

# The Karuna Hospice Service Limited

## Privacy Statement



### We value your privacy

The Karuna Hospice Service Limited (Karuna) recognises the importance of protecting the privacy of individuals; and has implemented systems in order to do all that is reasonably practicable to safeguard personal information and comply with Australian privacy law including the Australian Privacy Principles (APPs) as set out in The Privacy Act 1988.

This Privacy Statement explains our privacy policy and outlines how we manage personal information including:

- the kinds of personal information that Karuna collects and holds
- how Karuna collects and holds personal information
- the purposes for which Karuna may collect, hold, use and disclose personal information
- how a person may access their personal information and if necessary, seek correction
- how a person may complain about a perception that the APPs have been breached in some way, and how Karuna will deal with any complaint; and
- as applicable, whether Karuna is likely to disclose personal information to overseas recipients (if ever) and if so, the relevant countries

### Australian Privacy Principles

To protect the privacy of individuals, Karuna has adapted its privacy policy and procedures to comply with the APPs being:

Privacy considerations	APP
Consideration of personal information privacy	1 Open and transparent management of personal information
	2 Anonymity and pseudonymity
Collection of personal information	3 Collection of solicited personal information
	4 Dealing with unsolicited personal information
	5 Notification of the collection of personal information
Dealing with personal information	6 Use or disclosure of personal information
	7 Direct marketing
	8 Cross-border disclosure of personal information
	9 Adoption, use and disclosure of government related identifiers
	10 Quality of personal information

Integrity of personal information	11	Security of personal information
Access to and correction of personal information	12	Access to personal information
	13	Correction of personal information

## Notifiable Data Breaches Scheme

Karuna is required to notify affected individuals and the Office of the Australian Information Commissioner (OAIC) when a data breach is likely to result in serious harm to individuals whose personal information is involved in the breach.

## What do we mean by personal information (PI)?

**Personal information** means information or an opinion (including as part of a database) about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not; and whether recorded in a material form or not. Personal information includes sensitive information and may include photographs. Personal information may include sensitive information, as below.

**Sensitive information** means health information, genetic and biometric information, and also information about racial or ethnic origin, political opinions or membership, religious beliefs or affiliations, philosophical beliefs, memberships of professional or trade associations or unions, sexual orientation and criminal records.

## How do we protect your privacy?

Karuna adopts the APPs by implementing the following strategies.

### Consideration of PI privacy

#### APP 1. Open and transparent management of PI

Karuna will do all that is reasonably practicable to manage PI in an open and transparent manner by adopting this Privacy Policy and posting on the Karuna website a Privacy Statement which outlines:

- the kinds of PI that Karuna collects and holds
- how Karuna collects and holds PI
- the purposes for which Karuna may collect, hold, use and disclose PI
- how a person may access their PI and if necessary, seek correction
- how a person may complain about a possible breach of the APPs and how Karuna will deal with any complaint
- as applicable, whether Karuna is likely to disclose PI to overseas recipients (if ever) and if so, the relevant countries

The Privacy Statement and this Privacy Policy will be made available free of charge, electronically or in hardcopy as appropriate, to anyone who requests it and a reference to the Privacy Statement will appear on all outgoing emails.

## **APP 2. Anonymity and pseudonymity**

Karuna will give individuals the option if requested, of not identifying themselves, or of using a pseudonym, unless to do so would be impracticable, or unless Karuna is required or authorised by Australian law to do otherwise.

### **Collection of PI**

#### **APP 3. Collection of solicited PI**

Karuna will only collect PI by lawful, fair means and where reasonably necessary for its functions or activities. Where the PI is health information Karuna will collect the information necessary to provide the health service (or to manage, fund or monitor the health service) in a manner congruent with its relevant obligations of professional confidentiality. For other sensitive information, Karuna will obtain an individual's consent to the collection (unless the collection is required or authorised by or under an Australian law; or the information relates solely to members or persons with regular contact with Karuna's activities).

#### **APP 4. Dealing with unsolicited PI**

If Karuna receives PI that it did not solicit; it will determine whether or not it could have collected the information under APP 3 (if it had solicited the PI). If the answer to this query is "No" where lawful and reasonable to do so, it will destroy or de-identify the PI. (If the answer is "Yes", APPs 5 to 13 will be applied as if Karuna had collected the PI under APP 3).

#### **APP 5. Notification of the collection of PI**

Karuna will, as soon as practicable, take steps as are reasonable in the circumstances to ensure that individuals are made aware of the PI it has collected about the individual from another source; the purpose; the main consequences of a failure to collect (if any); other entities or persons to whom the PI may be disclosed; and the fact that Karuna's privacy policy defines how they may access their PI; seek correction; complain; and as applicable whether the PI will be disclosed to overseas recipients (and if so which countries).

### **Dealing with PI**

#### **APP 6. Use or disclosure of PI**

Where Karuna holds PI for a particular purpose it will not use or disclose the PI for another purpose unless the person whose PI is held:

- has consented to the use or disclosure for the secondary purpose
- would reasonably expect Karuna to use or disclose the PI for the secondary purpose (and the secondary purpose is related to, or for, sensitive information, directly related to the first purpose)
- the use or disclosure is required or authorised by Australian law
- the use or disclosure is necessary for provision of the health service (or the management, funding or monitoring of the health service, or health research or statistics) and it is impracticable to obtain the consent; and the use or disclosure is conducted in accordance with relevant obligations of professional confidentiality; and Karuna reasonably believes the recipient will not disclose the PI. Additionally, Karuna will take such steps as are reasonable in the circumstances to de-identify any data released to funding bodies.

## **APP 7. Direct marketing**

Karuna uses PI (other than sensitive information) for direct marketing where it collected the information from the individual in circumstances in which the person would reasonably expect Karuna to use or disclose the information for this purpose. In other circumstances, such as where Karuna obtains the PI for direct marketing from another source, the option not to receive the marketing material is clearly and prominently visible on the marketing materials. The option and process to request to be taken off the marketing mailing list is placed on all Karuna Appeal letters and Karuna newsletters.

## **APP 8. Cross-border disclosure of PI**

Karuna does not routinely disclose PI to overseas recipients. If this becomes necessary it will take such steps as are reasonable in the circumstances to ensure that:

- the overseas recipient does not breach the APPs (other than APP 1) or protects the PI in a similar way (which an individual can enforce)
- the individual is informed and consents
- the disclosure is required or authorised by Australian law

## **APP 9. Adoption, use and disclosure of government related identifiers**

Karuna will not generally adopt, use or disclose a government related identifier of an individual as its own identifier of the individual unless required or authorised by Australian Law, or it is reasonably necessary to verify the identity of the individual for Karuna's activities or functions.

## **Integrity of PI**

### **APP 10. Quality of PI**

Karuna will take such steps as are reasonable in the circumstances to ensure that the PI it collects, uses or discloses is accurate, up-to-date, complete and relevant to purpose.

### **APP 11. Security of PI**

Karuna will take such steps as are reasonable in the circumstances, including as provided in its Information Security Policy, to protect PI from misuse, interference, loss or unauthorised access, modification or disclosure including:

- confidentiality agreements being signed by all staff, consultants, contractors, volunteers, students, work placement persons and research project personnel who are in contact with families or working in the Karuna office
- ICT security measures
- confidential information is shredded as and when appropriate

## **Access to and correction of PI**

### **APP 12. Access to PI**

Karuna will do what is reasonable to provide access to PI on receipt of a written request and authorisation, signed by the client / family or his / her legally authorised representative.

Exceptions to this are as follows:

- where a client's PI is required by their medical practitioner, hospital or healthcare service provider for the purpose of healthcare
- for the purposes of healthcare evaluation and research, assuming individual confidentiality is maintained in handling and reporting of information

Karuna will seek legal advice before providing access to the PI if senior management reasonably believes:

- access may pose a serious threat to the life, health or safety of any individual (or to public health or safety)
- access may have an unreasonable impact on the privacy of other individuals
- the request for access is frivolous or vexatious
- the PI relates to existing or anticipated legal proceedings between Karuna and the individual (not accessible by the process of discovery in those proceedings)
- access to the PI might prejudice negotiations
- access would be unlawful
- denying access is otherwise required or authorised by Australian law

### **APP 13. Correction of PI**

Karuna will take such steps (if any) as are reasonable in the circumstances (having regard to the PI and the purpose for which it is held, used or disclosed) to:

- correct PI to ensure it is accurate, up to date, complete, relevant and not misleading
- appropriately respond to requests by individuals to correct their PI, including providing notice and the means of complaint if Karuna elects not to change the PI

### **Contact us**

If you have any queries or concerns about our privacy policy or the way in which we handle your personal information, please contact our Business Operations Manager at:

Karuna Hospice Services  
PO Box 2020,  
WINDSOR QLD 4030

Tel: 07 3632 8300  
[karuna@karuna.org.au](mailto:karuna@karuna.org.au)

For more information you can visit the Office of the Australian Information Commissioner website at <http://www.oaic.gov.au>