

Caretrac Privacy Policy

16. Criminal History Information

Any information that comes to light from a Criminal History Assessment will be treated with the highest level of privacy and in accordance with the Company's Policy 3.15 – Working with Children and Police Check Policy.

17. Review

This policy statement is to be reviewed in accordance with the *Privacy Act 1988* and the changing needs of the Company's business operations.