

HOME MODIFICATION SOLUTIONS PRIVACY POLICY

PURPOSE:

This Privacy Policy is written in accordance with the 13 Australian Privacy Principles (APPs) under the *Privacy Act 1988*.

Sutherland Shire Home Modification & Maintenance Services Inc (**HMS**) is committed to protecting and maintaining privacy, accuracy and security of all personal information held by HMS. HMS will take reasonable steps when handling personal information consistent with our obligations under both the *Privacy Act 1988* (Cth) and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth).

The purpose of this Privacy Policy is to:

- allow for the open and transparent management of personal information by detailing how HMS will manage personal information; and
- outline employee, contractor and volunteer obligations in relation to privacy of information.

SCOPE:

The Privacy Policy applies to:

- any person, or their nominated representative, who has provided HMS with their personal information; and
- all employees, contractors and volunteers of HMS.

DEFINITIONS:

Personal information is any information about an individual, whether true or not, where the individual can reasonably be identified. HMS notes the following are exempt from the requirements of the *Privacy Act 1988* (Cth) and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth):

- handling of (current and former) employee records;
- certain acts done, or practices engaged in, by HMS as a contracted service provider for a Commonwealth contract; and
- certain acts done, or practice engaged in, by HMS as a contracted service provider for a State contract.

MANAGEMENT OF PERSONAL INFORMATION BY HMS:

In accordance with the 13 Australian Privacy Principles this Privacy Policy contains the following information:

- A. The kinds of personal information that HMS collects and holds
- B. How HMS collects and holds personal information
- C. The purposes for which HMS collects, holds, uses and discloses personal information
- D. How an individual may access personal information about the individual that is held by HMS and seek the correction of such information
- E. How an individual may complain about a breach of the Australian Privacy Principles, or a registered code that binds HMS, and how HMS will deal with such a complaint
- F. Whether HMS is likely to disclose personal information to overseas recipients

A. The kinds of personal information that HMS collects and holds

The kinds of personal information HMS collects and holds, includes but is not limited to:

- Name
- Address
- Financial and billing information
- Order records
- Contact details
- Customer feedback
- Income level
- Relevant health information
- Information concerning tenure of premises
- Reports/information from other agencies
- Requests for any changes in service
- Sensitive information voluntarily given by the customer or required to be disclosed by law (including, for example, the individual's racial or ethnic origin, religious or philosophical beliefs, religious affiliations, gender preferences, criminal record, health, HIV/AIDS status)

Please note, you may choose to interact with us using a pseudonym and/or not identify yourself. However in instances where it would be impractical to interact with HMS using a pseudonym, we may request identification details from you.

B. How HMS collects and holds personal information

HMS collects personal information directly from the subject or their representative. Personal information may be gathered in a variety of ways, including but not limited to through customer assessments done by telephone, email or face to face meetings.

HMS will also gain access to customer's personal information via the My Aged Care and NDIS portals as service providers linked to both programs.

Collection and storage of personal information by HMS will be by lawful means.

HMS will take all reasonable steps to protect the personal information it holds from misuse or loss. These reasonable steps include but are not limited to:

- using password protected data to protect information from unauthorised access, modification and disclosure;
- destroying any personal information that is no longer required to be held (if hard copy – by shredding, and if soft copy – by deleting or permanently de-identifying);
- where customer records containing personal information are removed from the office, requiring that they be placed in a plain manila folder which does not identify the customer;
- where referrals and job records containing personal information are removed from the office, requiring trade staff to carry it in a black case;
- storing customer records containing personal information in a locked file cabinet or customer database on cloud which is routinely checked and audited;
- where it is lawful and practicable, allowing individuals to have the option of not identifying themselves when dealing with HMS (note: this may limit the services HMS is able to provide to the individual); and
- not using or disclosing personal information that government agencies have assigned to individuals, such as tax file numbers, unless it is to fulfil an obligation to the agency issuing the identifier.

Any information that HMS holds on prospective candidates for employment will be destroyed in accordance with this Privacy Policy.

C. The purposes for which HMS collects, holds, uses and discloses personal information

HMS will only collect information if it is necessary to carry out HMS' functions and activities. HMS aims to collect information that is as non-intrusive and objective as possible.

We may use and disclose your personal information for a variety of reasons. These reasons include, but are not limited to:

- Providing the service you wish to use;
- To provide any technical or after sales support to you;
- Internal management purposes;
- Providing non identifying information may be sent, on a quarterly basis to our funding body, the Department of Social Services or Family & Community Services ADHC or via My Aged Care;
- If the welfare of the customer is questioned or in jeopardy;
- If permitted or required by law; or
- Otherwise with your consent.

Where consent is required, it will be obtained verbally from the customer and/or advocate and noted on the customer's file.

Unless there are circumstances that directly relate to public interest, such as law enforcement and public or private health and safety, HMS will, with the permission of the customer and or his/her legal guardian or advocate:

- only use or disclose information for the primary purpose for which it was collected; and
- only share the information with another agency or individual to arrange secondary services.

HMS will not use or disclose information for direct marketing purposes.

D. How an individual may access personal information about the individual that is held by HMS and seek the correction of such information.

HMS will take reasonable steps to ensure that the personal information it collects, uses, holds or discloses is accurate, complete and up-to-date. All staff with access to and who are required to deal with personal information will be made aware of the contents of this Privacy Policy.

HMS will send customers a Customer Handbook which includes the following:

- the identity of this organisation and how to contact us;
- the fact that the individual may gain access to their information;
- the purposes for which the information is collected;
- the organisation or types of organisations, to which we would disclose this kind of information;
- any law that requires the particular information be collected; and
- any consequences for the individual if information is not supplied.

HMS will provide customers with this Privacy Policy upon request.

Individuals will be allowed access to personal information held about them upon request, unless that access would pose a threat to health and safety of any individual or would unreasonably impact on the privacy of another person. Reasonable steps will be taken to correct any information if it is shown to be inaccurate, incomplete or out-of-date.

An individual may request for information to be corrected if it is inaccurate, out-of-date, incomplete, irrelevant or misleading. If HMS is satisfied this is the case, reasonable steps will be taken in order to correct the information. Requests for personal information must be in writing and all requests will be responded to within two weeks. Where requested, HMS will endeavour to make an employee available to explain any terminology to the individual.

To seek access to, or correction of, your personal information please contact HMS as follows:

By email: admin@homemods.org.au

By telephone: 02 95241100

By mail: PO Box 2761

Taren Point NSW 2229

E. How an individual may complain about a breach of the Australian Privacy Principles, or a policy that binds HMS, and how HMS will deal with such a complaint

Complaints regarding the information that HMS collects, uses, holds or discloses should be made in writing to the Service Development and Operations Manager and/or the Board. If a company or individual believes there is a breach of this Privacy Policy or the Privacy Legislation, a written complaint should be made to the Service Development and Operations Manager and/or the Board. All complaints will be dealt with confidentially and promptly.

The HMS complaints policy and process is found on the HMS website or can be sourced by contacting the office 02 954241100

F. Whether HMS is likely to disclose personal information to overseas recipients

HMS is unlikely to disclose personal information to overseas recipients.

If HMS does disclose personal information to overseas recipients this transfer will take place if the information is subject to a law, binding scheme, or contract which treats information with a substantially similar integrity as the Australian Privacy Principles. HMS will take reasonable steps and conduct sufficient enquiry in order to ensure this is the case.

RESPONSIBILITIES:

All employees, contractors and volunteers of HMS must:

- ensure they act in a manner that is consistent with this Privacy Policy;
- report, as soon as reasonably practicable, any instances where this Privacy Policy has been breached by employees, volunteers, contractors or Board members.

Managers must:

- ensure all employees, contractors and volunteers are aware of this Privacy Policy;
- monitor the application of the Privacy Policy;
- provide advice and guidance to employees, contractors and volunteers on the application of the Privacy Policy; and
- report breaches of the Privacy Policy to the Service Development and Operations Manager and/or the Board.

BREACHING THE PRIVACY POLICY

A breach of the Privacy Policy can result in disciplinary action, up to and including termination of employment, depending on the nature and circumstances of the breach.

RELATED DOCUMENTS (other policies, guides, checklists, etc.)

- *HMS Code of Conduct*
- *HMS Service Handbook*