

# Privacy Policy

## POLICY AND PROCEDURE

### Purpose

To document Subee Newlake Privacy Policy and provide a framework around the kinds of information collected; how it is collected and stored; purposes of collection, use and disclosure; access to information; and complaints.

### Scope

- This policy applies to all information collected as part of service delivery and includes both demographic and clinical information.
- Personal information is defined as information which directly or indirectly identifies a user of the service, including family members.
- Sensitive information is defined as information or opinion regarding racial or ethnic origin, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices, criminal record, political opinions or affiliations and professional affiliations as well as health and genetic information ([The Privacy Act 1988](#)).
- For the purposes of this policy, Subee Newlake does not discriminate between 'personal' and 'sensitive' information in terms of how it is managed.
- [Privacy Act 1988 \(Privacy Act\)](#) and the Australian Privacy Principles (APPs)
- Relevant to the [Australian Community Industry Standards \(ACIS\) 2108](#), [The National Disability Insurance Scheme \(Provider Registration and Practice Standards\) Rules 2018](#) and the [New Aged Care Quality Standards](#).

### Policy Statement

Transparency of information management. Subee Newlake will:

- Make its Privacy Policy freely available on the company website.
- Include reference (summary) to the policy in Information Packs; in accessible language; and clear links to the full policy.
- The kinds of personal information that Subee Newlake collects and holds.
- Subee Newlake will only collect personal and/or sensitive information that is directly related to the function for which Subee Newlake has been engaged.
- Sensitive information may include but is not limited to, name, health status, religious beliefs, cultural beliefs and practices, gender, sexuality.
- In all instance's individuals must consent to the collection of information

Types of information we will typically collect include:

- Carer/friends and family information
- Contact details of Allied Health Professionals who support you
- Contact information and address
- Date of Birth
- Gender
- Health diagnosis
- Name
- Your daily goals, lifestyle information (for care plans)
- Your opinions and feedback on our services via anonymous surveys

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02 6651 3153 | [www.subeenewlake.com.au](http://www.subeenewlake.com.au)  
[subee@subeenewlake.com.au](mailto:subee@subeenewlake.com.au)



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### How Subee Newlake collects and holds personal information.

- Where possible information will be collected from the person themselves.
- If information is collected from a third party this will be done with consent (for example, legal guardians and carers) and the person advised.
- Subee Newlake will allow people from whom the personal information is being collected to not identify themselves or use a pseudonym unless it is impracticable to deal with them on this basis. Note, as a health service provider anonymity is largely impractical - apart from anonymous surveys conducted for CQI this mode of collection would be the exception and staff should refer to the Operations Manager for clarification if required.

Subee Newlake will not use or disclose government related identifiers.

- All staff with access to information shall sign the *Client and Family Confidentiality Agreement*.
- Information shall be stored and archived on a secure network with access granted to support service delivery only; information destroyed shall be done so in accordance with the Records Management Policy.
- Electronic Information is protected by passwords.
- Subee Newlake maintains electronic records only. Documents are held as required by law and destroyed appropriately, inclusive of unsolicited information not required as part of service delivery.

The purposes for which Subee Newlake collects, holds, uses and discloses personal information. Subee Newlake will:

- Only collect information that supports the delivery of health care (for example the completion of care plans and risk assessments) and/or duty of care to clients and employees and where there is a service agreement or request in place or pending (as clients accessing services).
- Not use sensitive information for the purposes of direct marketing; use personal information for the purpose of direct marketing only if that information has been collected from the person themselves, if the person could reasonably expect the organisation to use the information in such a manner; and, if the person is provided with an accessible opt out mechanism.
- You can opt out at any time by contacting us via the contact form on the website, emailing [subee@subeenewlake.com.au](mailto:subee@subeenewlake.com.au), or writing to us at PO Box 1872, Coffs Harbour NSW 2450
- Take steps to ensure that information collected is accurate, up to date and complete through clear lines of responsibility, review and internal audit.
- You must contact us if you would like to see any of the personal or health information collected by us, or if you have further questions about the handling of your personal or health information. You may also make a complaint about our handling of your personal information to the [Office of the Australian Information Commissioner](#), the [NDIS Quality and Safeguards Commission](#) or the [Aged Care Quality and Safety Commission](#).
- We may need to disclose personal and/or health information to third parties who are concerned with the provision or procurement of services, including sub-contractors. Disclosures may also be made to other third parties, including health professionals,

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advisors and regulatory authorities. Where disclosure takes place, we will seek to ensure that your information is handled appropriately

- Clients can withdraw their consent for information collection or sharing at any stage of their agreement. This would be recorded in their client file with and their service coordinator if not already would be informed.

Upon request Subee Newlake will provide access to personal information within 30 days, unless:

- There is reason to believe that providing access with pose a serious threat to the life, health, or safety of the individual, or to public health and safety
- Providing access would impact on the privacy of others
- The request is determined to be frivolous or vexatious
- Other reasons (legal or otherwise) listed under sub clause 12.3 of the APP
- Requests should be made via the contact form on the website; in writing addressed to the Operations Manager, PO Box 1872, Coffs Harbour NSW 2450 or via email to [subee@subeenewlake.com.au](mailto:subee@subeenewlake.com.au).
- Access to personal information will be free of charge in all circumstances.
- How an individual may complain about a breach of the [Australian Privacy Principles](#) and how Subee Newlake will deal with such a complaint.
- If Subee Newlake denies access (under sub clause 12.3 of the APP) written notice shall be provided as to the grounds for refusal and external mechanisms of complaint.
- In such a situation, Subee Newlake will refer individuals to the [NSW Privacy Commissioner](#) and/or

the [Australian Privacy Commissioner](#). Links to both will be maintained on the Subee Newlake website.

- Whether Subee Newlake is likely to disclose personal information to overseas recipients; and if so, in what countries, if it is practical to define.
  - Subee Newlake will not disclose personal information to overseas recipients when it breaches the APP and there is no consent given.
  - Personal information collected shall only be stored and backed up in Australian facilities.
- ### Responsibility and Authority
- The Executive Manager/Chief Financial Officer and Operations Manager have responsibility and authority to ensure this policy and procedure is followed. It is the Quality Manager's responsibility to ensure that the policy is reviewed to reflect changes in legislation as they occur
  - All employees are responsible for knowing and following this policy and procedure.

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