

1.38 PRIVACY COMPLIANCE POLICY

What You Need to Know

- IRT holds personal and sensitive information about its customers, volunteers, contractors and prospective employees.
- IRT has strict legislative obligations to keep that information secure, collect only what information is necessary, and use that information for the purpose that it was collected.
- Every employee, Director, volunteer and contractor is responsible for ensuring we meet these obligations.
- Our customers, volunteers, contractors and prospective employees place great trust in us when they share their personal and sensitive information with us. Privacy compliance is critical in ensuring we respect and maintain their trust.

Always read this Policy in conjunction with the Related Procedures identified below.

Policy Statement	IRT is committed to ensuring that it only deals with personal and sensitive information in accordance with its legislative obligations.
Purpose	<ul style="list-style-type: none"> • Outline responsibilities for collection, storage, use, disclosure, provide access to, and amendment of personal and sensitive information. • Set out IRT's Privacy Policy in accordance with the Privacy Act to ensure our customers, volunteers, contractors and prospective employees understand how we will deal with their personal and sensitive information.
Risk Statement	IRT has a zero tolerance for failing to meet its legislative obligations.
Scope	All employees, Directors, volunteers and contractors.
Related Procedure	Requests for Access to Personal Information [to be developed] 1.38.01 Data Breach Response and Notification Procedure
Related Documents	<ul style="list-style-type: none"> • 1.10 Records and Information Management Policy • 5.04 Risk Management Policy • 1.38.001 Application for Platinum Access Form
Compliance Requirements	<ul style="list-style-type: none"> • Privacy Act 1988 • Aged Care Act 1997 • Health Records and Information Privacy Act 2002 (NSW) • Health Records (Privacy and Access) Act 1997 (ACT) • My Health Records Act 2012
Policy Owner	General Counsel and Group Head of Governance
Effective Date	May 2019
Review Date	May 2022
Content Manager Reference Number	EDOC2019/13497

1 POLICY PRINCIPLES

IRT approaches compliance with its privacy obligations holistically and in the context of its Risk Management Framework and its approach to information governance.

The following principles guide our overall approach to compliance with our privacy obligations:

- Our procedures will demonstrate respect for the trust that our customers, volunteers, contractors and prospective employees place in IRT by providing their personal and sensitive information.
- We will do all things reasonably necessary to ensure that this trust is maintained through compliant procedures.
- All of our employees, Directors, volunteers and contractors play an active role in ensuring information is protected.
- Our employees, Directors, volunteers and contractors will be provided with adequate training to ensure they understand IRT's privacy obligations.
- We will develop and maintain procedures to ensure that the personal information of our customers, volunteers and prospective employees is collected, stored, used and disclosed in accordance with IRT's privacy obligations.

2 IRT PRIVACY POLICY

- The Privacy Act requires that IRT have a Privacy Policy that sets out how IRT will deal with personal and sensitive information.
- IRT's Privacy Policy is set out in Annexure A to this Policy.
- All employees, volunteers, Directors and contractors must ensure that they only deal with personal and sensitive information in the manner described in the IRT Privacy Policy.
- The IRT Privacy Policy must be made publically available and provided to any person who requests a copy. IRT will publish a copy on its website and also make copies available in hard copy if requested. *Note: Only Annexure A to this Policy should be made publicly available.*

3 ROLES AND RESPONSIBILITIES

The following table sets out the high level responsibilities regarding privacy compliance. Related policies and procedures (identified on the first page of this Policy) will provide more detail on these responsibilities.

Role	Responsibility
All employees, volunteers, Directors and contractors	<ul style="list-style-type: none"> • Deal with personal and sensitive information strictly in accordance with this Policy (which includes the IRT Privacy Policy) and related procedures. • Report any suspected breach of this Policy immediately that is consistent with 1.38.01 Data Breach Response and Notification Procedure. • Ensure that no personal or sensitive information is stored in a computer or cloud based system that is not an Endorsed Enterprise System. • Comply with IRTs Records and Information Management Policy to ensure that personal and sensitive information is kept secure and kept for only as long is required by law. • Only access personal and sensitive information where there is a genuine need for such access.
Managers	<ul style="list-style-type: none"> • Where a contractor of any nature is given access to personal and/or sensitive information, that contractor has entered into a written contract with IRT and the Legal Team have endorsed the privacy terms of the contract as complying with the Privacy Act. • Ensure that any new system development incorporates a review of privacy obligations in conjunction with the Legal Team before any contract is entered into. • Ensure that business processes within their area of responsibility are compliant with privacy obligations at all times.
IT Team	<ul style="list-style-type: none"> • Ensure that any new system development is not endorsed by IT before privacy compliance endorsement has been completed by the Legal Team. • Ensure Enterprise Endorsed Systems and the IRT Network are kept secure consistent with IT security policies.
Legal Team	<ul style="list-style-type: none"> • Review of contracts and processes to ensure privacy compliance.
General Counsel and Group Head of Governance	<ul style="list-style-type: none"> • Oversight of privacy compliance.

4 DEFINITIONS

In this Policy, words have the following meaning:

<p>Endorsed Enterprise System</p>	<p>IRT's core operating systems:</p> <ul style="list-style-type: none"> • Platinum • Procura • Epicor • Basware • Content Manager • Sales Force • Protecht • Success Factors • Scout • SharePoint • Workplace • IRT Supplier Portal
<p>Personal Information</p>	<p>Personal information is any information or an opinion about an identified individual, or an individual who is readily identifiable whether the information or opinion is true or not, or recorded in a material form or not.</p>
<p>Privacy Policy</p>	<p>The Privacy Policy contained within Annexure A of this Policy.</p>
<p>Sensitive Information</p>	<p>Sensitive information is a subset of personal information and includes information about an individual's:</p> <ul style="list-style-type: none"> • race or ethnic origin • political opinions • religious or philosophical beliefs • membership of a professional association or trade union • sexual orientation • criminal record • health information • genetic and biometric information.

Annexure A – IRT Privacy Policy

Form: Privacy Policy
Date Created: April 2019
Date Revised:
Version: 1.0

IRT Group is a public benevolent institution that provides care and accommodation services to older Australians and other related services and products.

We are committed to protecting your privacy. This Privacy Policy outlines how we will collect, hold, use and disclose your personal information. We are committed to complying with our obligations under the Australian Privacy Principles, the *Privacy Act 1988 (Cth)* and various commonwealth, state and territory laws relating to our dealing with personal information including health records.

By applying for or using any of the products or services we provide, or providing us with your personal information, you agree to your personal information being collected, held, used and disclosed as set out in this Privacy Policy.

What personal information do we collect and hold and how do we collect it?

To provide you with the products or services that you have requested, we need to collect certain personal information from you. Whenever it is reasonable and practicable to do so, we will collect your personal information directly from you. Depending on the product or service you have requested, we may also collect sensitive information from you.

The type of information we collect will depend upon the type of product or service you have requested from us and may include your:

Personal information

- name, gender and date of birth
- contact details including phone numbers, address, email address
- financial information including your financial institution account information
- government identifiers such as Medicare number
- location information

Sensitive information

- health information
- personal and social preferences
- religion or faith requirements
- racial or ethnic origin
- genetic and biometric information
- video, images, audio and other data from monitoring devices (eg CCTV, personal care alarms)

We may collect personal information (including sensitive information) from you in a number of ways, including:

- in writing, including through forms
- over the Internet, including via our website, Apps, email, online forms, Web Chat, surveys
- verbally over the phone, or in person
- through monitoring devices

Where it is reasonable and practicable, we will endeavour to collect your personal information directly from you. If we are unable to collect the information directly from you, we may also collect information from others including:

- your family members
- your appointed representatives (eg enduring guardian)
- medical practitioners, allied health providers or other professional experts
- our service providers such as medical and allied health professionals and agents or subcontractors of any of those providers
- our agents or distributors
- statutory authorities or government departments
- publicly held information including public registers or websites.

What if you do not provide all the information we have requested?

You do not have to provide us with your personal information. However, if you don't, we may be unable to assist you or provide you with a product or service.

For what purposes do we collect, hold, use and disclose personal information?

We collect, hold, use and disclose your personal information to:

- answer an enquiry you make
- assess an application for aged care services, retirement village services, home care services, accommodation services, social care services or training services
- enable medical practitioners, allied health providers or other professional experts to provide care and services to you
- inform you of other products or services that we may provide
- conduct research including market or academic research projects in collaboration with educational institutions
- assess an application for employment or volunteering with us
- monitor and assess the effectiveness and appropriateness of our products and services
- maintain and improve our products and services, auditing, quality assurance and training
- any other purposes communicated to you at the time we collect your personal information, or you otherwise agree to with respect to our products or services.

(these are known as the primary purpose for collecting your personal information)

We may also use or disclose your personal information:

- where you have consented to the use or disclosure, for example under any agreement you enter into with us
- for a secondary purpose that is related to the primary purpose where you would reasonably expect us to use or disclose that information for that secondary purpose
- if we reasonably believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to an individual's life, health or safety, or a serious threat to public health or public safety
- as authorised or required by law.

We may disclose your personal information to:

- our agents and service providers and related entities
- your family members or other persons authorised by, or responsible for you
- health service providers including allied health professionals, medical practitioners and other external health agencies
- Government departments and agencies (eg Medicare, the Department of Social Services, Australian Digital Health Agency) and statutory authorities (eg state health authorities)
- our professional advisors
- other parties to whom we are authorised or required by law to disclose information.

Where we engage medical practitioners, allied health providers, or any other service providers, agents, contractors or distributors, we take reasonable steps to protect the privacy of all personal information disclosed and require them to comply with all relevant privacy laws.

Do we use your personal information to directly market and communicate with you?

We may use or disclose your personal information and contact you by post, telephone, SMS, email, or other electronic means, to provide you with information and offers about our products and services or products and services offered by other organisations. You can contact us at any time to 'opt out' of receiving these communications by calling us on 131 478 or simply follow the instructions in the relevant communication.

How do we hold and secure your personal information?

We hold your personal information in a combination of hard copy and in electronic form. We take reasonable steps to ensure that your personal information we hold is protected against misuse, loss, unauthorised access, modification or disclosure.

Some of our service providers are located in countries outside of Australia including the United States and New Zealand and we may disclose personal information to these parties. We strive to ensure that our contractual arrangements with these service providers include an obligation that the recipient of the information complies with privacy laws to maintain the security of your personal information.

We hold your personal information for as long as it is required to provide you with products or services, or for any period we are required to keep that information by law. If we no longer require your personal information for any purpose, we will take reasonable steps to securely destroy or permanently de-identify that information.

How can you access and correct your personal information?

You can request access to your personal information that we hold.

So that we can consider your request efficiently, we may ask you to submit your request in writing or may ask you to complete a form.

We may charge you a reasonable fee to cover matters such as retrieving, copying and sending out the information, but we will not charge you just for making the request.

We may decline a request for access to your personal information, including where we no longer hold the information, or where we are required or permitted by law not to provide access to the information requested. If we aren't able to meet your request for access, we'll let you know why.

We take reasonable steps to ensure that the personal information we collect, hold, use or disclose is accurate, up-to-date and complete. However, we rely on you to advise us of any changes to your personal information to achieve this. If you believe that any personal information we hold about you is inaccurate, incomplete or out-of-date, you can contact us and we will update your personal information.

How can you make a complaint regarding your privacy?

If you have a complaint about our handling of your personal information or you believe there has been a breach of the Australian Privacy Principles or this Privacy Policy, please contact us:

- by mail to:
The Privacy Officer
IRT Group
PO Box 2106
WOLLONGONG DC NSW 2500
- by calling us on 134 478
- by email to privacy@irt.org.au

We will endeavour to resolve all complaints as efficiently and effectively as possible and in accordance with our complaint handling procedure in place at that time. If you are dissatisfied with our response or the handling of your complaint, you may contact the Office of the Australian Information Commissioner:

- by mail: GPO Box 5218 Sydney NSW 2001
- by calling: 1300 363 992
- by email: enquiries@oaic.gov.au



How do we make changes to this Privacy Policy?

We may change this Privacy Policy at any time. Any change that is made shall be effective from the time that the updated Privacy Policy is posted on our website.

Your continued use of our products or services, or provision of further personal information to us after this Privacy Policy has been revised, constitutes your acceptance of the revised Privacy Policy.

IRT Group is a business name of Illawarra Retirement Trust ABN 52 000 726 536. This Privacy Policy applies to IRT Group and any related entity unless specified otherwise by a related entity.