

Mercy Connect Limited (ABN 45 075 648 37) trading as “Mercy Connect” understands that privacy and confidentiality are key to the services that Mercy Connect provide. Mercy Connect is committed to maintaining a person centred, quality service. Mercy Connect is committed to respecting the rights to privacy and confidentiality of all staff and participants.

As an organisation, Mercy Connect is required to comply with the Australian Privacy Principles in the Privacy Act 1988. These principles regulate how Mercy Connect may collect, use and store personal information, as well as how individuals may access and correct personal information held by us. Mercy Connect is also required to abide by the confidentiality and secrecy provisions in the NDIS Act 2013.

This Privacy Policy describes how Mercy Connect complies with our privacy obligations.

Scope

Mercy Connect provides a range of services to support children, young people, adults and older people with a disability to live independently and be actively involved in their community. This policy applies to all persons that Mercy Connect provides any service to, referred to as ‘participants’.

This policy also applies to all persons employed or engaged by Mercy Connect, including permanent and casual employees, independent contractors, temporary agency workers, students and volunteers, referred to as ‘staff’.

This policy is intended to:

- Assist Mercy Connect to meet its legal and ethical obligations as a service provider and employer in relation to protecting the privacy of all participants and staff; and
- Provide all participants and staff with information about their rights regarding privacy.

Guiding Principles

Mercy Connect believes that:

- Individuals and communities have a right to privacy, dignity and confidentiality.
- The right to dignity and confidentiality should be upheld at all times through practices of sharing and providing information in a discrete manner and only on a need-to-know basis.
- Mercy Connect should only collect, store and use the information Mercy Connect needs to provide and maintain high quality person-centred care.
- Due to the nature of our business, Mercy Connect is unable to support participants and staff using a pseudonym or who remain anonymous in their dealings with Mercy Connect.

Collection and Storage of Personal Information

Mercy Connect will only collect and store personal information that is reasonably necessary to perform one or more of our functions or activities.

Mercy Connect will collect personal and health related information about participants in order to plan and provide information and services which are relevant and appropriate to the participant and their needs. Mercy Connect will collect personal information about staff in order to maintain records of all persons providing services to or on behalf of Mercy Connect and to recruit new staff as necessary.

If during the course of our business, Mercy Connect collects unsolicited information from you or another source that is not related to the information Mercy Connect would normally collect or require, Mercy Connect will ensure this information is not retained and securely destroyed.

What information do Mercy Connect collect and store about you?

If you contact Mercy Connect for information or services, Mercy Connect may collect the following personal information, or documents or records containing personal information, from you:

- Name
- Addresses
- Phone numbers
- Date of Birth
- Health related information as it relates to services or support being sought from Mercy Connect
- Contact details of family members or other responsible persons
- Contact details of medical support personnel involved in your care and well-being

During the course of any support Mercy Connect provides, Mercy Connect may also collect and retain from you (or from others as they are authorised to provide) information that may be personally identifiable, such as:

- Health related information, assessments and recommendations;
- Information regarding the quality or the care and services Mercy Connect provide, e.g., Participant Surveys;
- Electronic recordings (audio, photo and video) to assist us in communicating with you, for record keeping or for clinical or therapeutic support purposes – prior to any recording being made, Mercy Connect will seek your explicit consent.

Mercy Connect collects the following personal information, or documents or records containing personal information from staff:

- Name
- Addresses
- Phone numbers
- Date of Birth
- Gender
- Next of Kin
- Qualifications, registrations and certifications required for employment
- Professional experience information
- Police Check records
- Bank or other payment details

Mercy Connect will seek your consent before collecting any personal information from you directly or from a third party.

How does Mercy Connect collect your information?

Mercy Connect may collect information that you provide verbally, electronically or in writing, whether directly or where contained in a record or document which you provide to us. For example, Mercy Connect may collect your information:

- During our interactions with you, e.g. over the phone or face-to-face; and/or
- when you provide written information or documents to e.g. a Support Coordinator electronically, in hard copy, or by any other means.

Use and Disclosure of Personal Information

Mercy Connect will only use personal information for the purposes for which it is given to us, or for the purposes which are related to one or more of our functions or activities.

Under no circumstance will personal information be used for direct marketing related purposes without the consent of the person to whom the information relates. Direct marketing involves the use or disclosure of personal information to communicate directly with an individual to promote goods and services.

Mercy Connect may disclose personal information to external agencies such as:

- Doctors and health care professionals assisting with a participant's care;
- Regulatory authorities to whom Mercy Connect is responsible. For example, the NDIA or NDIS Quality and Safeguarding Commission;
- Other professional advisors, including accountants, auditors and lawyers.

Except for the cases as noted above, Mercy Connect will not disclose personal information to a third party unless one of the following applies:

- Specific consent is given by the person to whom the information relates (or their responsible person, if the participant does not have capacity to consent);
- It is otherwise required by law;
- It is reasonably necessary for Mercy Connect to take appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature that relates to our functions or activities;
- It is reasonably necessary to locate a missing person;
- It is reasonably necessary to establish, exercise or defend a claim at law;
- It is reasonably necessary for a confidential dispute resolution process.

Mercy Connect will not adopt, use or disclose government identifiers (for example Medicare, Centrelink or NDIS numbers) unless required or authorised by law, or where necessary for the performance of our functions and you have been informed of the use.

Mercy Connect does not usually disclose information to any third parties outside of Australia, but if personal information is to be disclosed to a recipient located overseas, Mercy Connect will take reasonable steps to ensure that the overseas recipient does not breach the APPs in relation to that information (for example, by relying on contractual clauses, ensuring the recipient is subject to a comparable privacy regime, or obtaining your explicit consent).

Mercy Connect may disclose information which cannot be used to identify you ('deidentified data') to third parties without your consent. For example, Mercy Connect is required to provide information to external auditors in the course of maintaining certification as a registered Disability Provider.

Security of Personal and Sensitive Information

Mercy Connect will take all reasonable steps to protect all personal and sensitive information Mercy Connect hold from misuse, interference, loss and unauthorised access, modification or disclosure.

All hardcopy and electronic files which contain personal information will be kept secure and maintained in accordance with our retention and destruction policies and procedures.

All electronic information held by Mercy Connect is stored on physical or cloud based servers which are hosted in Australia.

Access to Personal and Sensitive Information

Mercy Connect will take reasonable steps to ensure that any personal information collected or disclosed by us is accurate, complete and up to date.

Any person may request access to their information at any time to review it or to request a correction in information recorded about themselves.

Requests for access to personal information may be made by contacting the Mercy Connect Privacy Officer on 02 6043 3500 or at privacy@mercyconnect.org.au. You may be asked to make your request in writing.

Mercy Connect will aim to respond to any request for access to information within 30 days from the date the request is received. If the request is accepted, the Privacy Officer will arrange for you to access the requested information. Some information may be redacted to remove personal information of other participants or staff to protect their privacy and confidentiality.

Requests for information access may be declined if:

- The request does not relate to personal information of the person making the request;
- The request would have an unreasonable impact on the privacy of other individuals;
- Access would be unlawful;
- Denial of access is authorised by law;
- Access discloses a 'commercially sensitive' decision making process or information;
- Any other reason that is provided for in the Privacy Act.

There is no fee associated with a request to access or correct your personal information held by us.

Opportunity to Complain

If you would like to make a complaint about the practices and handling of personal information by Mercy Connect, please contact our Privacy Officer on 02 6043 3500 or at privacy@mercyconnect.org.au.

All efforts to address complaints will be made within 10 working days or as soon as practicable.

Any unresolved complaints may be taken to the Office of the Australian Information Commissioner (visit oaic.gov.au for further information).