

## Privacy Policy

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<b>Next Review:</b>	June 2018
<b>Authorised by:</b>	Chief Executive Officer

### PURPOSE:

This policy has been developed to inform you as clients or patients of Link Health and Community ((Link HC) of how we manage your personal information. Link HC respects your privacy and is committed to protecting the personal (including sensitive) information that we collect and hold about you.

We are bound by the *Privacy Act 1988* (Cth) (**Privacy Act**) and must comply with the Australian Privacy Principles (**APPs**). You can find out more information about the Privacy Act and the APPs at the Office of the Australian Information Commissioner’s website at [www.oaic.gov.au](http://www.oaic.gov.au). To the extent that they are applicable, we also comply with the various state-based health records legislation and this Privacy Policy sets out how we will comply with this legislation.

### DEFINITIONS:

**Personal information** is information or an opinion (whether true or not) about a person.

Personal information also includes **sensitive information**, which is information or an opinion about a person’s racial or ethnic origin, religious beliefs or affiliations, sexual orientation or practices, health information, or genetic information that is not otherwise health information.

**Health information** is information or an opinion about the health or disability of a person, health services provided (or to be provided) to a person, and other personal information that is collected in order to provide a health service.

**POLICY:**

1. By providing personal information to us, you are taken to have read, and consent to the collection, use, disclosure and handling of your personal information in accordance with this Privacy Policy.

**What personal information we collect about you and how we collect it**

2. We aim to collect personal information only if it is reasonably necessary to providing the service, product or information you have requested from us.
  - In the course of providing you with products and services, Link HC collects personal information in a variety of ways. We collect your personal information from you directly, or from the person who is legally responsible for you (i.e., your parent or guardian) whenever possible. In some cases however, we will collect information about you from a third party. For example, we may collect personal information about you from referring service providers (such as general practitioners, hospitals etc.).
  - At the time of collecting this information, or as soon as possible afterwards, we will take such steps as are reasonable in the circumstances to notify you of the collection and of any matters relevant to the collection, unless it is obvious from the circumstances that you would know or would expect us to have the information.
3. Link HC may collect personal information about you when you:
  - Become a patient or client of Link HC;
  - Make an enquiry about our services or programs;
  - Engage with our business and its employees in the course of receiving services from us;
  - Visit our website, [www.linkhc.org.au](http://www.linkhc.org.au) (**Website**);
  - Provide us with feedback;
  - Asked to be placed on one of our mailing lists; and
  - Supply goods or services to Link HC.
4. If you are a patient or client of Link HC and we collect your personal information in the course of providing services to you, then we collect personal information that is also sensitive information about you. The personal information that we collect is necessary for our functions or activities and to satisfy the requirements of our funding bodies. In general, we may collect the following information about you:

• Name;	• Age and date of birth;
• Gender;	• Marital status;
• Contact details including address, phone number, email address;	• Country of birth and/or cultural background and residency status;
• Preferred language (and whether you require an interpreter);	• Indigenous status;
• Healthcare card/pension status;	• Employment status;
• Estimated income;	• Details about a care or treatment plan;
• Information about your treating doctors or healthcare professionals;	• Progress notes including records of direct quotes from you;

<ul style="list-style-type: none"> <li>• Specific details about your medical history including allergies, medications, health status including conditions/illnesses/disabilities, presenting problem and your goal(s);</li> </ul>	<ul style="list-style-type: none"> <li>• Discipline-specific assessment information, which may include genetic information predictive of your health or of his or her descendants;</li> </ul>
<ul style="list-style-type: none"> <li>• Test results including X-rays and pathology tests;</li> </ul>	<ul style="list-style-type: none"> <li>• Discharge summary;</li> </ul>
<ul style="list-style-type: none"> <li>• Records of complaints made.</li> </ul>	

5. In some cases (for example, at our reception and in our oral health center), a three point identification check is undertaken to ensure the accuracy of the personal information that we collect. This may include asking you your name, address and date of birth.
6. In addition to the information set out above, when you make an enquiry about our programs and/or services (including on our Website), provide us with feedback, asked to be placed on one of our mailing lists, or supply goods or services to Link HC, we may collect and hold the following personal information about you:
  - Your name;
  - Your contact details, including your email and postal addresses and contact telephone number; and;
  - Details of the products or services we have provided to you or that you have enquired about, including any additional information necessary to deliver those products and services and respond to your enquiries.
7. For each visitor to our Website, we may also collect the following non-personally identifiable information:
  - Browser type, version and language;
  - Operating system;
  - Pages viewed while browsing the Website; and
  - Page access times and referring website address.

**How We Use Cookies**

8. We may use cookies on some areas of our Website. A cookie is a small file saved on your computer’s hard drive. When you return to our Website, the data saved in the cookie is sent back to the website. We use cookies to gauge visitor traffic, trends and to help us serve you more efficiently if you revisit the Website. The cookies we use in no way give us access to your computer or any information about you, other than the information you choose to share with us. You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of our Website.

**Purpose of collection**

9. If you are patient or client (or a potential patient or client) of Link HC we collect your personal information mainly to determine your eligibility for services, the type of service and treatment you require, your priority for treatment and care and to determine the fees to be charged.

10. We also collect your personal information to:
  - Provide you with the services and information that you want or need;
  - Provide you with information about our programs and services;
  - Provide suggestions for other Link HC services you may like to use; and
  - Help stay in contact with you.
11. We may also use or disclose your personal information to:
  - Assist you with your enquiries or complaints;
  - Help us improve our services;
  - Promote, advertise and market any of our services, including inviting you to events or activities hosted by Link HC;
  - to comply with our legal obligations;
  - Inform you of new services and programs at Link HC.
12. We may use information collected through our Website to understand who visits the website, and deliver information that may interest you while you are at our Website.

### **Direct Marketing**

13. With your consent, we may use your name and email address for direct marketing purposes. Where possible, we will provide you with a choice to opt-out of any of our marketing communications. We will respect your request to decline to receive these marketing communications.

### **Sharing of your personal information**

14. If you are a patient or client of Link Health, we may disclose your personal information when referring internally between health professionals, or externally when referred to external service providers after obtaining your consent to such disclosure.
15. We may also disclose your personal information to:
  - State and federal government departments and agencies, including Victorian Department of Health and Human Services (**DHHS**), Dental Health Services Victoria (**DHSV**), Commonwealth Department of Veterans Affairs (**DVA**) (where our provision of services to you is connected to an agreement with those government departments);
  - Members of your family and/or your carer, where appropriate;
  - External providers of services that we may use to operate our business and manage our business systems (for example, this may include file storage service providers, database and mailing service providers, marketing service providers; couriers and/or freight service providers, printers, call centres, providers of payment processing and identity verification services and IT technicians who may need access when providing on-site support (although it is our practice for them to work under supervision);
  - Our professional advisors and agents; or
  - Our existing or potential agents, business partners or partners.
16. We may disclose your personal information to these third parties so that they can assist us with providing the best possible service to you or your employer. Those third parties will be permitted to access only the personal information they need to deliver the service to Link HC or to you. Link HC takes reasonable steps to ensure that these organisations are bound

by confidentiality and privacy obligations in relation to the protection of your personal information.

17. In some cases we are authorised by law to disclose personal information about you. Including:

- In relation to some of Link HC's service providers, this includes where child abuse is suspected;
- When personal information is subpoenaed by the courts; or
- To the police where:
  - the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual or to the public health or safety;
  - If we have reason to suspect that unlawful activity has occurred or will occur and so discloses that information to relevant persons or authorities;
  - If it is known or suspected that you are deceased;
  - If it is known or suspected that you are missing;
  - If you have been involved in an accident or other misadventure and are incapable of consenting to the disclosure of your information;
  - To identify you or contact an immediate family member or other relative to enable police, the coroner or other organisation to contact your family or relatives for compassionate reasons; or
  - To assist in identifying you.

18. If you are subcontractor to Link HC for services provided in connection with funding received from DVA, your personal information may be disclosed publicly by DVA.

19. We are not likely to disclose information to overseas recipients unless it is with your consent, or the disclosure is required or authorised by law.

20. The privacy and collection practices of entities to which we disclose personal information are governed by their own privacy policies and collection notices.

21. We will not otherwise disclose information about you unless the disclosure:

- Is required or authorised by law (including in certain circumstances under the Health Records Act 2001 (Vic) or section 55 of the *National Disability Insurance Scheme Act 2013* (Cth)); or
- You have consented to our disclosing the information about you.

22. Link HC also uses de-identified personal information during Link HC's yearly audit processes to ensure quality data protection, and de-identified data may be shared with government departments such as DHSV, DHHS and DVA.

### **Quality of your personal information**

23. We aim to ensure that your personal information is accurate, complete and up to date. To assist us in this, you need to provide true, accurate, current and complete information about yourself as requested and properly update the information to us to keep it true, accurate, current and complete.

24. If you believe that the information we hold is inaccurate or incomplete, please contact us and we will use all reasonable efforts to correct the information.

25. If we do not believe the information to be incorrect, we will take reasonable steps to add a statement to the information claiming that you believe the information is inaccurate, incomplete, and out of date.

### **Securing your personal information**

26. We may hold your personal information in electronic or hard copy form. We take reasonable precautions to protect your personal information from misuse, interference and loss, as well as from unauthorised access, modification or disclosure. We use a number of physical, administrative, personnel and technical measures to protect your personal information.

This includes restricting access to personal information (stored both electronically and in paper form) on a need to know basis with appropriate permission controls in place. We also regularly review our technology products and security measures.

27. We will retain your personal information (including your health information) as required by law, and then take reasonable steps to destroy your personal information when it is no longer needed according to Public Records Office Victoria Standards (although Link HC is not bound by these Standards).

### **Changes to this Privacy Policy**

28. Link HC reserves the right to make amendments to this Privacy Policy at any time for any reason. We will publish any updated Privacy Policy on our Website.

### **Accessing and correcting your personal information**

29. You have a right to request access to, or the correction of, your personal information that we hold about you, subject to exceptions allowed by law. If you wish to make such a request, your request must be made in writing to the Privacy Officer, at the details set out below.

30. We will give you access to, or correct, your personal information unless there is a lawful reason for refusing your request for access or correction. If we refuse your request we will give you a written notice explaining our reasons for that refusal and how you may complain about that refusal.

### **Change in control of Link HC**

31. If we sell or otherwise transfer part or the whole of Link HC or our business to another organisation (including in the course of a transaction like a sale, merger or acquisition or as part of a dissolution, liquidation, administration, receivership or other form of insolvency), you agree that your personal information that is collected by Link HC may be disclosed to a third party, prospective buyer, transferee or insolvency practitioner and that this is reasonable to enable that party to continue or manage the business.

### **Complaints**

32. If you have a complaint about our collection, use or disclosure of your personal information, or you wish to make a complaint about a breach of the APPs, you may either make a complaint using our feedback and complaint form available in all our reception areas and on our website, or you may contact our Privacy Officer directly at the details set out below. In your complaint, please set out the details of your complaint and your contact details. Our Privacy Officer will contact you to acknowledge your request and ask for any other



applicable information. Our Privacy Officer will then investigate the issue and advise you in writing of the outcome.

33. You can also make a complaint to the Office of the Australian Information Commissioner. Further information is available at [www.oaic.gov.au](http://www.oaic.gov.au).

### **Contacting us**

If you have any questions about this Privacy Policy or our privacy practices, would like to make a complaint or request access to or correction of your personal information, please contact us by any of the following means.

Our contact details in respect of any issues in relation to privacy are:

**Telephone:** 1300 552 509  
**Email:** [linkhc@linkhc.org.au](mailto:linkhc@linkhc.org.au)  
**Post:** Attn: Privacy Officer  
Link HC  
1 Jackson's Rd, Mulgrave  
Victoria 3170