

## Access To Your Records

Your personal and health information can be accessed by you, your legal representative, authorised BaptistCare staff and your nominated Medical Practitioner or allied health professional.

You can request access to all personal information held by BaptistCare. Requests must be made in writing to the relevant service manager by you or your legal representative, providing relevant identification. This is needed to ensure we maintain your privacy and security. Access to your records can include viewing files and taking notes or having them explained. A BaptistCare employee must be with you when you view your records.

Original records are not permitted to leave the service or program conducted by BaptistCare, unless required by law. You can obtain a copy of your records, subject to any restrictions under the APPs in the Privacy Act. Your records will be copied by a BaptistCare staff member, which can be done in your presence if you wish.

If you believe information we hold about you is incorrect, please let us know and we will verify and (where applicable) correct the information.

Access to your personal records may be refused in circumstances prescribed by applicable legislation including if your Medical Practitioner and BaptistCare agree that access would prejudice your physical or mental health, or put another person at harm.

## Your Expectations Of Us

As a BaptistCare client it is your right to expect all our employees and volunteers to:

- Be open and honest in their dealing with you.
- Respect your privacy and keep your personal information confidential, unless disclosure is authorised by you or by law.
- Use your personal information for the purpose of providing you

with the most appropriate care and services.

- Satisfy your right to see, and request amendments to, your information based on the processes outlined in this Privacy Policy.
- Follow government and organisational policies and protocols to ensure the privacy of your information is safeguarded.

## Making A Complaint About A Breach In Privacy

We take the protection of your privacy very seriously. Any BaptistCare employee who breaches a client's privacy will be subject to a disciplinary process. If you have any privacy concerns or believe that your personal information is inaccurate or has been collected, held, used or disclosed in a manner contrary to privacy law or this Privacy Policy, we encourage you to raise these issues directly with your service manager who will investigate your concerns or complaints.

Alternatively, you may contact the BaptistCare Privacy Officer by calling **1300 275 227**, via email at [privacyofficer@baptistcare.org.au](mailto:privacyofficer@baptistcare.org.au) or in writing to **The Privacy Officer, PO Box 7626, Baulkham Hills NSW 2153**.

If you are not satisfied with the outcome or if not addressed satisfactorily within a reasonable time, you can contact the Office of the Australian Information Commissioner (OAIC) to lodge a written complaint. Further information on privacy, including regarding privacy complaints, is available at the OAIC website [www.oaic.gov.au](http://www.oaic.gov.au)

Should you have any questions relating to information in this Privacy Policy or if you require further details about our privacy policies and practices please contact the manager of your service or the BaptistCare Privacy Officer.

Please be assured, at BaptistCare we are committed to safeguarding your privacy.



All individual,  
connected,  
respected.

If you have any questions about the issues raised in this brochure please speak with the manager of your service or the Privacy Officer.

 1300 275 227

 [baptistcare.org.au](http://baptistcare.org.au)

 [ask@baptistcare.org.au](mailto:ask@baptistcare.org.au)

BaptistCare NSW & ACT (ABN 90 000 049 525)

D00731 - 1503

Safeguarding  
Your Privacy

Care you  
can trust.

# Your Privacy Is Very Important To Us

## Privacy Policy

At BaptistCare NSW & ACT (BaptistCare) we recognise that your privacy is very important. It's something we don't take for granted in seeking to provide the best possible care and services for all our clients.

As a care provider, we need to collect information to ensure we maximise care and service delivery to our clients and to meet government regulatory requirements.

The BaptistCare Privacy Policy explains how and why your information will be collected, held, used and disclosed. It also details the safeguards that are in place to prevent non-authorized access to your information, and how you can access this information.

## Our Obligations

The Commonwealth, NSW and ACT governments have legislation that set out strict guidelines regarding how BaptistCare is to protect the privacy of your information. Details can be found on their websites or by contacting the relevant department.

BaptistCare is required by the Privacy Act, 1988 (Cth) (as amended) ("Privacy Act") to ensure that any personal information we collect is held safely and securely. We train our staff to safeguard your privacy and ensure your information is kept confidential.

## Collecting Your Information

We only collect your personal information if it is reasonably necessary for our functions or activities. Health information (being a specific type of personal information) is only collected if we are providing a health service to you or where it is reasonably necessary for our functions or activities and you have given consent. The information is collected so that we can provide you with the most appropriate services and care (as applicable). Such information may include your name, address, date of birth, contact details, health and family history, ethnic background, signature, financial details and Person Responsible\* details.

Where possible, we collect this information directly from you and we aim to ensure that all information is accurate and kept up-to-date. In an emergency, or if it is not possible to collect the information directly from

you, we may need to collect information from your designated Person Responsible\*. We may also need to collect information from health professionals who have treated you so we can provide the care that best suits your individual requirements.

The Privacy Act allows for the possibility of identifying yourself by way of a pseudonym. However, an exception to this is where it would be impracticable for BaptistCare to deal with an unidentified individual and this will commonly be the case for the services which we provide.

If you do not wish for us to collect certain information about you, please let us know and we will discuss with you if this may have any consequences for your care.

BaptistCare has consent forms which provide more details on specific personal information we collect at BaptistCare. If you are asked to complete a consent form, you have the opportunity to specify certain restrictions on information that we hold relating to you. Please speak with the service manager if you have any concerns about any specific consent forms.

## Protection & Storage

Your information may be held in paper and / or electronic files (or other forms such as images, x-rays, or audio or video recording) and BaptistCare takes all reasonable steps to ensure your records are stored securely, following recognised security and storage processes.

We are required by law to retain certain records for specific periods of time (even after you may

have ceased receiving our care or services), depending on the type of record and service. When any records are destroyed in keeping with legislated retention periods, BaptistCare follows accepted secure protocols. You can seek more information on these legislated retention periods from our Information and Records Management staff via the Privacy Officer.

## Use And Disclosure

As described below, staff will only use or disclose your personal or health information for:

- the primary purpose for which you have provided the information;
- a secondary purpose related (and in the case of health information, directly related) to the primary purpose of collection;
- a purpose you have consented to; or
- a purpose otherwise permitted by law.

Your personal health and services information will be shared with staff involved in your care in order to assist with the management of the services provided to you. Your personal information may also be shared with your designated Person Responsible\*, unless you have requested otherwise.

Relevant information about the services you have received will be sent to your nominated Medical Practitioner, unless you request otherwise. Where relevant, information such as pathology tests or X-rays will be sent to other treating health services or hospitals involved in your care. This may include providing information to the Ambulance Service.

The Privacy Act may also permit us to use or disclose your personal information (including health information) in accordance with prescribed exceptions to the information handling requirements under the Australian Privacy Principles (APPs) in the Privacy Act.

We may be required to disclose some client information to Courts and Tribunals and to State and Commonwealth government agencies to comply with other laws, for

example to report notifiable diseases and to provide statistics. Your personal information may also be subpoenaed by a Court if required as evidence.

### *We may use or disclose your information:*

To contact you regarding client satisfaction surveys that helps us to evaluate and improve our services.

- For billing and other purposes required for the operation of BaptistCare, including safety and quality improvement initiatives. This may include Medicare, private health funds, Department of Social Services, Department of Veterans' Affairs, Australian Aged Care Quality Agency and Department of Family & Community Services.
- For other purposes in accordance with guidelines issued under privacy law for:
  - i) Public interest research projects complying with strict protocols and approved by a Human Research Ethics Committee.
  - ii) Student and other staff training purposes.
  - iii) Other planning, financial or management purposes for client care activities.

### **\*A 'Person Responsible' is either:**

- a guardian (including an enduring guardian) who has the right to consent to medical, dental and health care treatments. Or, if there is no guardian;
- the most recent spouse or de facto partner with whom the person has a close continuing relationship. 'De facto partner' includes same sex partners. Or, if there is no spouse or de facto partner;
- an unpaid carer who is now providing support to the person or provided this support before the person entered residential care. Or, if there is no carer;
- a relative or friend who has a close personal relationship with the person.

You may withdraw consent to disclose your records (or certain records) at any time.

Such guidelines ensure that where your information is needed for these purposes and it is impracticable to seek your consent, a minimal amount of personal information is used, and the personal information is handled in accordance with strict standards.

Your personal health information will not be disclosed to family members (other than your Person Responsible\*) without your consent. Your personal health information will be disclosed if required by law or permitted by law, including for compassionate reasons.

We will seek your consent for the use or disclosure of personal information for purposes other than those described in this Privacy Policy, such as for fundraising purposes.

Your personal information will only be used or disclosed for the purpose of direct marketing where permitted under the Privacy Act: in summary, usually with your consent (required in the case of health or other sensitive

information), and with any prescribed 'opt out' arrangements in place, or otherwise if we are satisfied that you would reasonably expect us to use or disclose the information for that purpose and you have been provided with a means to 'opt out' (and you have not opted out).

BaptistCare may engage third party service providers to support our internal operations. This may mean that your personal information will be required by those service providers to be stored electronically overseas (including in the United States). When we engage the services of such third parties, we take reasonable steps to ensure that they do not breach the APPs and maintain the confidentiality of any personal information.

Personal information will not otherwise be sent overseas, except possibly for public health research purposes where it will only be sent in summary form and following the removal of any personal identifiers.

