

## LINK HC PRIVACY POLICY

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### 1.0 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.

Link HC is bound by the following legislation:

The *'Privacy and Data Protection Act 2014'* (PDP Act). We must comply with the Information Privacy Principles (IPPs) for Victorian government funded programs. You can find out more information about the PDP Act and the IPPs at the Office of the Victorian Information Commissioner's website at [www.ovic.gov.au](http://www.ovic.gov.au)

The *'Privacy Act 1988'* (Privacy Act). We must comply with the Australian Privacy Principles (APPs) for Commonwealth funded programs. 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)

The *'Health Records Act 2001'* (HR Act) and must comply with the Health Privacy Principles (HPPs). More information can be found on the website of the Health Complaints Commissioner at <https://hcc.vic.gov.au/public/health-records>

The *'Charter of Human Rights and Responsibilities Act 2006'* Section 13 outlines that "Everyone has the right to keep their lives private. Your family, home or personal information cannot be interfered with, unless the law allows it."

### 2.0 DEFINITIONS

According to the PDP Act:

**"personal information"** means information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include information of a kind to which the **Health Records Act 2001** applies.

According to the HR Act:

**"health information"** means

(a) information or an opinion about

(i) the physical, mental or psychological health (at any time) of an individual; or

(ii) a disability (at any time) of an individual; or

(iii) an individual's expressed wishes about the future provision of health services to him or her;  
or

(iv) 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; or

(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) other personal information that is genetic information about an individual in a form which is or could be predictive of the health (at any time) of the individual or of any of his or her descendants— but does not include health information, or a class of health information or health information contained in a class of documents, that is prescribed as exempt health information for the purposes of this Act generally or for the purposes of specified provisions of this Act;

According to the PDP Act:

**"sensitive information"** means information or an opinion about an individual's—

(a) racial or ethnic origin; or

(b) political opinions; or

(c) membership of a political association; or

(d) religious beliefs or affiliations; or

(e) philosophical beliefs; or

(f) membership of a professional or trade association; or

(g) membership of a trade union; or

(h) sexual preferences or practices; or

(i) criminal record—that is also personal information

### 3.0 POLICY STATEMENT

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

We aim to collect personal information only if it is reasonably necessary to provide the service, product or information you have requested from us. Examples include name, date of birth, address and contact details.

Details of how we collect, and share information is set out in our '*Link HC Collection Notice*' available on our website.

#### **How we use cookies**

We may use cookies on some areas of our website. A cookie is a small file saved on your computer's hard drive. We use cookies to gauge visitor traffic and 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. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer.

#### **Identification**

Link HC assigns client and employee numbers to individuals as necessary to overcome the issue of duplicate names, etc. and to carry out our functions efficiently.

#### **Cross-border disclosure**

In the event that overseas or inter-state transfer of personal or health information is requested (not by the client), Link HC takes reasonable steps to ensure the recipient does not breach Australian or State law.

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

We may disclose your personal information to third parties so that they can assist us with providing the best possible service. 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 and in compliance with relevant information sharing schemes.

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

De-identified information may provide information such as age ranges, cultural backgrounds, types of treatments, client feedback, and other data allowing us to assess the quality of our service provision.

Personal or sensitive information is shared in line with our '*Information Sharing Procedure*' and the '*Family Violence Information Sharing Guidelines*' and '*Child Information Sharing Ministerial Guidelines*'.

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

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.

In some cases (for example, at our reception and in our oral health clinic), a three point identification check is undertaken to ensure the identity of the person and accuracy of the personal information that we collect. This may include asking you your name, address and date of birth.

### **Securing your personal information**

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.

Link HC retains your personal information (including your health information) as required by law, and takes reasonable steps to destroy your personal information when it is no longer needed.

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

This Policy is reviewed on an annual basis to check for ongoing compliance and accuracy. Link HC reserves the right to make amendments to this 'Privacy Policy' at any time for any reason. We publish any updated 'Privacy Policy' on our website.

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

Under all three Acts, you have a right to request access to, or correction of, the 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. Contact details of this person are set out in this Policy.

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**

If we sell or otherwise transfer part or the whole of our business to another organisation (including in the course of a transaction including 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 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**

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 information use, 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.

## LINK HC PRIVACY POLICY Continued.

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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.

You can also make a complaint to the following organisations:

The Office of the Victorian Information Commissioner. Further information is available at [www.ovic.gov.au](http://www.ovic.gov.au)

The Office of the Australian Information Commissioner. Further information is available at [www.oaic.gov.au](http://www.oaic.gov.au)

The Health Complaints Commissioner. Further information is available at <https://hcc.vic.gov.au/>

### **Contacting us**

If you have any questions about this '*Privacy Policy*' or our privacy practices, or you 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 and ask for the Privacy Officer.

**Email:** [linkhc@linkhc.org.au](mailto:linkhc@linkhc.org.au)

**Post:** Attn: Privacy Officer,  
Link Health and Community  
PO Box 3394  
Wheelers Hill, VIC, 3150