

Your privacy is important

This statement outlines Brighter Access' policy on how we use and manage personal information provided to or collected by us. Brighter Access is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act and is compliant with the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

Brighter Access may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to Brighter Access operations and practices, and to make sure it remains appropriate to the changing legal environment.

What kind of personal information does Brighter Access collect and how do we collect it?

The type of information Brighter Access collects and holds includes (but is not limited to) personal information about:

- an individual's identity (name, contact details, government-issued identification numbers)
- biographical details (birth date, gender, culture/ethnicity, religious beliefs)
- health and medical information
- photographs/videos of an individual
- an individual's advocate or emergency contact's telephone number and email.

Brighter Access may collect a participant's personal information from:

- you (the participant)
- your family members or significant others
- your advocate
- your doctor or other service providers or facilities.

We will collect personal information directly from you unless:

- we have your consent to collect the information from someone else
- we are required or authorised by law to collect the information from someone else
- it is unreasonable or impractical to do so.

You can withdraw your consent at any time by contacting us; although you should be advised that this may impact on our capacity to provide services.

You do have the right to seek to deal with us anonymously or using a pseudonym, but in almost every circumstance it will not be practicable for us to deal with you or provide any services to you except for the most general responses to general enquiries, unless you identify yourself.

How will Brighter Access use the personal information you provide?

Brighter Access will use personal information it collects from you for the purpose of providing care and support services. The information may also be used to enable service providers and health or medical practitioners to provide care and services where you have provided us with consent to do so.

Marketing and fundraising:

Brighter Access may use your personal information for direct marketing where you have provided that information, and you are likely to expect direct marketing. Any direct marketing we send will provide an opportunity to opt out of direct marketing.

Brighter Access considers marketing and seeking donations for the future growth and development of Brighter Access as important. Personal information held by Brighter Access may be disclosed to an organisation that assists in Brighter Access' fundraising. We will always obtain your consent to use sensitive information as the basis for any of our direct marketing.

Who might Brighter Access disclose personal information to?

Brighter Access may disclose your personal and health information, for the purpose of your care and services, to:

- service providers who assist us in providing care and services, health or medical practitioners, external health agencies such as the ambulance service, hospitals, the NDIS, and other relevant government organisations
- a person you have nominated as being your advocate, e.g. parent, child or sibling, spouse, a relative, a member of your household, a guardian, an enduring power of attorney, or a person you have nominated to be contacted in case of emergency, provided they are at least 18 years of age
- external quality auditors of Brighter Access services as a requirement of our NDIS registration.

We may not use or disclose personal information for a purpose other than providing care and services, unless:

- you have consented
- the purpose is related to providing care and services, and you would reasonably expect disclosure of the information for that purpose
- we believe on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to your life, health or safety or a serious threat to public health or public safety
- we have reason to suspect unlawful activity and disclosure is required or authorised by law.

We will not disclose your personal information to an overseas recipient.

How does Brighter Access treat sensitive information?

'Sensitive information' is "information relating to a person's racial ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record, that is also personal information; and health information about an individual".

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

Brighter Access' staff are required to respect the confidentiality of personal information and the privacy of individuals.

Brighter Access has in place steps to protect the personal information Brighter Access holds from misuse, loss, unauthorised access, modification, interference or disclosure by use of various methods including locked storage of paper records and passworded access rights to electronic records.

We have a data breach response plan, which we would follow in the unlikely event of a privacy or data breach.

Updating personal information

Brighter Access endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. An individual may seek to update their personal information held by Brighter Access by contacting us by email at mycare@brighteraccess.com.au

You have the right to check what personal information Brighter Access holds about you. Brighter Access may require you to verify your identity and specify what information you require. Although no fee will be charged for accessing your personal information or making a correction, Brighter Access may charge a fee to retrieve and copy any material.

Under the Commonwealth Privacy Act and the NSW Health Records and Information Privacy Act, an individual has the right to obtain access to any personal information which Brighter Access holds about them and to advise Brighter Access of any perceived inaccuracy. There are some exceptions to this right set out in the applicable legislation. To make a request to access any information Brighter Access holds about you, please contact us by email at mycare@brighteraccess.com.au

How long will Brighter Access keep my information?

The Australian Privacy Principles and the Health Privacy Principles require Brighter Access not to store personal information longer than necessary. This necessary period is typically 7 years.

In line with our *Participant Records Retention Procedure*, your personal information that is no longer required will be de-identified or destroyed. In many circumstances, however it may be kept for marketing purposes, if you have not withdrawn your consent for this purpose in writing with us.

Employee information

Brighter Access handles employee information in accordance with the Australian Privacy Principles, noting this is not a requirement of the Privacy Act.

Job applicants, staff members, volunteers, and contractors:

The primary purpose of personal information collected from job applicants, staff members, volunteers, and contractors is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which Brighter Access uses personal information of job applicants, staff members, volunteers, and contractors include:

- for insurance purposes
- to satisfy Brighter Access' legal obligations.

Where Brighter Access receives unsolicited job applications these will usually be dealt with in accordance with the unsolicited personal information requirements of the Privacy Act.

Privacy Policy



Enquiries and privacy complaints

Please contact Brighter Access by email at mycare@brighteraccess.com.au or by phone on 1300 908 122 if you:

- would like further information about the Brighter Access manages the personal information we hold (including our detailed Privacy and Confidentiality Procedure), or
- have any concerns, complaints or you think there has been a breach of privacy.

If we then have not dealt satisfactorily with your concerns we will meet with you to discuss further.

If you are not satisfied with our response to your complaint within 30 days from this meeting then you can contact The Office of the Australian Information Commissioner via Privacy Hotline 1300 363 992 or enquiries@oaic.gov.au