

## Privacy Policy – Southern Cross Care (Tasmania) Inc.

Under the Australian Privacy Principles (APPs) in the *Privacy Act 1988* (Cth), Southern Cross Care (Tasmania) Inc. (**we / us**) is required to have a Privacy Policy setting out the ways we manage personal information. We are also subject to other laws relating to management of personal information such as under the *Aged Care Act 2024*, the *Aged Care Rules 2025* and relevant health records legislation where applicable. We reserve the right (at our discretion) to modify, amend or replace this privacy policy from time to time. A new version of this policy will be posted to our website - <https://www.scctas.org.au/privacy-policy-2/> - when this policy is modified, amended or replaced. We recommend that you regularly review our privacy policy.

### 1. Employee Records

This Privacy Policy does not apply to our employees or employee records, as the handling of employee records by a private sector employer is exempt from the Privacy Act if it is directly related to the employee's current or former employment relationship. However, if you do have questions regarding the handling of your employee records, you can contact our Privacy Officer (see below) for assistance.

### 2. Why we collect personal information

As a provider of home care services and residential aged care, and an operator of retirement villages, we collect and hold a range of personal information about our clients, participants and residents (collectively referred to as **clients**), job applicants and the contractors we engage.

We collect this personal information so we can deliver the best possible services to our clients and to comply with our legal obligations.

### 3. The personal information we collect and hold

#### 3.1 Clients / Participants / Residents

We collect a range of personal information about our clients and their legal representatives, including:

- names, addresses and contact details
- gender, dates of birth, marital status
- identification documents (e.g., drivers' licence, passport)
- banking details
- photographs and/or video recordings, for example, recordings of events or CCTV/surveillance cameras
- information about clients' preferences and requirements for the services and housing we provide and existing conditions that affect the services we provide
- information about the services we provide to clients and any claims made for aged care services with us
- information about a client's income, assets, liabilities, superannuation or pension status and other information used to support a claim for funded aged care services or assess a client's ability to meet financial commitments

- documentation relating to powers of attorney, guardianship orders, advance care directives, registered supporters, as well as statutory health attorneys / responsible persons / medical treatment decision makers or other statutory decision makers
- feedback, complaints, reports and investigation records
- government related identifiers, such as tax file numbers (TFNs), Medicare card numbers, Veteran card numbers, NDIS numbers, and Customer Reference Numbers (CRNs), which may be displayed on concession or health care cards
- records that we are required to keep complying with the *Aged Care Act 2024* and the *Aged Care Rules 2025*, including records concerning the funded aged care services clients access, the cost of those services and accommodation, the workers and registered providers responsible for delivery of those services, provision of specialist aged care programs, details of any requests clients have made to correct their information, or complaints or reportable incidents concerning clients
- sensitive information, such as:
  - racial or ethnic origin (including whether you are of Aboriginal or Torres Strait Islander origin)
  - religion
  - sexual orientation
  - whether you have a criminal record
- medical and health information, including medical histories, test results, and details of treatments, disabilities or illnesses you may have.

### 3.2 Visitors

We also collect a range of personal information from visitors attending our residential care homes and retirement villages including:

- name and contact details
- relationship to clients
- photographs and/or video recordings, for example, recordings of events or CCTV/surveillance cameras.

### 3.3 Job applicants and contractors

We also collect and hold certain personal information about applicants for employment with us and contractors wishing to supply products and/or services to us as well as their employees, including:

- resumes, employment histories and qualifications, Apha registrations, provider numbers
- training records and competency assessments
- photographs and/or video recordings, for example, recordings of events or CCTV/surveillance cameras
- sensitive information, such as:
  - police checks and other suitability checks
- medical histories directly related to the individual's ability to perform the inherent requirements of the position
- immunisation history.

### 3.4 Online privacy

We use cookies on our website. Cookies are a small file that is placed on your computer by a web server when you access a website. They collect user information and data for statistical and

analytic purposes, but do not identify the individual user, just the computer, and are not linked in any way to personal identification details.

Websites often use cookies. Most internet browsers accept cookies by default. You can control the use of cookies by configuring the preferences and settings in your browser and/or firewall. If you decide not to display cookies, then you may not be able to gain access to all the content and facilities of our website.

## 4. Anonymity

You have the option of not identifying yourself to us or using a pseudonym where that is practicable. However, in most circumstances, we will not be able to assist you effectively or provide you with services if you do not provide us with your personal information when requested.

## 5. How we collect personal information

We may collect personal information about an individual from a range of sources using a variety of means including:

- forms (either physical or online), mail correspondence, emails and other electronic communications
- from our website using various technologies, including 'cookies'
- through feedback provided by our clients in relation to the services provided
- through interactions between us and care partners, client representatives, social workers, siblings, children, grandchildren and any other individual interested in or involved in providing services to our clients
- through telephone, email or in-person inquiries or discussions about us and/or the services we provide
- through publicly available sources of information
- through interactions with our social media channels that we offer or monitor
- from job applicants and staff members
- direct contact in the course of us providing services (including the administration of accounts established with us)
- in the course of conducting market research, including customer satisfaction surveys
- from current and prospective suppliers of goods and/or services to us.

### 5.1 Clients

We collect personal information directly from our clients and their representatives. We also collect information from other sources such as health care providers, government departments and bodies and other people or organisations who have provided or do provide accommodation and/or services to our clients.

We collect personal information using lawful and fair means and generally only when the information is relevant to our business and activities (including providing services to clients) unless otherwise required or authorised by law.

### 5.2 Job applicants and contractors

We always try to collect information about applicants for employment with us directly from them. We also collect information about job applicants:

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- through background checks and police checks
- from referees, professional registration and affiliate boards and agencies (including Apha), the Aged Care Quality and Safety Commission, the NDIS Quality and Safeguards Commission and employment agencies.

Information about contractors and their employees is collected directly from the contractors and from our clients and their representatives.

## 6. How we store personal information

We strive to ensure the security of personal information we collect and hold. We take reasonable steps to protect personal information from misuse, interference and loss, and from unauthorised access, modification and disclosure. This includes both technical measures, such as securing access to premises and server rooms, encrypting data at rest and in transit, maintaining anti-virus software and firewalls, enforcing strong password and multi-factor authentication requirements, and regularly updating and patching our systems; and organisational measures, such as training employees and contractors on privacy and data protection, limiting access to personal information to authorised staff on a need-to-know basis, and developing and enforcing standard operating procedures and policies for managing and securing personal information.

Under the *Aged Care Act 2024* and *Aged Care Rules 2025*, we are required to retain certain personal information for prescribed minimum periods. Once the applicable retention period has expired, and unless otherwise required by law, personal information will be destroyed or de-identified in accordance with legislative requirements.

## 7. How we use personal information

### 7.1 Clients / Participants / Residents

We primarily use clients' personal information to provide them with services in their home or to provide accommodation and services at our residential care homes, or within our retirement villages. We also use clients' personal information for other purposes including, but not limited to:

- complying with our obligations under laws, for example, to comply with our legal obligations under the *Aged Care Act 2024*, the *Aged Care Rules 2025* and other laws in respect of the provision of care, services and any accommodation or residency arrangements
- claiming and administering funds or supplements
- transferring clients to another registered provider or service
- enabling internal administration, training, assessment, and review and investigation into and notification and management of complaints, claims, serious incidents and reportable events
- quality assurance, risk management and continuous improvement activities.

From time to time, we use clients' personal information for direct marketing. Clients who do not wish to have their personal information used for this purpose should contact us on the details below and let us know.

### 7.2 Job applicants and contractors

We use personal information about job applicants and contractors:

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- to assess their suitability to perform the duties required and deliver services to our clients, where required
- to meet our obligations under relevant laws, including workplace laws, and to comply with our legal obligations under the *Aged Care Act 2024*, the *Aged Care Rules 2025* and other laws in respect of the provision of care, services and any accommodation to our clients
- to improve the services, we offer through quality improvement activities such as training.

## 8. Circumstances in which we disclose personal information

### 8.1 Clients / Participants / Residents

Personal information collected about our clients may be disclosed to other parties involved in providing, evaluating or administering services. This may include disclosure of information to, for example, a client’s doctor or their allied health service providers, cleaners, gardeners or maintenance personnel who provide services to the client at their home, at our residential care homes or within our retirement villages.

We may disclose personal information (including sensitive information) about our clients to:

- our agents and contractors (e.g., to enable them to perform services under contract with us which may directly or indirectly benefit the client from whom the information was collected or to enable internal administration, training, assessments and reviews)
- marketing providers to facilitate the marketing of our services to current and to prospective clients
- other providers to ensure continuity of services and/or accommodation, and anyone who may become responsible for providing accommodation and/or services instead of us or assist with you transferring to another registered provider or retirement village operator
- funding bodies and other government agencies as required by Commonwealth and State legislation
- comply with record-keeping and reporting requirements under the *Aged Care Act 2024* and the *Aged Care Rules 2025*, including requirements relating to records concerning the funded aged care services and accommodation that clients access, the workers and registered providers responsible for delivery of those services, provision of specialist aged care programs and details of any complaints or reportable incidents concerning our clients
- state and Commonwealth government agencies and statutory authorities and regulators, including Centrelink, the Department of Health and Aged Care, Services Australia, NDIA, NDIS Quality and Safeguards Commission, the Aged Care Quality and Safety Commission, Aphra, the TAC, the Fair Work Commission, the police and in compliance with requests from state and Commonwealth ombudsmen
- our professional advisers, such as lawyers or auditors, insurance providers
- clients’ nominated relatives or appointed contacts in the event of an emergency
- carry out reviews of the services provided for the purpose of improving our quality of care or industry benchmarking and analysis
- related organisations and approved third-party service providers who support our operational, financial, and business systems (for example, software providers who host and maintain platforms used for billing, payroll, records management, or communication), where such parties are bound by confidentiality and privacy obligations consistent with this policy and applicable privacy laws.

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We may also disclose personal information (including sensitive information) about a client when required by law or court order or where we are required to do so as a result of any obligations we owe under any contract.

## 8.2 Job applicants and contractors

We use personal information about job applicants and contractors:

- to assess their suitability to perform the duties required and deliver care and services to our clients, where required
- to meet our obligations under relevant laws, including workplace laws
- to improve the services, we offer through quality improvement activities such as training
- to assess and manage the supply of goods and services to us by a prospective or current contractor.

We may disclose personal information (including sensitive information) about job applicants and contractors:

- to state and Commonwealth government agencies and statutory authorities and regulators, including Centrelink, the Department of Health and Aged Care, Services Australia, NDIA, NDIS Quality and Safeguards Commission, the Aged Care Quality and Safety Commission, Aphra, the TAC, the Fair Work Commission, the police and in compliance with requests from state and Commonwealth ombudsmen
- to comply with record-keeping and reporting requirements under the *Aged Care Act 2024* and the *Aged Care Rules 2025*, including requirements relating to records concerning the funded aged care services and accommodation that clients access, the workers and registered providers responsible for delivery of those services, provision of specialist aged care programs and details of any complaints or reportable incidents concerning our clients.

## 8.3 Cross-border disclosure

We may disclose personal information to overseas recipients, for instance, if a client requests us to do so. However, we will not send personal information outside Australia without obtaining the consent of the individual concerned (in some cases this consent will be implied) or otherwise complying with the Australian Privacy Principles and other applicable privacy legislation.

We may disclose personal information to third-party service providers who assist us in delivering operational and administrative services, such as invoice processing. For example, we engage a provider that stores data securely on servers located in Australia; however, some of their personnel are based overseas, including in the Philippines, and may access personal information for support and processing purposes. We take reasonable steps to ensure that any such access complies with applicable privacy laws, including the Australian Privacy Principles. Other third-party providers may be engaged from time to time for similar purposes, and we apply the same privacy and security standards to all such arrangements.

## 9. Sale, Merger or Organisational Transition

Personal information we hold may be disclosed to third parties in connection with a proposed or actual organisational change, such as a merger, integration, or transfer of services or assets. This may occur, for example, where we join with another organisation to continue or expand service

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delivery. Any such disclosure will be subject to strict undertakings to preserve the confidentiality and security of the information, and will be managed in accordance with applicable privacy laws.

## 10. Direct marketing

We may directly market ourselves and our services to an individual on the basis that the individual would reasonably expect us to do so, where we have already collected the individual's personal information directly from the individual.

Where we collect information about an individual from a third party, we will not use that information to directly market that individual unless the individual consents to this. Such consent may be express or may be implied.

All of our direct marketing communications contain a facility whereby you can opt out of receiving future communications. You may also at any time separately request not receive direct marketing communications from us. We will comply with all such requests as soon as reasonably possible.

## 11. Automated Decision Making and Artificial Intelligence

We use various computer programs to streamline our internal functions and service delivery. From time to time, we may use your personal information, such as health condition data and personal preferences, in the operation of a computer program used to assist us to make decisions, such as rostering and scheduling staff and resources needed for care and site operations. However, those computer programs will always be subject to oversight by human decision-makers.

We may use artificial intelligence technologies, including generative AI, to support internal operations and client services. These tools are used to enhance efficiency, automate routine tasks, and improve decision-making. All AI usage is subject to oversight and complies with applicable privacy laws and internal governance policies. Personal information processed by AI systems is handled securely and only for the purposes outlined in this policy.

## 12. Links to third party websites

Our website may contain links to websites operated by third parties. Those links are provided for convenience and may not remain current or be maintained. Unless expressly stated otherwise, we are not responsible for the privacy practices of, or any content on, those linked websites and have no control over or rights in those linked websites.

Before using those websites, we encourage you to read their privacy policies as they may differ substantially from our policy.

## 13. Accessing and correcting your personal information

It is important that the information we hold about our clients, job applicants and contractors is accurate. Except in certain situations, you have the right to access your personal information and ask us to correct it. In particular, the Statement of Rights under the *Aged Care Act 2024* provides that clients have the right to seek, and be provided with, records and information about the funded aged care services they access, including the costs of those services. We will take

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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 allowed or required by law, for example, where this would have a negative impact on someone else's privacy. If we do refuse to grant access, we will give you written reasons.

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

Privacy Officer: Daniel Brewer, Chief Information Officer

Email Address: [daniel.brewer@scctas.org.au](mailto:daniel.brewer@scctas.org.au)

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

### 14. 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 write to our Complaints Officer at the following address:

Complaints Officer: Janine Harper, Interim Chief People and Transformation Officer

Email Address: [janine.harper@scctas.org.au](mailto:janine.harper@scctas.org.au)

We will promptly acknowledge receipt of your complaint, and we will endeavor to deal with your complaint and to provide you with a response within a reasonable time period following receipt of your complaint (generally within 30 days of receipt). Where a complaint requires a more detailed investigation, it may take longer to resolve. If this is the case, then we will provide you with progress reports.

We reserve the right to verify the identity of the person making the complaint and to seek (where appropriate) further information from the complainant in connection with the complaint.

Where required by law, we will provide our determination on your complaint to you in writing.

Please note that we may refuse to investigate or to otherwise deal with a complaint if we consider the complaint to be vexatious or frivolous.

If you are not satisfied with our response, you can contact the Office of the Australian Information Commissioner:

#### Office of the Australian Information Commissioner

Postal address: GPO Box 5288 Sydney NSW 2001

Phone: 1300 363 992

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

For the avoidance of doubt, complainants also have the right to make a complaint or give feedback in accordance with our complaints and feedback policy. Likewise, individuals may make a whistleblower disclosure in line with our whistleblower policy.

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