

APP (Australian Privacy Principles) Privacy Policy

Background

Under the Privacy Act 1988, we are required to have an APP Privacy Policy to replace the previous National Privacy Principles (NPPs) starting from March 2014 to maintain a comprehensive privacy management policy dealing with the ways we manage your personal information.

Why we collect personal information

As an aged care provider, we collect and hold a range of personal information about care recipients, our employees and the service providers we engage.

We only collect this personal information so that we can deliver the best possible care and services to our care recipients in accordance with their needs and preferences and for the purposes of complying with our legal obligations.

The kinds of personal information we collect and hold for our care recipients:

To deliver care and services to our care recipients, we collect and hold the following types of information about our care recipients:

- care recipients' names, addresses and contact details
- care recipients' dates of birth
- photographs of care recipients
- information about our care recipients' health and care needs and medical histories as they relate to the care and services we provide
- information about our care recipients' cultural, religious, linguistic and social needs and preferences
- information about our care recipients' interests, hobbies and community activities
- information about any potential medical, social or workplace risks involved in providing care and services to our care recipients
- records of our interactions with care recipients, their representatives and service providers
- care recipients' preferences for particular care and services including activities and events
- contact details for our care recipients' next of kin and legal representatives
- information about our care recipients' income, assets and pension status
- information about care recipients' fees and charges
- billing details
- details about care recipients' health insurance providers.

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安樂華人護理院私隱條例包括 APP〔澳洲私隱條文〕

背景

根據 1988 私隱條例的規定，由 2014 年 3 月起安樂華人護理院(以下 簡稱「院方」)須要保存有一份包括 APP〔澳洲私隱條文〕的私隱條例，代替以前之國家保障私隱條文〔NPPS〕，以規管院方合法地處理本院服務使用者的個人資料。

院方收集服務使用者個人資料的原因

作為提供優質老年護理服務的機構，院方須收集及保存一系列有關服務使用者、員工及服務承辦商的個人資料。

院方收集此等個人資料，目的是要因應服務使用者個別不同的需要及意願，提供最適當的護理服務；但同時亦要附合有關私隱法例的要求。

為了提供護理及服務予服務使用者，院方收集及保存服務使用者以下資料：

- 服務使用者的姓名、地址及聯絡資料
- 服務使用者的出生日期
- 服務使用者的照片
- 服務使用者健康狀況、護理需要及醫療紀錄的資料。
- 服務使用者的文化背景、宗教信仰、所說語言、社交喜好及意願
- 服務使用者的興趣、習慣及參與的社區活動
- 於提供護理及服務予服務使用者時，有關在醫療、社交或工作間之潛在風險的資料
- 與服務使用者、其代表及服務承辦商溝通及資訊往來的紀錄
- 服務使用者對某種護理及服務(包括活動)之喜好
- 服務使用者之近親及其法定代理人的聯絡資料
- 服務使用者之收入、財產及退休金領取情況
- 服務使用者需負擔的各項費用
- 賬單細則
- 服務使用者之醫療保險細則

How we collect personal information of our care recipients:

In most cases, we collect personal information directly from our care recipients and/or their representatives. However, we also collect information from other sources, such as health care providers and other persons/organisations who provide care and services to our care recipients as well as the Aged Care Assessment Team and other aged care providers.

We also receive information from government bodies such as the Department of Social Services and Centrelink regarding our care recipients' eligibility to pay certain fees and charges.

How we store personal information

The personal information we hold about our care recipients, employees and service providers is stored in both secure electronic and hard copy formats. Staff providing care recipients with care and services can review care recipients files in either format.

Our use of personal information of our care recipients:

We use care recipients' personal information for the primary purposes of providing them with accommodation, care and services. However we also use care recipients' personal information for other purposes including (but not limited to):

- complying with our obligations under laws such as the *Aged Care Act 1997*
- quality assurance and risk management
- continuous quality improvement activities.

From time to time, we use care recipients' personal information for the purposes of direct marketing. care recipients who do not wish to have their personal information used for this purpose should express their intension with the attached Consent Statement.

Circumstances in which we disclose personal information of our care recipients:

With our care recipients' consent, we disclose relevant personal information about our care recipients to other persons/organisations involved in providing the client with care and services. This can include, for example, a care recipient's doctor and allied health service providers. For home care care recipients, it can also include those such as cleaners, gardeners and maintenance personnel contracted to provide services to the care recipients within their home.

From time to time, we may also disclose care recipients' personal information to third parties including:

- government agencies where this is necessary for us to receive funding and/or comply with our legal obligations to notify the government and police of certain matters
- our professional advisers.

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收集服務使用者個人資料的方法：

院方會直接從服務使用者本人及/或其代表收取其個人資料，惟亦會向外間機構收集有關的資料，例如：為該服務使用者提供護理及服務的人士或機構；有需要時亦會向老年護理評核小組及其他老年護理服務機構索取相關的資料。

院方亦會從政府部門，包括社會服務部及福利部接收到個別服務使用者可享有的政府福利及津貼的資料。

院方儲存個人資料的方法

院方儲存服務使用者、員工及服務承辦商的個人資料時，會嚴謹地同時以電子版本及紙張列印版本存檔。工作人員於照顧服務使用者時，可以因應其護理上的需要，取得上述任何種形式的資料。

使用服務使用者的個人資料

院方取用服務使用者的個人資料的基本目的是向其提供合適的住宿及護理服務。惟院方亦會因應以下情況，使用有關資料〔未能詳列〕：

- 履行法律責任，例如：按老年護理條例 1997(Aged Care Act 1997)之規定
- 進行質素保證及控制風險
- 執行持續改進服務質素措施。

院方亦會在徵得服務使用者的同意之下，使用其個人資料作服務推廣，可填妥夾附之收集個人私隱資料同意書，表達自己在這方面的意願。

院方將於以下情況公開服務使用者的個人資料：

在服務使用者同意下，院方會因應需要，向為其提供護理或服務的個別人士或機構，發放其個人資料，例如院友的醫生及輔助服務提供者。至於長者家居照顧服務使用者，可包括家居照顧服務員、園丁及維修服務承辦商屬下的工作人員。

院方亦會提供服務使用者之個人資料予第三者如：

- 因接受政府資助而需向其指定的機構提供資料，及/或按法例規定須通知政府或警方的某些資料
- 院方聘請的專業顧問

Cross-border disclosure

Personal information can only be transferred out of Australia if the care recipient is subject to substantially similar laws i.e. protected by equivalent privacy standards;

Exceptions:

- Individual has consented;
- The disclosure of information is required or authorised by or under Australian law or a court/tribunal order;
- The transfer is for the benefit of the individual, it is impractical to obtain the individual's consent, and if it were feasible, the individual would be likely to consent;
- Disclosure is necessary to lessen or prevent a serious threat to life, health or safety of any individual, or public health and safety.
- Reasonable steps have been taken to ensure the information transferred will not be held, used or disclosed by the care recipient in a manner inconsistent with the Australian Privacy Principles.

Accessing and correcting your personal information

Except in certain situations, you have the right to access your personal information and ask us to correct it. We will take reasonable steps to update or correct, as soon as possible, any information in our possession that is inaccurate, incomplete, out-of-date, irrelevant or misleading.

We may refuse to grant you access where this is permitted or required by law, for example, where this would have a detrimental impact on the privacy of another person. If we do refuse to grant access, we will give you written reasons.

If you would like to access your personal information, please contact:

Director of Nursing
On Luck Chinese Nursing Home
Address: 177 -179 Tindals Road, Donvale, Victoria 3111 Australia
Postal Address: PO Box: 349, Doncaster East Vic 3109, Australia

Tel: 03 9844 6000
Fax: 03 9844 6063
E-mail: admin.onluck@ccssc.org.au

We may charge you a small fee for accessing your personal information as permitted by law.

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提供資料予澳洲境外人士或機構

如有境外人士或機構索取資料，而其所屬地亦是受到相等於澳洲之私隱法規所監管，院方在接獲有關要求時，才會考慮將相關的個人資料傳送出澳洲境外。

例外情況：

- 已得有關人士同意(書面或口頭)；
- 因應澳洲法例的要求，或是接獲法庭/審裁處的指令，獲授權公開有關資料；
- 傳送資料是為服務使用者的利益——縱然未能預先獲得其本人同意，但有理由相信其會同意；
- 公開有關資料是為了避免或減低個別或公眾人士的人身安全或健康受到威脅；
- 院方將會採取適當步驟，以確保需要傳送的資料順利送出，而收件人亦會以符合澳洲私隱條例要求的態度去使用或處理該等資料。

取得或更正存於院方之個人資料

在正常情況下，服務使用者有權查閱其個人資料，並要求院方將之更正或更新。如存於本院的資料有欠準確、不完整、過時、不相關或有誤導成份，院方會採取適當步驟，盡快將之更新或更正。

在特定情況下，院方會根據法例拒絕發放服務使用者的個人資料，例如：發放此等資料將會威脅到第三者的私隱。如院方決定拒絕發放資料，院方將會以書面向查閱者解釋原因。如服務使用者需要查閱其個人資料，請聯絡以下人士：

安樂華人護理院院長

安樂華人護理院

地址: 177 -179 Tindals Road, Donvale, Victoria 3111 Australia

郵政信箱: PO Box 349, Doncaster East Vic 3109, Australia

電話: (613) 9844 6000

傳真: (613) 9844 6063

電郵: admin.onluck@ccssc.org.au

因應處理服務使用者查閱其個人資料之申請，院方會根據法例規定，向申請人收取相關費用。

Complaining about a breach of privacy

You have the right to complain if you believe we have breached this policy or your rights under the Australian Privacy Principles.

To lodge a complaint, please contact:

Director of Nursing
On Luck Chinese Nursing Home
Address: 177 – 179 Tindals Road, Donvale, Vic 3111.
Postal Address: PO Box 349 Doncaster East, Vic 3109.
Telephone: (613) 9844 6000
Fax: (613) 9844 6063
E-mail: admin.onluck@ccssc.org.au

On Luck Chinese Nursing Home will endeavour to respond to your complaint within a reasonable time after it is received.

If you are not satisfied by the responses from both channels, you may acquire further information regarding privacy from the Office of the Australian information Commissioner on <https://www.agedcarequality.gov.au/privacy-policy#privacy-complaints>.

You can also contact the Aged Care Complaints Scheme in relation to any concerns you have about the care and services we provide at <https://www.myagedcare.gov.au/contact-us/complaints>, **hotline:** 1800 200 422 and also at <https://www.agedcarequality.gov.au/>, **hotline:** 1800 951 822 (all enquiries).

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投訴違反私隱

若服務使用者相信院方違反本規定或侵犯其於「澳洲私隱條文」私隱條例保障下享有之權利者，他是有權作出投訴的。

請聯絡安樂華人護理院院長/私隱保密專員，院方會詳細了解有關之投訴，並於合理的時段內作出回應。

倘若服務使用者對院方的回應感到不滿意，可以聯絡華人社區服務中心：

安樂華人護理院院長
安樂華人護理院
地址: 177 -179 Tindals Road, Donvale, Victoria 3111 Australia
郵政信箱: PO Box 349, Doncaster East Vic 3109, Australia

電話: (613) 9844 6000
傳真: (613) 9844 6063
電郵: admin.onluck@ccssc.org.au

倘若當事人對華人社區服務中心的回應不滿，可以直接聯絡澳洲資訊專員：

詳情請瀏覽：<https://www.agedcarequality.gov.au/privacy-policy#privacy-complaints>

服務使用者如對院方提供的護理或服務有任何投訴，亦可與政府的老年護理投訴科聯絡，

網址：<https://www.myagedcare.gov.au/contact-us/complaints>, 熱線: 1800 200 422

網址：<https://www.agedcarequality.gov.au/>, 熱線: 1800 951 822

〔以上中文譯本只供參考用，最終意思將以英文原文為準〕

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華人社區服務中心

Chinese Community Social Services Centre Limited

ACN 679 804 927 ABN 95 428 365 701

On Luck Chinese Nursing Home

PERSONAL INFORMATION COLLECTION CONSENT STATEMENT

收集個人私隱資料同意書

I, _____ (Care recipient or authorised NEXT OF KIN representative) understand that personal information is collected for various purposes and have read the information above. I agree to the collection of my information or for the person I am representing, with the exceptions (if any) as detailed below.

本人, _____ (服務使用者或其授權近親代表)已詳閱以上資料並明白院方是因應不同目的去收集個人資料。除了以下所詳列的情況〔如有〕, 本人同意院方收集本人或本人所代表的人士的個人資料。

Persons who I do not want to access personal information

本人不同意以下人士讀取本人或本人所代表人士之個人資料：

(Please circle) 〔請圈出合適的〕

- I **consent / do not consent** to clinical photographs (e.g. wound, stoma etc.) being taken and stored in my health record, for the purpose of timely recording and management of my clinical and personal care.

我同意/不同意拍攝臨床照片(例如傷口、造口等)並將其儲存在我的健康記錄中, 以便及時記錄和管理我的臨床和個人護理。

- I **consent / do not consent** to all, or relevant information about my care, including clinical photographs (e.g. wounds, stomas etc.) being accessible to my nominated doctor, referring health practitioner, specialist and any other person involved with my ongoing care management.

我同意/不同意我指定的醫生、醫療保健專業人員、專科醫生以及參與我持續護理管理的任何其他人員獲取有關我護理的所有或相關信息, 包括臨床照片(例如傷口、造口等)

- I **consent / do not consent** to my photograph being taken, and used as identification on all relevant documentation. I permit my photograph be accessible to all care staff, pharmacy, police, ambulance and fire services as required. I understand that the photograph may be updated on a six (6) monthly basis

我同意/不同意拍攝我的照片, 並將其用作所有相關文件的身份證明。我允許所有護理人員、藥房、警察、救護車和消防部門根據需要使用我的照片。我理解我的照片可能會每六個月更新一次。

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華人社區服務中心

Chinese Community Social Services Centre Limited

ACN 679 804 927 ABN 95 428 365 701

On Luck Chinese Nursing Home

- I **consent / do not consent** to the service provider collecting statistical information about me for the sole purpose of service improvement. Information collected will not include any identifying data.
我**同意/不同意**服務提供者收集我的統計信息，僅用於改進服務。收集的資訊不會包含任何識別資料。
- I **consent / do not consent** to my photograph being taken and displayed by the service provider on the home's social media platforms and newsletters.
我**同意/不同意**服務提供者拍攝我的照片並將其展示在院方的社交媒體平台和新聞通訊上。
- I **consent / do not** consent to the service provider collecting statistical information about me for the purpose of complying with the Australian Government Department of Health National Quality Indicator Programme.
我**同意/不同意**服務提供者為遵守澳洲政府衛生部國家品質指標計劃而收集我的統計資料。
- I **consent / do not consent** the service provider to upload documents to “My Health Record” .
我**同意/不同意**服務提供者將文件上傳至我的「我的健康記錄」。
- I **consent / do not consent** to birthday details being posted in the notice board.
本人**同意/不同意**將本人的生日資料張貼於佈告版上。
- I **consent / do not consent** to my name being included in newsletter articles re outings, birthdays and participation in social events (please see our newsletter for examples).
本人**同意/不同意**院方於簡訊文章內提及本人的名字，例如：報導外遊、生日會及參與的社交活動〔活動詳情請參閱本院簡訊〕

Care recipient name 服務使用者姓名: _____ Date 日期: _____

Care recipient Signature 服務使用者簽署: _____ OR 或

Authorized representative Signature 授權代表簽署: _____

Name of Authorized representative 授權代表姓名: _____

Relationship to Care recipient 與服務使用者的關係: _____

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