

# Privacy Policy

VIVIR is committed to protecting the privacy of the personal information that we collect from all participants, respecting their rights to privacy and complying with the *Privacy Act 1988* (Cth) (the “**Privacy Act**”) and other applicable laws protecting privacy including State and Territory legislation.

The Privacy Act provides the participant with a number of rights, including the right:

- to know why their personal information is being collected, how it will be used and whether it can be given to anyone else;
- to see what information is held about them and have it corrected if it is incorrect, out of date or incomplete;
- to have their personal information stored securely and protected from unauthorised access or misuse; and
- to know the complaints procedure if they believe their privacy has been infringed.

This Privacy Policy details how Vivir comply with our privacy obligations and how we collect and manage the personal information provided to us. By submitting personal information to us, the participant agrees to our use of your personal information as described herein.

## 1. What is personal information?

When used in this policy, the term “personal information” has the meaning given to it in the Privacy Act. Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in a material form or not.

## 2. What personal information do we collect and hold?

In relation to us providing allied health services to aged and community providers and the NDIS, the personal information collected may consist of the participants name, address, telephone number, email address, age, titles, medical records, details of our services that have been provided and other information about the participant.

Sensitive information is a specific category of personal information, and, when used in this policy the term “sensitive information” has meaning given to it in the Privacy Act. Such information includes membership of a profession or trade association or of a trade union, health information, criminal record, racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs and the like.

In providing health services we may also collect some sensitive information/health information which is required to provide those services.

We may collect some de-identified information that is not personal information. This may include aggregated information about how users use the VIVIR Site, and anonymous answers to surveys.

### 3. How do we collect and hold personal information?

We collect personal information directly from the participant unless it is unreasonable to do so. We can also collect personal information in a variety of ways, including via or when the participant provides personal information to us by other means, such as in-person during conversations, via phone or email.

We may also collect personal information from third parties including:

- an advocate, nominated by the participant
- a plan manager appointed by the participant
- the NDIA

Personal information is held by us in secure physical and electronic data systems.

### 4. For what purposes do we collect, hold and disclose your personal information?

We collect personal information about the participant so that we can perform our business activities and functions and to provide the best possible quality services.

In general, we also collect, hold and disclose personal information for the following purposes:

- to send communications requested by the participant, answer enquiries and provide information about existing or new services;
- to provide the participant's updated personal information to related bodies corporate, contractors or service providers if such disclosure is required to administer our business functions or to provide our products and services to you;
- to update our records and keep your records up to date;
- to process and respond to any complaint made by the participant; and
- to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in cooperation with any governmental authority of any country.

We will not intentionally disclose (and will take commercially reasonable steps to prevent the accidental disclosure of) the participant's personal information to third parties, whether for such third parties' marketing purposes or otherwise, except when we believe we are under a legal duty to do so.

If we are unable to collect the participant's personal information, we may be unable to fulfil some, or all of the purposes listed above. In particular, we may be unable to provide our services to or provide you with full access to the VIVIR Site.

### 5. To whom do we disclose information

We may disclose your personal information to:

- our employees involved in the delivery of the participant's services

- contractors or service providers if such disclosure is required to administer our business functions or to provide our products and services;
- our employees, related bodies corporate, contractors or service providers for purposes of operation of our information storage system and to fulfil the participant's requests including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors and professional advisors such as accountants, solicitors, business advisors and consultants;
- any organisation for any authorized purpose with the participant's express consent;
- should we intend to merge with, or sell the majority of our assets or equity to a third party, personal information may be disclosed to that third party; and
- as required or permitted by law.

## 6. Are cookies and IP addresses used?

The VIVIR Site use "cookies" to identify interests and to track usage of the VIVIR Site in order to help personalise the browsing experience. Cookies are small pieces of text stored on your computer that help us know which browser is being used and which part of the VIVIR Site has been visited. To avoid the use of cookies the browser can be set to refuse them. However, a user who does not accept the cookie from the VIVIR Site may not be able to access certain areas and may limit the use of the VIVIR Site and some of our services. In administering the VIVIR Site and diagnosing potential system problems, we also log all IP addresses which access the VIVIR Site.

## 7. Do we disclose personal information to anyone outside Australia?

We may disclose personal information to our related bodies corporate and third-party service providers and suppliers located overseas for some of the purposes listed above. Those overseas entities may be located in the United Kingdom, New Zealand, Singapore, Hong Kong, Indonesia, India and China. If we disclosure your personal information to persons located overseas we will comply with the *Privacy Act 1988* (Cth).

## 8. How can you access, change, and/or delete information?

The participant may request access to any personal information we hold about them at any time by contacting us. Where we hold information that they are entitled to access, we will try to provide them with a suitable means of accessing it (for example, by mailing or emailing it to them). We will not charge for making the request or for making any corrections to your personal information. The participant's VIVIR representative or our Privacy Officer can be contacted for this by the means set out in paragraph 12. We will then contact the participant to request sufficient information to allow us to confirm their identity. As soon as practicable after the request is received, we will give the participant access to their personal information.

There may be times when we cannot grant access to the personal information we hold. For example, if access would interfere with the privacy of others or if it would result in a breach of confidentiality or law, we will not be required to grant access. We will let the participant know if this is the case.

If the participant believes that the personal information we hold about them is incorrect, incomplete or inaccurate, they may request us to amend it by contacting our Privacy Officer. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment, then we will add a note to the personal information stating that you disagree with it. The participant may also have their personal information deleted. The participant should be aware that we are required by law to retain certain personal information (such as progress note record; such information will not be deleted. We will let them know if we cannot delete their personal information for legal or other reasons.

## 9. Security

We take reasonable steps to ensure that all personal information is protected from misuse, loss and from unauthorized access, modification or disclosure. We may hold your information in either or both electronic or hard copy form. Only authorized personnel will be provided with access to personal information. These persons are required to treat this information as confidential and deal with it in accordance with this Privacy Policy. Personal information is destroyed or de-identified when no longer needed.

As the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information the participant communicates to us online. We cannot guarantee that the information supplied will not be intercepted while being transmitted over the internet. Accordingly, any information which transmitted to us online is transmitted at the participant's own risk.

## 10. Links to third party websites

The VIVIR Site may contain links to third party websites as a service to our users. We make no representations or warranties in relation to the privacy practices of any third-party website and we are not responsible for the privacy policies or the content of any third-party website. We encourage a review of the privacy policies of the relevant third parties before providing any information to them.

## 11. Contact our Privacy Officer

If the participant has any questions in relation to their Personal Information, our Privacy Policy or any concerns or a complaint regarding the treatment of their Personal Information by us, please e-mail us at [privacy@chandlermacleod.com](mailto:privacy@chandlermacleod.com), write to us at Level 5, 345 George Street, Sydney NSW Australia 2000, or call 02 8267 4680. We will treat all requests or complaints confidentially. Our Privacy Officer will be in contact within a reasonable time after receipt of a request or complaint to discuss all concerns and to outline options regarding how they may be resolved.

General information about privacy may be found via <http://www.privacy.gov.au/> and <http://www.oaic.gov.au/>.

## 12. Changes to this Privacy Policy

We may change this Privacy Policy from time to time without prior notice and all personal information held by us will be governed by the most recent version of our Privacy Policy. Any updated versions of this policy will be posted on the VIVIR Site.