

## PRIVACY STATEMENT

### To be read in conjunction with Cara's *Privacy and Information Handling Policy*

Community Accommodation and Respite Agency Incorporated ABN 22 813 645 123 ("Cara", "we", "us") works from the principle that individuals have the right to know what personal information Cara collects about them, how the information is collected, why it is collected, where and how it is stored, who has access to the information and to whom the information may be disclosed. Individuals also have the right to receive information about the process of making a complaint to Cara about a breach of privacy.

### What kind of information does Cara collect and hold?

Cara collects information related or incidental to the services it provides. The information Cara collects is subject to a number of different legal protections depending on the class and type of information.

Cara collects personal and sensitive information that is protected by the *Privacy Act 1988*. Personal information is defined as information (in any format, from any source) which identifies or could identify an individual. This may include sensitive information on health or gender which may be relevant to Cara's support of customers. Images of individuals in photographs or video are treated as personal information where the person's identity is clear and can reasonably be worked out from that image.

Cara will ordinarily only collect personal information with an individual's consent, or if required by law, provided that information is required to provide services, or is required by our contractual obligations or is required for us to meet our duty of care obligations.

Information Cara collects includes, but is not limited to such items as:

- Name, address, telephone number and other contact information
- Marital Status, birth date, gender

- NDIS Number, Tax File Number, and other government identifiers
- Next of Kin and Emergency contact information
- Details connected with medical history
- Images of individuals in photographs or videos.

Cara will also collect, use and disclose information subject to the protections of the *National Disability Insurance Scheme Act 2013*. This is protected information related to the services we provide to customers in connection with the National Disability Insurance Scheme. Cara may be required by the *National Disability Insurance Scheme Act 2013* to collect this information.

### Data security

Cara takes reasonable steps to protect the information it holds from misuse and loss, and from unauthorised access, modification or disclosure.

### Anonymity and Pseudonymity

Wherever it is lawful, practicable and does not compromise the provision of services Cara will give its customers the option of not identifying themselves when information is collected.

### How does Cara collect and hold personal information?

#### Collection of information

Cara will only collect, in a fair, non-intrusive and lawful way, information that is necessary for what we do.

Wherever possible and practicable, information will be collected directly from the individual, rather than from someone else. Where personal information is collected from a third party, individuals will be informed about why the information is being collected and how it will be used.

### Data Quality

Cara will take reasonable steps to confirm the accuracy, completeness and currency of the information collected,

used or disclosed. Wherever possible and reasonable, steps will be taken to correct inaccurate or incomplete information.

## **For what purposes does Cara collect, hold, use and disclose personal information?**

### **Use and disclosure of personal information**

Cara uses or discloses information for the purpose for which it was collected, or for a reason related to the primary purpose. The exception is where information is required to be disclosed by law or in relation to our obligations as determined relative to the State Government's Information Sharing Guidelines.

Consent to disclose information to a third party can be rescinded at any time by contacting Cara's privacy officer.

### **Information Sharing Guidelines**

Cara follows the SA Government Information Sharing Guidelines for Promoting Safety and Wellbeing (ISG). This means that this organisation will work closely with other agencies to coordinate the best support for the customer and their family. Under the ISG, informed consent for the sharing of information will be sought and respected in all situations unless:

- it is unsafe or impossible to gain consent or consent has been refused; **and**
- without information being shared, it is anticipated the customer, or a member of their family will be at risk of serious harm, abuse or neglect, or pose a risk to their own or public safety.

### **Transfer of Information to Third Parties**

Customer consent for release of information needs to be obtained before information is disclosed (Note: exceptions may apply when applying the ISG and information is shared to facilitate service provision where there is risk of harm).

Reasonable steps will be taken to maintain the security and protect the privacy of information that is transferred to a third party.

### **Disclosure to overseas recipients**

Cara outsources a number of operational activities to third parties which includes entities overseas.

We take all reasonable steps to implement contractual data protection requirements under Australian privacy laws. We may also securely store electronic information in data centres overseas. Information held in these data centres is not used or accessed by foreign entities unless provided for in Cara policy.

## **How may an individual access personal information about them that is held by Cara and seek the correction of such information?**

### **Access**

Individuals have the right to access and seek correction of personal information Cara holds about them within a reasonable timeframe. Information will only be withheld in exceptional circumstances for legal reasons.

Our Privacy and Information Handling Policy outlines how customers may access the information Cara holds about them.

## **How can an individual complain about a breach of the Australian Privacy Principles that bind Cara, and how will Cara deal with such a complaint?**

### **Complaints Policy for Breaches of the Privacy Act**

Individuals who have a complaint about the way in which their personal information is handled are encouraged to raise this complaint as per Cara's Complaint Management policy. If the matter cannot be addressed at the service level, they should contact Cara's Privacy Officer.

Customers also have the option of contacting the Office of the Australian Information Commissioner (OAIC) on 1300 363 992 if they wish to make a complaint or they are not happy with the way Cara has managed a complaint regarding the privacy of their information.

### **Privacy Officer**

Informal questions regarding the Privacy Statement or the operation of Cara's Privacy Policy should be addressed to Cara's Privacy Officer on 8347 4588 or email [privacy@cara.org.au](mailto:privacy@cara.org.au)