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## 1 Policy

We respect a Clients rights to privacy and have a legal obligation to do so. The Companies *Privacy Policy (Clients)* explains to Clients the manner in which Personal Information is collected, used, disclosed and stored by the Company, in relation to the legislative requirements outlined in the *Privacy Act 1988 (Cth)* (these rules are commonly referred to as the *Australian Privacy Principles*).

## 2 Commencement

This policy is effective from 27 November 2019 and replaces any other policies or procedures regarding Privacy (Clients).

## 3 Scope

This Policy has been created with reference to *Privacy Act 1988 (Cth)* and the *Australian Privacy Principles* document published by the *Office of the Australian Information Commissioner*, current as of July 2019. This policy covers all Clients who use, or intend to use, our services or otherwise provide Personal Information to us. This Policy is distinct from *P005 CHG Privacy Policy (Internal)*, which pertains to our internal guidelines, and is distinct from *TP001 RTO Privacy Policy* that pertains to learner enrolment and assessment information.

## 4 Definitions

**Advisers** A person or business who is not employed by the Company, and who provides advisory services to the Company.

**CHG News** An educational newsletter about Occupational Health and Return to Work topics, delivered monthly to the Client either electronically or in hard copy form.

**Client** Is a reference to those persons or entities to whom the Company provides or intends to provide, services. It includes, but is not limited to patients, candidates, injured workers, employers, health promotion clients, CHG website visitors, regulatory body representatives and coworkers not employed directly by the Company.

**Company** The associated entities of Worcomp Pty Ltd, Corporate Health Group Pty Ltd and Corporate Health Group Defence Pty Ltd, trading as CHG, and collectively termed the Company in this document.

**Contractors** A person or business who enters into a contract with the Company to provide services. A contractor is not an employee of the Company, but is bound by the terms of their contract with the Company.

**Cookie** A cookie is a data file that a website transfers to your computer. This enables the website to track the pages you have visited. A cookie only contains information you supply. It cannot read data on your computer. There are many

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types of cookies that may be used for different purposes. For example, some cookies help a website to remember information about your visit, like your preferred language and other settings while others may identify which pages are being visited or offer security features. Our websites may use cookies. You can set your browser to refuse cookies, however, this may mean you are unable to take full advantage of our website.

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**Employee** Anyone engaged on a Permanent, Casual or Permanent Fixed Term contract or Contractor basis representing the Company.

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**Insurers** A person or business who, through a contractual agreement, undertakes to compensate specifies losses, liability, or damage incurred by the Company.

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**Personal Information** Is defined by the *Privacy Act 1988 (Cth)* however is any information that can be used to personally identify a Client. May include name, address, phone number, email address or profession. If the information the Company collects can be used to personally identify a Client, or reasonably identify a Client, the information will be considered Personal Information.

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**Privacy Officer** The first point of contact for advice on privacy matters in the Company.

## 5 Personal Information

### 5.1 Types

The Company will collect and hold Personal Information about Clients, Contractors, and other people who come into contact with the Company and includes the following:

- name, address and telephone number;
- age and/or date of birth;
- Medicare number, Veterans' Affairs number, Health Care Card number, health fund details or pension number;
- current drugs or treatments;
- information relevant to your medical care, including but not limited to your previous and current medical history and your family medical history (where clinically relevant);
- ethnic background (where provided and clinically relevant);
- profession, occupation or job title;
- the name of any health service provider or medical specialist to whom you are referred, copies of any letters of referrals and copies of any reports; and
- any other information provided in response to interaction with our website, including Cookies, which may record which of our pages or other webpages you have visited.

Some information collected is not considered Personal information, for example anonymous answers to surveys.

### 5.2 Collection

The Company will generally collect Personal Information about the Client directly from the Client by way of online forms (on the Company website), other documents or information submitted to the

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Company by the Client (whether in paper or electronic form), correspondence the Client provided to the Company, telephone calls or face to face discussions with the Client (including during consultations).

From time to time information will be collected via a third party such as another health service provider who refers a Client to the Company (or to whom the Company refer a Client), from a Clients employer or prospective employer, when information is provided where consent has been given or from specific third party bodies such as law enforcement or other government entities.

### 5.3 Usage

The Company will only use Personal Information for the following purposes unless otherwise required or permitted by law:

- To provide the Client with the best possible service in supplying goods and services offered by the Company;
- To answer any questions or inquiries the Client directs to the Company;
- To investigate, process and manage complaints or feedback by the Client;
- To provide the Client with marketing material in relation to offers, specials, products and services the Company have available from time to time, provided the Client has been informed and has given consent to 'opt-in' to CHG News, or any other form of marketing material produced by the Company;
- To comply with any law, rule, regulation, determination, decision or direction of a regulator, or in cooperation with any government authority;
- For inclusion in a recall register to be advised of follow up visits and medical updates;
- To collect data in a de-identified format, for the purpose of analysing the Company services usage and population trends, in order to improve the provision of services by the Company to the Client. The Company will perform an appropriate level of de-identification that is consistent with the *Australian Privacy Principles*;
- To meet obligations of notification to our medical defence organisations or insurers;
- For our internal management purposes, to manage our relationship with the Client, and to manage the payment or recovery of amounts payable to the Company by the Client or any entity related to the Client (as applicable); and
- For other purposes which are reasonably necessary in connection with the normal Company functions and activities for example, administrative and billing purposes as well as to our related companies, contractors, service providers or other third parties.

If the Company is unable to collect Personal Information relating to the Client, the Company may be unable to provide the Client with the goods or services required, unable to provide the goods or services to the same standard, or continue a relationship. A Client must be aware that if the appropriate Personal Information is not disclosed a diagnosis and/or treatment may be inaccurate or incomplete.

### 5.4 Disclosure

The Company may disclose Personal Information to the following kinds of entities for the relevant purposes mentioned above:

- Our Employees who provide services to Clients for the purpose of business operations.
- Contractors, Advisers and Insurers working with the Company;
- any industry body, tribunal, court or otherwise in connection with any complaint made by the Client about the Company, and requested with the relevant release authority;

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- A Clients employer, or prospective employer, their authorised representatives and their insurer in the case of a work-related service;
- if the Client has provided the Company with referees to assist with the assessment of a potential contract between the Client and the Company, the referees the Client have provided;
- to fulfil any requests by the Client, without limitation, couriers, debt collectors, accountants and solicitors; and
- other entities with consent of the Client, or as permitted or required by law.

The Company may disclose the kinds of Personal Information listed above to overseas recipients. As at the date of this policy the recipients will be located only in Australia, although the countries in which the recipients are located may change over time.

## 5.5 Storage

The Company holds Personal Information in paper form and electronic form. The Company has in place security steps to protect the Personal Information held from misuse, interference and loss and from unauthorised access, modification or disclosure.

## 5.6 Access

The Client may obtain access to the Personal Information held by the Company, by contacting the Company using the contact details set out in *13 Feedback* of this document. When the Client requests copies of Personal Information, the Company will provide such Personal Information as soon as reasonably practicable in a summary report.

The Company may require the Client to verify identity and specify what information is required. There may be occasions when access to Personal Information the Company holds, is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others or where a government contract restricts release. Requests for pre-employment information are to be directed to the Clients employer or prospective employer.

If a Client wants to transfer their case to another health service provider they can request a summary of their health information be provided to their new service provider by providing a signed letter contacting:

- Date of request
- Name and address of new health service provider
- Your name and address

## 5.7 Accuracy and Completeness of Information

While the Company endeavours to ensure that the Personal Information collected from the Client is up to date, accurate and complete, the Company will assume that any Personal Information provided by the Client is free from errors and omissions. The Client may request that the Company update or vary Personal Information that is held about the Client using the contact details in *13 Feedback* of this document.

# 6 Direct Marketing Communications

From time to time the Company may use the Personal Information of the Client to provide marketing material in relation to offers, specials, products and services that are available. If the Company intends to do this, the

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Client will be informed of the context of the request and ask for explicit consent to 'Opt-In' to this form of marketing communication from the Company.

## 7 Consent

When the Company asks for the consent of the Client, the Company will ensure that reasonable and adequate explanation for the implications of this consent is provided to the Client. This ensures the Client is provided informed consent to requests by the Company.

## 8 Complaints About a Breach of Your Privacy Rights

If the Client is of the view that the Company has breached the *Australian Privacy Principles*, the *Privacy Act 1988 (Cth)*, or any related privacy code in dealing with their Personal Information, the Client may make a complaint in writing to the Company using the contact details in *13 Feedback* of this document. The Company will respond and provide the Client with confirmation as to how the Company proposes to deal with the complaint as soon as reasonably practicable. Our normal procedure for investigating complaints is for the complaint to be managed by the *Privacy Officer* in conjunction with the manager of the team to whom the complaint relates.

If the Client is not satisfied with the Company's response to the complaint, the Client may make a complaint to the *Office of the Australian Information Commissioner*.

## 9 Anonymity and Pseudonyms

The Client has the option to not identify themselves and/or use a pseudonym when dealing with the Company, except during the following two circumstances:

- a law or court/tribunal order requires that the Client be identified; or
- it is impractical for the Company to deal with the Client in an unidentified or pseudonym form.

In these two circumstances, the Company will require the Client to identify themselves before engagement between the Company and the Client can continue.

## 10 Responsibilities

If the Client suspects a breach in this policy, it is the Clients responsibility to notify the Company of the suspected breach. Likewise, if the Company suspects a breach has occurred the Company has the responsibility to notify the affected Client of the suspected breach.

It is the responsibility of the *Privacy Officer* to investigate all suspected cases of breach or complaints against the use of this policy.

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## 11 References

- Privacy Act 1988 (Cth)
- Australian Privacy Principles
- Office of the Australian Information Commissioner

## 12 Related Documents

- P005 : Privacy Policy (Internal)
- TP001 : RTO Privacy Policy
- Or any related privacy code in dealing with your Personal Information

## 13 Feedback

The Company is committed to continuous improvement, and as such all Policies are refreshed annually. Additionally any specific policies will be updated throughout the year as required.

Your thoughts, comments and suggestions are welcome. Please direct any feedback to the *Privacy Officer* via [bookings@chg.net.au](mailto:bookings@chg.net.au) or call 08 8354 9800.

## 14 Variations

The *Privacy Officer* reserves the right to vary, replace or terminate this policy from time to time.

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