

## 1 INTRODUCTION

At Right at Home, we recognise the importance of protecting your privacy. We take privacy seriously. We attach great importance to safeguarding customer Personal Information. Our Privacy Policy outlines the commitment of HomeCare Group Pty Ltd (ACN 48 166 722 658) trading as “Right at Home” and its associated company HCG Allied Health Pty Ltd (ABN 48 679 402 094) trading as “Right at Home Allied Health” (together “Right at Home” or “we”, “us” or “our”) to protect the privacy of our customers’ Personal Information and other Personal Information we receive in the conduct of our business. We hope that you take the time to read our Privacy Policy.

We comply with all relevant privacy laws, including the requirements applicable to us under the Australian Privacy Act 1988 (Privacy Act) and relevant Australian State laws and various jurisdiction-specific privacy laws that apply to us. We also comply with the Aged Care Act 1997.

We will only collect Personal Information by lawful and fair means and will only collect Personal Information that is necessary for one or more of our functions or activities. If it is reasonable and practicable to do so, we will collect Personal Information about an individual only from that individual.

In meeting our obligations with respect to the privacy of our clients, we will acknowledge that people with vision or hearing impairments and those of culturally and linguistically diverse people may require special consideration.

## 2 APPLICATION OF THIS POLICY

Our Privacy Policy sets out how we look after Personal Information. It explains the kinds of Personal Information we collect and why we collect it. It also describes how we hold, use, and disclose Personal Information.

This Privacy Policy applies to all our clients regardless of where the client is located.

This Privacy Policy applies to our website.

This Privacy Policy does not apply to websites that we do not operate, such as linked third party websites. Those website owners are responsible for the privacy of the information they collect and should be contacted directly for details of their privacy policies. If we refer you to a third-party website, we are not making any representations to you regarding the privacy or security of your Personal Information when collected or held by the other website. The privacy practices applicable to others may differ substantially from ours. You should read the privacy policy of any other websites you visit before using them. We do not accept responsibility for the content or practices of websites operated by third parties that are linked from our website.

This Privacy Policy does not apply to our franchisees who have their own privacy policy and practices.

This Privacy Policy also applies to job applicants and our staff.

By using our services, by visiting our website, or by providing Personal Information to us, you agree to the terms of our Privacy Policy. If you sign up to receive a Right at Home newsletter, you agree to the terms of our Privacy Policy as part of the request process. When you agree to the terms of our Privacy Policy, you consent to the collection, use, storage, and disclosure of that information as described in our Privacy Policy. You have a right to withdraw your consent at any time and may do so by contacting us via the details provided below.

## 3 PURPOSE OF POLICY

The purpose of this policy and procedure is to:

- a) Ensure Personal Information is managed in an open and transparent way;
- b) Protect the privacy of Personal Information that we hold of clients, prospective clients, staff and prospective staff;
- c) Provide for the fair collection and handling of Personal Information;
- d) Ensure that Personal Information we collect is used and disclosed for relevant purposes only;
- e) Regulate the access to and correction of Personal Information; and
- f) Ensure the confidentiality of Personal Information through appropriate storage and security.

## 4 DEFINITIONS

### 4.1 What is “Personal Information”?

Personal Information is information or an opinion, 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 the information or opinion.

### 4.2 What is “Sensitive Information”?

Sensitive Information includes information or an opinion about an individual’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record, biometric information, biometric templates, Health Information about an individual and genetic information.

### 4.3 What is “Health Information”

Health Information is:

- a) Information or an opinion about:
  - i. The health or a disability (at any time) of an individual;
  - ii. An individual’s expressed wishes about the future provision of health services to him or her; or
  - iii. A health service provided, or to be provided, to an individual that is also Personal Information;or
- b) Other Personal Information collected to provide, or in providing, a health service;
- c) Other Personal Information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or
- d) Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.

### 4.4 What is “Unsolicited Information”?

Unsolicited Information is all Personal Information received from an individual that we did not actively seek to collect.

### 4.5 What is an “Employee Record”?

An Employee Record is a record of Personal Information relating to the employment of the employee. Examples include the following:

- a) The engagement, training, disciplining or resignation of the employee;
- b) The termination of the employment of the employee;

- c) The terms and conditions of employment of the employee;
- d) The employee's personal and emergency contact details;
- e) The employee's performance or conduct;
- f) The employee's hours of employment;
- g) The employee's salary or wages;
- h) The employee's membership of a professional or trade association;
- i) The employee's trade union membership;
- j) The employee's recreation, long service, sick, personal, maternity, paternity or other leave; and
- k) The employee's taxation, banking or superannuation affairs.

## 5 COLLECTION, USE AND DISCLOSURE

We will collect and use information about you during the course of your relationship with us. We explain below when and how we may collect, use and disclose this information. It is important that the information we hold about you is up to date. You must let us know when the information you have provided has changed.

## 6 COLLECTION OF PERSONAL INFORMATION

### Purpose of collection of Personal Information

We will only collect Personal Information about an individual by fair and lawful means and only if the information is necessary for one or more of our functions as an aged care provider. For example, we collect Personal Information if necessary to:

- a) Comply with the provisions of state or commonwealth laws;
- b) Provide data to government agencies in compliance with state or commonwealth laws;
- c) Determine eligibility to entitlements provided under any state or commonwealth laws;
- d) Provide appropriate services and care;
- e) Enable contact with a nominated person regarding a client's health status;
- f) Lawfully liaise with a nominated representative and to contact family if requested or needed; and
- g) For marketing and sales purposes.

Some individuals may not want to provide information to us. The information we request about clients is relevant to providing them with the care and services they need. If a client chooses not to provide us with some or all of the information we request, we may not be able to provide them with the care and services they require.

We will not collect your Sensitive Information (including Health Information) unless the collection of the information is reasonably necessary for or directly related to one or more of our functions and:

- a) You have consented to the collection of this information; or
- b) The collection of the information is required and authorised by or under an Australian law or a court/tribunal order; or
- c) A permitted general situation exists to the collection of the information; or
- d) A permitted health situation exists in relation to the collection of the information.

## 7 WHO WE COLLECT FROM

Personal Information and Sensitive Information (including Health Information) may be collected:

- a) From a client or prospective client;

- b) From any person or organisation that assesses health status or care requirements, for example the Aged Care Assessment Team;
- c) From our franchisees;
- d) From the health practitioner of a client;
- e) From other health providers or facilities;
- f) From family members or significant persons of a client or prospective client;
- g) From a legal advisor of a client; and
- h) From a job applicant.

Our franchisees may collect Personal Information about you. Our franchisees allow us to access their databases that store Personal Information about you. We use this information for the reasons set out above, including for marketing purposes and to produce reports.

If you relocate, we may collect information about you and your relocation from a franchisee and provide this information to another franchisee.

## 8 NOTIFICATION OF COLLECTION

We will at or before the time or as soon as practicable after we collect Personal Information from an individual take all reasonable steps to ensure that the individual is notified or made aware of:

- a) Our identity and contact details;
- b) The purpose for which we are collecting Personal Information;
- c) The identity of other entities or persons to whom we usually disclose Personal Information to;
- d) That our privacy policy contains information about how the individual may complain about a breach of the APPs and how we will deal with a complaint;
- e) Whether we are likely to disclose Personal Information to overseas recipients and if so, the countries in which such recipients are likely to be located and if practicable, to specify those countries.

## 9 USE AND DISCLOSURE OF PERSONAL INFORMATION

### a) Permitted disclosure

Personal Information including Sensitive Information and Health Information that we have collected will be stored in our electronic databases and systems or those of our vendors. Those electronic databases and systems are accessible to our related entities and affiliated organisations and, in particular, any head franchising or licensor entity with which we are associated.

We also provide Personal Information about you to our relevant franchisees who are engaged to provide services to you. Our franchisees may also use this information to market their services to you.

We may not use or disclose Personal Information for a purpose other than the primary purpose of collection, unless:

- i. The secondary purpose is related to the primary purpose (and if Sensitive Information directly related) and the individual would reasonably expect disclosure of the information for the secondary purpose;
- ii. The individual has consented;
- iii. The information is Health Information and the collection, use or disclosure is necessary for research, the compilation or analysis of statistics, relevant to public health or public safety, it is impractical to obtain consent,

- the use or disclosure is conducted within the privacy principles and guidelines and we reasonably believe that the recipient will not disclose the Health Information;
- iv. We believe on reasonable grounds that the 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;
  - v. We have reason to suspect unlawful activity and use or disclose the Personal Information as part of our investigation of the matter or in reporting our concerns to relevant persons or authorities;
  - vi. We reasonably believe that the use or disclosure is reasonably necessary to allow an enforcement body to enforce laws, protect the public revenue, prevent seriously improper conduct or prepare or conduct legal proceedings; or
  - vii. The use or disclosure is otherwise required or authorised by law.

If we receive Personal Information from an individual that we have not solicited, we will, if it is lawful and reasonable to do so, destroy or de-identify the information as soon as practicable.

## b) Cross border disclosure

We will not disclose an individual's Personal Information to an overseas recipient. If we do, we will take all steps that are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles, unless:

- i) The overseas recipient is subject to laws similar to the Australian Privacy Principles and the individual has mechanisms to take action against the overseas recipient;
- ii) We reasonably believe the disclosure is necessary or authorised by Australian Law; or
- iii) The individual has provided express consent to the disclosure.

## c) Disclosure of Health Information To Support Person or Representative

We may disclose Health Information about you to your support person or representative as permitted by law or where you consent to such disclosure.

## 10 ACCESS

You can request access at any time to Personal Information we hold about you by using the contact details below for the Privacy Officer.

We will process your request within a reasonable time, usually 21 days for a straightforward request. More time may be needed, depending on the nature of the request. There is no fee for requesting access to your Personal Information; however, we may charge you the reasonable cost of processing your request. If a fee applies, we will advise you before we provide access. Sometimes we are not required to provide you with access – for example, if the law says we can deny access.

If there is a reason for not granting you access to any of your Personal Information, we will provide you with a written explanation of the reasons for the refusal (unless unreasonable to do so) and inform you of the mechanisms to complain about the refusal.

We may also need to verify your identity when you request your Personal Information.

## 11 PERSONAL INFORMATION QUALITY

We try to ensure that all information we hold about you which we hold about you is accurate, complete and up-to-date. You must promptly notify us if there are any changes to your Personal Information.

## 12 CORRECTION

You may ask us at any time to correct Personal Information held by us about you, which you believe is incorrect or out of date. We will deal with your request within a reasonable time.

If you would like to make an update or correction to any Personal Information we hold about you, please let us know by sending an email to [privacy@rightathome.com.au](mailto:privacy@rightathome.com.au). If there is a reason for not making a correction to any Personal Information, we will provide you with a written explanation of the reasons for the refusal (unless unreasonable to do so) and inform you of the mechanisms to complain about the refusal.

We may also need to verify your identity when you request an update or correction to your Personal Information.

You may choose to interact with us anonymously or through the use of pseudonyms for example if you have questions general in nature. However, you are required to provide true and accurate details when requesting the supply of services. You agree to provide accurate information if so required.

## 13 DIRECT MARKETING AND OPT-OUT

If you have subscribed to our newsletters, we will email you our newsletters unless you unsubscribe or opt-out. If you have provided us with your email address, purchased a service, or subscribed to our newsletters, we may send you information from time to time that we think is relevant to you and your interests. Should you not wish to receive communications of this nature from us, you may unsubscribe or opt-out:

- by following the link or instructions in the communication
- by contacting us at [privacy@rightathome.com.au](mailto:privacy@rightathome.com.au) to update your communication preferences

If you unsubscribe from marketing communications, this will not stop you receiving service-related communications from us if we are otherwise legally entitled to send them to you.

We will not charge you for giving effect to your opt-out request and will take all reasonable steps to meet your request at the earliest possible opportunity.

## 14 PERSONAL INFORMATION SECURITY

We are committed to keeping secure the Personal Information you provide to us. We will take all reasonable steps to ensure the Personal Information we hold is protected from misuse, interference, loss, from unauthorised access, modification or disclosure.

Our security measures include, but are not limited to:

- a) Training our staff on their obligations with respect to your Personal Information;
- b) Use of passwords when accessing our data storage system;
- c) The use of firewalls and virus scanning tools to protect against unauthorised interference and access;

We will, as soon as practicable and in accordance with the law, destroy or de-identify any Personal Information that is no longer required for our functions.

## 15 SERVICE PROVIDERS

We use third party service providers to collect information about you on our behalf and on behalf of our franchisees, including for marketing purposes, to store personal information about you, and to use your personal information on our behalf and on behalf of our franchisees as described in this Privacy Policy.

## 16 AMENDMENT OF THIS POLICY

We regularly review this Privacy Policy and our privacy practices.

We may amend this policy from time to time. If we do, we will update the Privacy Policy on our website. The changes will come into effect immediately upon notification on our website. If the changes are significant and relevant to our clients, we will aim to provide clients with an email notification of the changes. You should check our website from time to time to understand how the current version of our Privacy Policy applies to you.

## 17 CONTACT DETAILS AND COMPLAINTS

We are a customer service-oriented business. Therefore, if you have a complaint about privacy related issues, please contact us. We can be contacted at the details provided below.

Following receipt of your complaint, we will investigate and respond to you within a reasonable period.

For further information, or if you would like to make a complaint about our use, handling, or disclosure of your Personal Information, please contact our Privacy Officer or refer your complaints in writing to [privacy@rightathome.com.au](mailto:privacy@rightathome.com.au).

If you are not satisfied with our response, you may also contact the relevant regulator such as the Australian Information Commissioner. As at the date of this Privacy Policy, the contact details are as follows:

### Office of the Australian Information Commissioner

GPO Box 5218

Sydney NSW 2001

Phone: 1300 363 992

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Online: <https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint>

If you would like more information about the Privacy Act or Australian privacy requirements in general, please visit the Office of the Information Commissioner's website at [www.oaic.gov.au](http://www.oaic.gov.au).