

# Japara Privacy Policy

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Japara Healthcare Limited (ACN 168 631 052) and its subsidiaries are committed to respecting the privacy rights of all our aged care and senior living residents and clients, their authorised representatives, and other organisation who we deal with.

Japara is committed to complying with all applicable privacy laws including the *Privacy Act 1988 (Cth)*, the Notifiable Data Breach Scheme, the Australian Privacy Principles and the respective State and Territory laws which govern the use of personal information.

Japara and its subsidiaries include but are not limited to our residential care homes and our senior living accommodation. A reference to 'we', 'us', 'our' and 'Japara' within this policy refers to the Japara Group of businesses.

We may, from time to time, review and update this Privacy Policy to comply with changes to laws and regulations, or to include new practices and technology.

Our mission is to create places of welcome where we can know, learn from, celebrate and care for you as a much loved member of our Japara family. To enable us to work toward achieving this mission we take great care to get to know you and we collect personal information and sensitive information about you.

**'Personal information'** is information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual or an individual who is reasonably identifiable.

**'Sensitive information'** is information or an opinion about a person's race, ethnicity, political opinions, association or membership, religious or philosophical beliefs, membership of professional or trade association or trade unions, sexual orientation of preference, criminal record, health information, genetic or biometric information.

## 1. What information do we collect?

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Information collected by us may include (but is not limited to) the following:

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| <ul style="list-style-type: none"><li>• Name and contact details</li><li>• Emergency contacts</li><li>• Direct Debit information</li><li>• Other financial information</li><li>• Appointment of representatives who may make decisions on your behalf</li></ul> | <ul style="list-style-type: none"><li>• Credit Card Details</li><li>• Medicare Number</li><li>• Centrelink Reference Number</li><li>• Aged Care Assessments</li><li>• Preferences for end of life care and advance care plans</li></ul> | <ul style="list-style-type: none"><li>• Tax File Number</li><li>• DVA Number</li><li>• Health information</li><li>• Medical history and health records</li><li>• Name and Contact details of your representatives or next of kin</li></ul> |
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## **2. How do we collect information?**

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We start collecting your information from the first time we meet or speak with you and we continue to collect information about you throughout your time with us.

### **2.1 Directly from you**

We always try to get the information we need to provide you with care and services directly from you, either by speaking with you or by giving you forms to complete in hard copy or electronically including through our website.

### **2.2 From third parties**

We may also collect information about you from people other than you. This includes your family, your legal representative(s), your current or previous medical facilities and providers, or government agencies such as Centrelink or the Department of Veterans' Affairs.

We will only collect your information in this way if it is unreasonable or impracticable to collect this information directly from you or if we are otherwise permitted to do so.

Where we engage with you multiple times over a short period in relation to the same matter, we may not provide you with a separate notice about privacy each time we engage with you.

### **2.3 Information collected via our website**

We will not collect any information about users of our website except when they knowingly provide it or as otherwise described below.

#### **Google Analytics**

We may use Google Analytics to help us to analyse how you use our website. Google Analytics generates statistical and other information about website use by means of cookies, which are stored on a users' computers.

The information generated is used to create reports about the use of our website. Google will store this information. We will not (and will not allow any third party to) use Google Analytics to track or to collect any personal information of visitors to our website.

We will not associate any data gathered from this website with any personally identifying information from any source as part of our use of Google Analytics.

If you do not want your website visit data reported by Google Analytics, you can install the Google Analytics opt-out browser add-on. For more details on installing and uninstalling the add-on, please visit the Google Analytics opt-out page at <https://tools.google.com/dlpage/gaoptout>.

#### **Cookies and Click Stream Data**

Our website uses cookies, which are pieces of information that are sent from our website to your computer, mobile phone or tablet to track how you use our website.

Cookies may be used on our website to monitor web traffic, or by our website host to collect information for statistical, reporting and maintenance purposes, for example the time of your visit, the pages you visited and some system information about the type of computer being used.

We may use this information to enhance the performance, content and services offered on our website.

You may refuse the cookies from our website. However, this may mean that some of the functions within our website may not be available to you.

## Web Beacons

Web beacons are images that originate from a third party site to track visitor activities. We may use web beacons to track the visiting patterns of individuals accessing our website.

### 3. How is your information used?

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We use the information we collect about you to provide services to you and to your authorised representatives on your behalf, and for our other business functions and activities, which may include the following:

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| <ul style="list-style-type: none"><li>• to process applications for residency</li><li>• to make referrals to medical and health practitioners</li><li>• to identify you</li><li>• to determine the level of funding you may be entitled to receive</li><li>• to locate you and your visitors in the event of an emergency</li></ul> | <ul style="list-style-type: none"><li>• for billing and invoicing purposes</li><li>• to keep you up to date with information about the support and services we offer</li><li>• to meet our obligations under applicable laws</li><li>• to provide relevant information to government agencies and regulatory authorities</li><li>• to manage and administer any account you may hold with us</li></ul> | <ul style="list-style-type: none"><li>• to develop and deliver appropriate care plans</li><li>• to develop products and services better suited to our residents' and clients' needs</li><li>• to improve our services</li><li>• to provide newsletters, social publications or other information we believe may be of interest to you</li><li>• to provide you with promotional or marketing material about services of our related entities</li></ul> |
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We may collect and use your information for other purposes not listed above. If we do so, we will make it known to you at the time we collect or use your information unless otherwise set out in this Privacy Policy.

If you choose not to provide your information to us for the purposes set out in this Privacy Policy, we may not be able to:

- undertake certain activities for you;
- provide you with requested information, products or services;
- provide you with the right level of care for your circumstances.

You can contact us using the contact details specified in Section 7 below if you do not want to receive marketing information from us.

### 4. Disclosure of your information

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We do not disclose your information other than as set out in this Privacy Policy without your permission, unless the disclosure is:

- in accordance with this Privacy Policy or any agreement you enter into with us; or
- required or authorised by law, including without limitation the Australian Privacy Principles under the *Privacy Act 1988 (Cth)*, the *Aged Care Act 1997 (Cth)* and applicable State and Territory laws regarding health or information records.

We may disclose your information to our related entities and care homes, or to third parties that provide products and services to us or through us, or to other third parties in connection with the services we provide to you, including:

- A person you have instructed is acting on your behalf;
- Service providers who carry out functions on our behalf (including banking and financial institutions, solicitors, IT or software service providers). Some of these providers may be located overseas and your personal information will only be stored in accordance with this policy and applicable laws;
- Health service providers like hospitals, doctors and emergency services;
- External dispute resolution bodies;
- Government departments, law enforcement agencies, regulators or external advisors for legal purposes; and
- To our related companies for the purposes of preparing and responding to emergencies, product development and marketing.

In an emergency situation, if you are required to be transferred to hospital we may release medical information about you (in accordance with the *Privacy Act 1998 (Cth)* and other applicable legislation) to hospital staff in order to facilitate your care.

Your financial information will not be disclosed to health professionals but may be disclosed to the Commonwealth Government or its agencies for funding and accreditation purposes.

We may also disclose your health information to an immediate family member where it is necessary to provide appropriate care, unless you or your authorised representative have expressly indicated that you do not wish your information to be discussed with a particular person.

We may also disclose your information to our website host or software application providers in certain limited circumstances, for example when our website experiences a technical problem or to ensure that it operates in an effective and secure manner.

## **5. Storage and security of the information held by us**

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We operate many care homes and senior living accommodation across Australia which means the information you provide to us may be transferred, stored, processed or used outside of the particular Australian State or Territory in which you provided it to us.

We aim to keep your information secure. We will take reasonable steps to ensure that the information we hold about you is protected from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

This includes how we store your information, both electronic and hardcopy, who has access to your information and how we destroy your records when we are no longer required to hold them.

Any information that is collected via our website or which is held on our computer systems is protected by safeguards including physical, technical (firewalls, SSL encryption etc.) and procedural methods.

We are required by the applicable State and Territory legislation regarding health records to keep your health records for a minimum of seven years. If we find that we have no further need for your information and we are otherwise not required by law to retain it, we may remove it from our systems and destroy all record of them.

## **6. Accessing and updating your information**

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We take all reasonable steps to ensure that any information we collect, hold and use is accurate, complete and up-to-date.

To assist us, we ask that you provide true, accurate, current and complete information about yourself as requested. We also ask that you let us know if information about you changes and properly update the information you have provided to us to keep it true, accurate, current and complete.

You are entitled to access the information that we hold about you. If you request access to your information, we ask that you make this request in writing and that you include a description of the information you require and whether you want to view it in person or if you want to be provided with a copy of the records. In ordinary circumstances we will give you full access to your information.

However, there may be some legal or administrative reasons to deny access. If we refuse your request to access your information, we will provide you with reasons for the refusal.

You can update the information we hold about you or make a request for access to the information we hold about you by contacting our Group Privacy Officer in any of the ways detailed in Section 7 below.

## **7. What to do if you have a question, problem or complaint about our use of your Personal information or this Privacy Policy**

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If you:

- have a query or concern about this Privacy Policy or our information handling processes;
- wish to make a complaint in relation to a breach of your privacy;
- would like to access your information held by us; or
- would like to correct or update your information held by us,

please contact:

- the Manager of your care home (or the home affiliated with your senior living accommodation); or
- our Group Privacy Officer in any of the following ways:
  - by phone on (03) 9649 2100; or
  - by email at [GPO@japara.com.au](mailto:GPO@japara.com.au).

We will respond to your queries and complaints within a reasonable period of time and we will record your query or complaint on our system.

Where we receive a complaint or a concern regarding a suspected breach of privacy, our Group Privacy Officer will follow up on your complaint. We may ask to speak with you directly in the course of investigating, amending or rectifying information or the concern you have raised. We will also notify you of the outcome of an investigation within a reasonable period of time.

Whilst we also ask that you raise any concerns you may have regarding our care and services with us in the first instance, you may also raise any concerns you have regarding privacy or make a complaint directly to:

Office of the Australian  
Information Commissioner

**Phone:** 1300 363 992  
**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
**Post:** GPO Box 5218  
Sydney NSW 2001

Health Complaints  
Commissioner (Victoria)

**Phone:** 1300 582 113  
**Online:** <https://hcc.vic.gov.au>  
**Post:** Level 26, 570 Bourke Street  
Melbourne Victoria 3000

Aged Care Quality and Safety  
Commission

**Phone:** 1800 951 822  
**Email:** [info@agedcarequality.gov.au](mailto:info@agedcarequality.gov.au)  
**Post:** Aged Care Quality and Safety Commission  
GPO Box 9819  
(in your Capital City and State/Territory)