

Privacy & Confidentiality Policy



Mirae Aged Care Cabramatta Pty Ltd gives utmost importance to the privacy and confidentiality of information related to participants, staff and services. Information collected is protected from possible breaches, and disclosure of information is governed through the Privacy and Confidentiality policy and procedure.

This policy and procedure also serve as Mirae Aged Care Cabramatta Pty Ltd.'s APP privacy policy and is made available for public through Mirae Aged Care Cabramatta Pty Ltd's website.

Policy

Mirae Aged Care Cabramatta Pty Ltd is committed to protecting the privacy of the information of its participants which is outlined in the Statements of Rights (Aged Care At 2024). Mirae Aged Care Cabramatta Pty Ltd strives to meet its regulatory and standard obligations regarding the collection, use and disclosure of personal information. Company information which is considered proprietary and confidential is also protected by Mirae Aged Care Cabramatta Pty Ltd.

Procedure

Mirae Aged Care Cabramatta Pty Ltd has implemented this procedure to ensure that, all legislative and standard obligations related to privacy and confidentiality of information are met. This policy and procedure is applicable to all staff and departments.

Personal Information

Mirae Aged Care Cabramatta Pty Ltd only collects personal information that is necessary to perform its service provision and operational activities. This respects the participant's dignity, identity, and personal goals, in line with the Strengthened Quality Standards – Standard 1.

Participants

Mirae Aged Care Cabramatta Pty Ltd collects the following personal information from participants and/or their registered supporters:

- Name
- Address
- Contact Information (Phone number, email, social media)
- Date of Birth
- Pension Number (if applicable)
- Advance Care Directive
- Power of Attorney or Guardianship

- Health Care Information
 - Medical Records
 - Care Plan
- Signature

Staff:

Mirae Aged Care Cabramatta Pty Ltd collects the following information from staff and prospective candidates for employment:

- Name
- Address
- Contact Information (Phone number, email, professional social media)
- Date of Birth
- 100 points of identification (Passport, Birth Certificate, Driver Licence, Medicare Number)
- Car Insurance and Registration
- Next of Kin details
- Employment Records
- Academic Records
- Signature
- Bank Account Information
- Tax Declaration
- Superannuation

Procedures for collection, consent for collection, use and disclosure are described below.

Information Quality

Mirae Aged Care Cabramatta Pty Ltd will take reasonable steps to ensure that the personal information collected, used, or disclosed is accurate, complete, and up to date.

Access, Correction, and Anonymity

Participants and staff have the right to access their own personal information and request corrections if it is inaccurate or incomplete. These requests must be processed within a reasonable time frame. Any refusal to grant access or correction must be provided with written reasons.

Information Collection and Consent

All information is collected through relevant online or computerised forms which are stored in Mirae Aged Care Cabramatta Pty Ltd.'s database. Participant information is collected and managed by Care department. Staff information is collected and managed by Human Resources department.

All information is collected and processed with the written consent of the information provider. Mirae Aged Care Cabramatta Pty Ltd *Information Collection, Use and Disclosure Consent Form* is used to obtain consent.

Information Security

Mirae Aged Care Cabramatta Pty Ltd ensures the protection of collected personal information along with company information that is deemed to be confidential through an Information Security system which is outlined below.

Storage and Access

Details of storage and access to information is described in detail in the Mirae Aged Care Cabramatta Pty Ltd *Information Management policy and procedure*. The details relevant to privacy and confidentiality are summarised below.

All information is stored electronically in Mirae Aged Care Cabramatta Pty Ltd.'s cloud database.

Information is restricted to relevant personnel only. Access to personal information is controlled by CEO/Director and relevant managers. Company owned electronic devices (pcs and laptops) are protected from malware, spyware and virus through Antivirus.

Access to all information is restricted and protected through individual login credentials and passwords assigned to all employees.

Breaches

Mirae Aged Care Cabramatta Pty Ltd evaluates the risk of data breaches resulting in unintended disclosure of private or confidential information in accordance with the *Risk Management policy and procedure*.

All possible violations of the procedures implemented by Mirae Aged Care Cabramatta Pty Ltd related to consent, collection, storage or access restrictions of information, by employees or other individuals are reported to CEO/Director. Such violations will be considered possible breaches. These violations may be monitored and investigated through internal or external reviews, complaints and feedback. Possible breaches are investigated thoroughly by CEO/Director, and a written report is developed and discussed in the Governing Body meeting. The *Incident Investigation Form* template is used for this purpose.

If a breach of data is identified to have resulted in the unintended disclosure of information or any violation of the APP, all implicated individuals are notified of the details and potential harm of the breach. The CEO/Director is also responsible for accessing if the breach is notifiable to one or more of the following entities:

- Australian Information Commissioner
- Aged Care Quality and Safety Commission
- Law Enforcement (Police, Cyber Security, etc.)

All breaches are recorded in the Mirae Aged Care Cabramatta Pty Ltd Incident *Register* and in accordance with the *Incident Management* and *Continuous Improvement policies and procedures*, remedial actions are taken to avoid reoccurrence of similar breaches.

Use and Disclosure of Information

Mirae Aged Care Cabramatta Pty Ltd uses personal information of staff for effective human resource management which includes recruitment, competence assessment, background checks, assignments, rostering, training and development.

All use of information is consented by the participants and staff through *Information Collection, Use and Disclosure Consent Form*.

Mandatory Legislative Disclosure (No Consent Required)

Mirae Aged Care Cabramatta Pty Ltd is statutorily required to disclose personal information, including sensitive information, to governing bodies and law enforcement in specific circumstances. This mandatory disclosure is necessary to comply with the law, fulfill regulatory conditions of registration, and ensure the safety of individuals.

Disclosure is required in the following circumstances:

- Reporting to the Commission (ACQSC): Disclosure of information, including care and clinical details, when required for mandatory reporting under the Serious Incident Response Scheme (SIRS), as required by the Aged Care Act 2024.
- Compliance Monitoring: Providing information requested by the Aged Care Quality and Safety Commission (ACQSC) or the System Governor (Department of Health and Aged Care) for audits, reviews, or compliance monitoring processes.
- Law Enforcement: Disclosure to law enforcement (Police, Cyber Security, etc.) when legally compelled or where it is reasonably necessary to lessen or prevent a serious threat to the life, health, or safety of any individual.

Note: Where a disclosure is mandatory under the Aged Care Act 2024 or other Australian law, the individual's consent is not required, and the individual cannot opt out.

Disclosure for Care Provision (Implied or Express Consent)

Mirae Aged Care Cabramatta Pty Ltd uses personal information of participants to deliver funded aged care services. This includes identification of care services, financial management including fees and payments, effective provision of care services, proper communication and identification of risks.

- Sharing with Care Team: Information is shared with relevant personnel (aged care workers, allied health professionals) strictly on a "Need-to-Know" basis to ensure quality and continuity of care.
- Sharing with Registered Supporters: Information is disclosed to the participant's Registered Supporters (or Legal Representatives) as defined by the Aged Care Act 2024, to support decision-making and uphold the participant's rights.

Optional Disclosure (Express Consent Required)

Mirae Aged Care Cabramatta Pty Ltd will only disclose an individual's personal information to a third party for reasons outside of direct care provision or mandatory reporting if express, written consent is obtained via the *Information Collection, Use and Disclosure Consent Form*.

- Examples of optional disclosure include:
 - Using an individual's photograph for organisational promotional materials.
 - Sharing de-identified, aggregated information for research or publication (if the information cannot reasonably identify the individual).
 - Disclosure of non-mandatory information to Advisory Bodies. Prior to disclosure, all non-mandatory information intended for an Advisory Body or the Governing Body (when acting in an advisory role) must be de-identified, aggregated, or anonymized wherever possible.

Right to Withdraw Consent: Individuals have the right to withdraw consent for any optional disclosure at any time. Upon withdrawal, the organisation will cease further disclosure unless otherwise required by law.

Training and Awareness

To ensure that Mirae Aged Care Cabramatta Pty Ltd protocols and systems for protecting privacy and confidentiality are implemented effectively throughout the organisation, all staff are trained on the *Privacy and Confidentiality and Information Management policies and procedures, and the Aged Care Code of Conduct* along with the relevant regulatory requirements laid out in the relevant regulations. This is further detailed in the *Staff Hiring and Induction policy and procedure* where they are also required to sign a Confidentiality Agreement upon commencement of employment.

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Link to Complaint Form:

For privacy-related concerns, you may submit a complaint via our online form:
<https://form.jotform.com/info.cabramamirae/complaint-or-feedback-form>

Reference to APP:

This policy complies with the Australian Privacy Principles (APPs) under the Privacy Act 1988.