

Privacy principles

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

Lifetime Care respects your privacy and treats the management of your personal and health information very seriously. Our privacy obligations are contained in the *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002*. We follow 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 or paper records, audio records or x-rays.

1. Why we collect information about you

We only collect personal and health information where it is required to perform our functions. We collect your information to determine whether you are eligible to become a participant in the Lifetime Care and Support Scheme (the Scheme); to make decisions about the supports required to meet your treatment and care needs; and to manage your participation in the Scheme. If you are not eligible for the Scheme, we may also use your information to determine if your treatment and care needs can be met by CTP Care; to make decisions about the supports required to meet your treatment and care needs; and to manage your 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 your participation in the Scheme or for any other treatment and care needs to may be eligible for.

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.

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 any information is de-identified and provided in accordance with Human Research Ethics Committee requirements.

If there's a dispute about your eligibility to participate in the Scheme, the nature or extent of your injuries, the matter will be referred to an Assessment Panel of independent, external dispute assessors. If there is a dispute about your treatment and care needs, the matter will be referred to one external dispute assessor. If a dispute about eligibility or treatment and care needs is not resolved, the matter may later be referred to a Review Panel.

The assessors will be provided with the same personal and health information that we hold about you. They may also ask for additional information to help them make their assessment.

In the case of a dispute about the nature of the motor accident, we may need to share information with the State Insurance Regulatory Authority (SIRA) and legal advisers.

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

Entities that Lifetime Care may need to provide documents and/or information to and obtain documents and/or information from include:

- your family or guardian;
- the State Insurance Regulatory Authority (SIRA), a New South Wales government agency;
- an insurer carrying on the business of providing workers compensation, personal injury or CTP insurance;
- a department, agency or instrumentality of the Commonwealth, the State or another State or Territory;
- 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;
- a hospital, including a private hospital;
- an ambulance and/or other emergency services;
- a medical practitioner;
- 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 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 and to ensure it is accurate. We will ask you to renew your consent to us collecting, using, storing and disclosing your personal and health information every two or three years.

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 is a participant in the Scheme 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, a 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, fax or email us. Details are below.

icare

GPO Box 4052, Sydney, NSW 2001

General Phone Enquiries: 1300 738 586 (from 9:00 am to 5:00pm, Monday to Friday)

Fax: 1300 738 583

Email: care-requests@icare.nsw.gov.au

www.icare.nsw.gov.au