

Privacy principles

How we collect, store, use and disclose your personal and health information

CTP Care is administered by the Lifetime Care and Support Authority (Lifetime Care) in the NSW Compulsory Third Party (CTP) Scheme under the *Motor Accident Injuries Act 2017*. CTP Care respects your privacy and treats the management of your personal and health information very seriously.

We are bound to manage your personal and health information in accordance with the *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002* except where the *Motor Accident Injuries Act 2017* provides explicit authority to share information with the State Insurance Regulatory Authority (SIRA) and licensed CTP insurers outside of these Acts. We apply these legal obligations when collecting, storing, using and disclosing your personal and health information.

The following principles apply to your personal and health information in any form, including electronic, paper or audio records and x-rays.

1. Why we collect information about you

We only collect information to the extent that it is necessary for us to exercise our functions under the *Motor Accident Injuries Act 2017*. We collect your information to determine whether you are eligible to become a client of CTP Care; to make decisions about the supports required to meet your treatment and care needs; and to manage your statutory benefits within the NSW CTP Scheme.

2. What kind of information we may collect

We only collect personal and health information that is relevant to the management of your treatment and care. This may include, but is not limited to, information about your accident and the injuries you sustained, information about your health including your medical and other treatment and care needs, and information about your current community supports and living arrangements. This includes access and retrieval of specific claims data from SIRA. It may also include reports from medical, health and workplace rehabilitation providers and others. This includes any records held by Lifetime Care in relation to your accident related treatment and care needs, should you have been a participant of the Lifetime Care and Support Scheme or made an application to that Scheme prior to becoming a client of CTP Care.

We may also ask for your bank account details for any reimbursement to you.

3. How we use and disclose your information

We will only use and disclose your personal and health information for the purpose for which it was collected or a directly related purpose. We might also disclose your personal or health information for research or the compilation of statistics where it is reasonably necessary and in the public interest. We may disclose information for the purposes of program evaluation and research, including but not limited to, road safety initiatives and service development activities such as vocational programs. We will ensure that any information is de-identified and provided in accordance with Human Research Ethics Committee requirements.

If there is a dispute about a decision we have made in relation to your treatment and care needs, your information may need to be shared with SIRA to resolve it.

4. Whom we might obtain your personal and health information from, or give it to

We will collect your personal and health information from you and others by a variety of means, including in writing, verbally, via online portals, applications, claims databases or other forms of written record. We may need to give documents and/or information about you to others, or also get documents and/or information from others. The people and institutions we may do this with include:

- a relative, guardian or other legal representative;
- Commonwealth or State government departments or agencies involved in your case, including Centrelink, Medicare, NSW Community & Justice Service, SIRA, including the Dispute Resolution Service (if a dispute arises), a NSW government agency and an educational institution (eg TAFE);
- an insurer carrying on the business of providing workers compensation, personal injury or CTP insurance;
- if you live or travel overseas, any private or government entity necessary to deliver treatment and care services to you or otherwise manage your participation in the Scheme;
- an ambulance and/or other emergency services;
- a medical or healthcare practitioner or service provider, including hospitals (including private);
- a person who is qualified to assess the treatment, care and support needs of a person;
- a provider of treatment, care or support services including attendant care and support services;
- an employer or previous employer;
- an educational institution;
- any other person to whom icare is required to disclose the information by law
- third party contractors engaged by icare to deliver any aspect of the management of CTP Care including quality auditor engaged by contract to review management of the scheme;
- any legal practitioner engaged in representing a party making a claim for compensation or damages (including personal injury, workers compensation or CTP).

5. Transferring your information outside New South Wales

Sometimes we may need to transfer your information to other States and Territories, as well as to the Commonwealth. This may be for treatment and care purposes as described above, or as part of the Commonwealth-State reporting obligations. If you live in a different state or overseas, we will need to do this most of the time. If we need to transfer your personal or health information outside of NSW we will ensure that we have a lawful authority or your consent to do so.

6. Keeping your information relevant and up to date

We take reasonable steps to ensure that your personal and health information is relevant, up to date and complete. We may ask you to verify information we hold about you to ensure it is accurate.

7. We keep your information secure

We protect your information from unauthorised access, use, misuse, modification, disclosure and loss. Your information is stored securely, not kept any longer than necessary and disposed of in accordance with our record-keeping obligations.

8. You can ask to correct your information

If you ask us, we will give you access to your personal and health information, unless denying access is authorised by another law. If required, we will allow you to update, correct or amend your personal or health information.

9. If you act for someone who has impaired decision-making capacity or a disability

If you act for someone who has impaired decision-making capacity or a disability that means they are unable to give consent to the collection, storage, use and disclosure of their personal and health information, you can do so on their behalf if you are a person responsible within the meaning of section 33A (4) of the *Guardianship Act 1987*, being a guardian, spouse or partner, a carer or a close friend or relative (as defined in the *Guardianship Act 1987*).

10. If there is a dispute about how we are managing your personal or health information

If you believe we are not managing your personal or health information in accordance with these principles then you have rights to ask us to review our conduct.

For more information

If you have any questions about privacy, confidentiality or access to your information you can phone, write, or email us.

For further information about how icare, including CTP Care, meets its privacy obligations please visit the privacy pages on our website at www.icare.nsw.gov.au.

You can also contact the SIRA help centre CTP Assist on 1300 656 919 or ctpassist@sira.nsw.gov.au.

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