



# Privacy policy



## Purpose

This policy details HammondCare's systems and processes relating to the collection, use, disclosure and retention of Personal Information to ensure we comply with our legislative privacy obligations, including the Privacy Act 1988 (Cth) (the Privacy Act), the Aged Care Act 2024 (Cth) (the Aged Care Act), and state-based privacy and health-records obligations.

## Collecting information

To provide you with appropriate care and services, we need to collect your Personal Information. Our ability to provide care and services may be impacted if we hold incomplete or inaccurate information.

The Personal Information we collect may include:

- contact details, such as your name, gender, date of birth, postal address, email address and phone number;
- your image, which may be stored in a photograph or electronically;
- health information, such as your medical history, vaccination status and mobility capabilities;
- if relevant, passive monitoring data to support care and services (e.g. sensors in our residential care services);
- demographic information, such as whether you are an Aboriginal or Torres Strait Islander;
- religious beliefs or ethnic background;
- contact details for any Supporters or medical professionals;
- information concerning any relevant attorneys, legal personal representatives or other decision makers authorised to act on your behalf.
- registration numbers for government services such as Medicare, the Department of Veteran Affairs and a pension card;
- health fund details, if applicable;
- information required for you to do business with us including your signature, bank account details, credit card information and any other relevant financial information;
- information regarding any individual contributions made by you;
- details of any complaints or feedback lodged by you or regarding services provided to you;
- information on prior dealings with us; and
- any other information you may provide to us from time to time.

If you apply for a position with HammondCare, your Personal Information, including employment history, educational background and reference details may be used to assess your application and suitability for employment with us. This information may be disclosed to our related bodies corporate and service providers for purposes such as aptitude and psychological testing or other human resources management activities.

## How we collect Personal Information

We collect your personal information directly from you whenever possible, rather than from third parties.

We may also sometimes collect Personal Information through:

- family members or attorneys authorised to act on your behalf, or as alternative contacts for you;
- forms (hardcopy and electronic) completed by you, in the course of our service delivery;
- third party service providers;
- provision of customer service and support;
- referrals from existing service users;
- our Online Platforms, including your interactions with us on our social media platforms;
- requests to join our mailing or distribution lists, or to be contacted for further information about our products and/or services;
- responses to surveys or research conducted by us or on our behalf; and
- debt collection agencies, if you default in a payment to us.

We only collect and handle Personal Information that is provided by you, with your consent or where otherwise permitted by law. By providing us with your information (including Sensitive Information such as health information) or nominating someone else to provide it, you consent to us collecting your information. We assume that you have consented to us collecting all information provided to us, unless you tell us otherwise at the time you provide the information.

If you provide us with Personal Information about a third party, for example your legal personal representative or emergency contact, we assume that you have their consent to provide us with this information, and we will handle their information in accordance with this policy.

## Use of Personal Information

We will only use your Personal Information for the purpose it was given by you or on your behalf, or purposes connected to the delivery of a health or aged care service by us, or where you (or your attorney) have consented to such use of your Personal Information. These may include:

- to supply health or aged care services;
- to notify you about new or existing products and services;
- to obtain services from our suppliers;
- to respond to an enquiry seeking information about the services we deliver;
- to undertake research and surveys and analyse statistical information;
- to improve our service delivery;
- to enforce agreements;
- to comply with any requirements imposed by legislation or regulation;
- to comply with contractual, legislative and policy requirements including in relation to occupational health and safety and environmental matters;
- to notify you about upcoming events and promotions; and
- as otherwise permitted or required by law.

## Disclosure of Personal Information

Unless we have your consent, we will only disclose your Personal Information for the following reasons:

- for the purpose it was collected;
- for a purpose connected with the delivery of a service by HammondCare or one of our Associated Providers;
- to comply with our obligations under the Aged Care Act or any applicable state or territory-based health legislation, procedures or obligations; or
- where disclosure is required to be provided to a court, tribunal, authority or person with the power to request such disclosure.

## Storage and security

Your Personal Information is stored and protected using suitable security measures designed to prevent misuse, loss, or unauthorised access, modification, or disclosure, as far as reasonably possible. Access to Personal Information is controlled through access and identity management systems. We have technology that prevents malicious software or viruses and unauthorised persons from accessing our systems.

HammondCare uses automated tools to assist with decision-making around workflows, scheduling, ensuring appropriate funding, and other tasks related to the care we provide and the functions that enable that care, with human oversight. HammondCare uses an approved AI tool that operates within HammondCare's secure IT environment and adheres to our Mission and organisational policies on privacy and confidentiality. Team members can only access the approved HammondCare AI tool and must not use any other AI tools for work purposes. Any information uploaded remains strictly within HammondCare's IT environment. Clinical decisions at HammondCare are always made by humans.

We regularly train and assess our staff in how to keep your Personal Information safe and secure. Our team is aware of privacy protection requirements and recognises our responsibilities in maintaining these standards.

When we send information overseas or use service providers that handle or store data, we require them to take steps to keep your information safe and use it appropriately.

We remove or de-identify Personal Information when it is no longer needed. However, we may keep this information as required by law, to prevent fraud, for insurance, governance, IT backup, debt collection, or dispute resolution.

## Access to and correction of Personal Information

You, or your nominated representative, can request access to the Personal Information we hold about you. Generally, we provide access to your Personal Information unless the law prevents or allows us to refuse. Where requested or consented to by you, we can also provide the required information to an Independent Aged Care Advocate, to a new service provider, or an aged care volunteer visitor. Generally, we will provide you or the relevant individual with access to the information requested unless applicable laws allow us to refuse, or prevent us from giving you, access to the Personal Information we hold about you. We will not unreasonably deny access requests.

If we agree to give you access to your Personal Information, we may require you to cover reasonable costs. There is no charge to make an access request, and if approved, you will be informed of any applicable fee before proceeding.

You may also request corrections to Personal Information we hold about you if you believe it is inaccurate, incomplete, irrelevant, misleading or out of date. There is no fee for doing this.

## Promotions and marketing

From time to time, we may use Personal Information we hold about you, to send marketing material. Generally, we only do so where you consent or where allowed by applicable laws. Our communications may be sent in various forms including by post or by electronic means (including email and SMS).

If you do not want to receive marketing material from us, please contact our Privacy Officer and ask to be removed from our mailing lists, or use the “unsubscribe” or “update your preferences” options included in all our marketing communications.

## Our online platforms

Some of our websites use ‘cookie’ technology.

We may also collect statistical information regarding the use of our Online Platforms, including the domains from which website users visit, IP addresses, the dates and times of visits, activities undertaken on our Online Platforms and other clickstream data.

When donating to HammondCare or purchasing our products online, your financial details are passed through a secure server using encryption technology. We regularly review our practices to ensure that our supporters are protected online. If you have any questions about our security policy, please contact us on the contact details at the end of this document.

When donating to HammondCare your personal information is collected to process donations, issue tax receipts and send updates. Please note that all donations and sales via our website are processed in Australian dollars.

## Third parties

In some circumstances we may receive information about you from third parties, such as another service provider. In such cases, we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party and about your rights under this Privacy Policy.

Our Online Platforms may sometimes contain links to other websites operated by third parties for your convenience. We cannot provide any guarantees regarding their information handling policies or the content of these third-party websites, and we are not responsible for their practices. Before disclosing your Personal Information on any other platform, we recommend that you examine the terms and conditions and privacy policy of the relevant platform.

## Privacy breaches

We take breaches of privacy very seriously. If we suspect a Data Breach has occurred, our priority is to contain and assess the suspected breach.

If we believe an Eligible Data Breach has occurred, we will, as soon as practicable, notify the OAIC, any other relevant regulatory body, and all affected individuals. If it is not possible to notify affected individuals, we will provide public notice of the breach, while protecting the identity of affected individuals. If applicable, we will also notify the NSW Privacy Commissioner.

# Changes to our Privacy Policy

We reserve the right to amend this policy at any time. The version of the policy that is published on HammondCare's website will always be the current version.

## Getting in touch

If you have any inquiries or complaints about how we handle your Personal Information, or if you have any questions about this Privacy Policy, please contact our Privacy Officer at:

**Attention:** Privacy Officer, HammondCare

**Post:** Level 4, 207B Pacific Highway, St Leonards, NSW 2065

**Email:** [privacy@hammond.com.au](mailto:privacy@hammond.com.au)

We will assess and respond to your query promptly and consistently with our legal obligations. All complaints received will be taken seriously and handled with impartiality and discretion.

More information about your rights and our obligations in respect to privacy and information on making a privacy complaint are available from the Office of the Australian Information Commissioner (OAIC) at:

**Website:** [www.oaic.gov.au](http://www.oaic.gov.au)

**Post:** GPO Box 5218, Sydney NSW 2001

**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

# Dictionary

<b>ACT Health Records Act</b>	means the Health Records (Privacy and Access) Act 1997 (ACT).
<b>APPs</b>	means the Australian Privacy Principles under the Privacy Act which govern: <ul style="list-style-type: none"><li>the standards, rights and obligations around the collection, use and disclosure of Personal Information;</li><li>privacy governance and accountability;</li><li>integrity and correction of Personal Information; and</li><li>the rights of individuals to access their Personal Information.</li></ul>
<b>Cookie</b>	Cookies are data files used to estimate visitor numbers and to analyse overall traffic patterns on our websites. Most web browsers accept cookies by default.
<b>Data Breach</b>	means unauthorised access to, or disclosure, alteration, loss, or destruction of, Personal Information—or, an action that prevents us from accessing Personal Information on either a temporary or permanent basis.
<b>Eligible Data Breach</b>	means a data breach that is likely to result in serious harm to any of the individuals to whom the information relates and we are unable to prevent the likely risk of serious harm with remedial action.
<b>Health Information</b>	means information or an opinion about: <ul style="list-style-type: none"><li>the health, including an illness, disability or injury, (at any time) of an individual; or</li><li>an individual's expressed wishes about the future provision of health services to the individual; or</li><li>a health service provided, or to be provided, to an individual;</li><li>that is also personal information;</li><li>other personal information collected to provide, or in providing, a health service to an individual;</li><li>other personal information collected in connection with the donation, or intended donation, by an individual of his or her body parts, organs or body substances;</li><li>genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual;</li></ul> as defined in section 6FA of the Privacy Act.

<b>Health Service</b>	<p>means activity that is intended or claimed (expressly or otherwise) by the individual or the person performing it:</p> <ul style="list-style-type: none"> <li>• to assess, maintain or improve the individual's health; or</li> <li>• where the individual's health cannot be maintained or improved—to manage the individual's health; or</li> <li>• to diagnose the individual's illness, disability or injury; or</li> <li>• to treat the individual's illness, disability or injury or suspected illness, disability or injury; or</li> <li>• to record the individual's health for the purposes of assessing, maintaining, improving or managing the individual's health;</li> </ul> <p>as defined in section 6FB of the Privacy Act.</p>
<b>NSW Health Records Act</b>	means the Health Records and Information Privacy Act 2002 (NSW).
<b>Online Platforms</b>	means the online platforms we operate and any of our other websites or social media pages (including Facebook, Instagram and LinkedIn) managed by us.
<b>Personal Information</b>	is defined in the Privacy Act and the Aged Care Act as information or opinion about an identified individual (or an individual who is reasonably identifiable) whether the information or opinion is true or not and whether the information or opinion is recorded in material form or not. Depending on where you are located, information may still be classified as Personal Information for a period after death

<b>Sensitive Information</b>	<p>is a subset of Personal Information that is afforded higher levels of protection under the Privacy Act. As we provide Health Services, all information we collect in providing, or to provide such services is classified as Health Information and is therefore Sensitive Information.</p> <p>It means information or an opinion about an individual's:</p> <ul style="list-style-type: none"> <li>• racial or ethnic origin; or</li> <li>• political opinions; or</li> <li>• membership of a political association; or</li> <li>• religious beliefs or affiliations; or</li> <li>• philosophical beliefs; or</li> <li>• membership of a professional or trade association; or</li> <li>• membership of a trade union; or</li> <li>• sexual orientation or practices; or</li> <li>• criminal record;</li> <li>• that is also:</li> <li>• personal information; or</li> <li>• health information about an individual; or</li> <li>• genetic information about an individual that is not otherwise health information; or</li> <li>• biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or</li> <li>• biometric templates.</li> </ul>
<b>Supporter</b>	of an individual, means an individual registered as a supporter of the individual under section 37 of the Aged Care Act.
<b>Tasmanian Charter</b>	means the Tasmanian Charter of Health Rights and Responsibilities.
<b>Victorian Health Records Act</b>	means the Health Records Act 2001 (Vic).

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**It's not just care, it's HammondCare** 