

Privacy Policy

Benchmark OT Pty Ltd (trading as Benchmark Rehabilitation) (**Benchmark**) is committed to protecting the privacy of personal information in accordance with its obligations under the *Privacy Act 1988* (Cth) (**Privacy Act**) and, in particular, the Australian Privacy Principles (**APPs**).

The APPs apply to the collection, use, disclosure and storage of an individual's personal information (with some exceptions, such as in relation to 'employee records').

This policy may be updated from time to time.

Scope

This policy applies to the way Benchmark collects, holds, uses and discloses personal information.

However, this policy does **not** apply to personal information held by Benchmark relating to the employment of a current or former employee (**employee records**).

1. Personal information

Under the Privacy Act, **personal information** is broadly defined. In simple terms it means any information about an individual (i.e. a natural person) who can be identified from the information, whether the information is true or not and whether recorded in a material form or not.

2. Collecting personal information

- A. Benchmark collects personal information as reasonably necessary to provide its services and to manage its relationships with clients and other parties.
- B. The types of personal information collected will depend on the services being provided and the circumstances of collection. For example:
 - **contact details** (such as name, address, email address, telephone numbers, fax number) for individuals;
 - information about individuals receiving services, including **gender, date of birth, driver's licence details, insurance, marital status, employment history**, and information about the individual's **injury, illness, disability or medical history**, and **claims for compensation**, which can include GP notes, specialist and medico-legal reports;
 - personal information about job applicants, and personal information necessary for the engagement of third-party contractors.
- C. Some personal information collected by Benchmark will be **sensitive information** within the meaning of the Privacy Act, e.g. health information. Generally an individual's consent will be obtained when collecting sensitive information, except in some limited cases.
- D. Benchmark will collect personal information directly from the individual to whom it relates whenever practicable. This may be done verbally (e.g. in person or over the telephone), in writing (e.g. by letter, fax, email, application or other form) or through contact via our website.



- E. In circumstances where it is not practicable to collect the information directly from the individual, Benchmark may collect the information via third parties. For example, personal information about individuals receiving our services will be collected from all relevant third parties to facilitate the provision of the services, including the individual's **employer, insurers**, and other relevant parties which can include **day care providers, schools, TAFEs/universities, care agencies, doctors, allied health providers, solicitors**, and our **contractors**.
- F. In limited circumstances Benchmark may also collect personal information from publicly available information and databases.
- G. 'Cookies' (i.e. small files stored on a user's computer when you access a website) may be used on our website. You may be required to accept the cookies as a condition of accessing the website or to undertake certain functions online.
- H. Subject to any legal obligations which might apply (for example, under a Court order), you are not required to provide your personal information to Benchmark. However, if you do not the result may be that Benchmark cannot provide its services to you.

3. Use and disclosure of personal information

- A. Benchmark holds and uses personal information for the following purposes:
 - to facilitate **the provision of occupational therapy, rehabilitation, injury management and related services** (including training);
 - to facilitate the **engagement of staff and contractors**, such as consultant therapists and counsellors;
 - personnel **administration and management**;
 - to **manage** third party **relationships** including with contractors;
 - **accounting, billing** and other **administrative** purposes; and
 - purposes **related** to the above purposes and to the provision of occupational therapy services generally.
- B. Benchmark discloses personal information for the purpose for which it is collected. That is, generally, Benchmark will only disclose personal information for a purpose set out at paragraph **3A** above. This will include disclosing personal information to any of the parties referred to at **2E** above, as well as Benchmark's professional advisors and any relevant regulatory bodies.

4. Overseas disclosure

Benchmark does not currently disclose personal information to overseas recipients. However, if such disclosure is ever necessary in order for Benchmark to provide its services, or for administrative or other business management purposes, Benchmark will take steps reasonable in the circumstances to ensure the overseas recipient complies with the APPs or is bound by a substantially similar privacy scheme, unless the individual to whom the personal information relates consents to the overseas disclosure or it is otherwise required or permitted by law.

5. Security

- A. Benchmark takes steps reasonable in the circumstances to ensure that the personal information it holds is protected from misuse, interference and loss and from unauthorised access, modification or disclosure.



- B. Personal information received by Benchmark is held securely, either in electronic files on Benchmark's computer systems or in physical files held on Benchmark's premises, accessible only by authorised employees or contractors.
- C. Benchmark will destroy or de-identify personal information when it is no longer required, unless Benchmark is otherwise required or authorised by law to retain the information. For example, as a health service provider, we have a legal obligation to retain your information for 7 years in certain circumstances.

6. Access and correction

- A. Benchmark takes steps reasonable in the circumstances to ensure personal information it holds is accurate, up-to-date, complete, relevant and not misleading. Under the Privacy Act, you have a right to access and seek correction of your personal information that is held by Benchmark.
- B. If at any time you would like to access or correct the personal information that Benchmark holds about you, or you would like more information on Benchmark's approach to privacy, please contact the Principals via the contact details set out in paragraph 8 below. Benchmark will grant access to the extent required or authorised by the Privacy Act or other law and take steps reasonable in the circumstances to correct personal information where necessary and appropriate.
- C. To obtain access to your personal information:
 - you may have to provide proof of identity to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected;
 - Benchmark requests that you be reasonably specific about the information you require; and
 - Benchmark may charge you a reasonable administration fee, which reflects the cost to Benchmark of providing access in accordance with your request.
- D. Benchmark will take steps reasonable in the circumstance to provide you with access in a manner that meets your needs and the needs of Benchmark. If Benchmark refuses your request to access or correct your personal information, it will provide you with written reasons for the refusal and details of complaint mechanisms.
- E. Benchmark will endeavour to respond to your request to access or correct your personal information within 30 days from your request.

7. Privacy complaints

- A. Complaints relating to breaches of privacy should be made in writing to one or both of the Principals, using the contact details in paragraph 8 below.
- B. At all times, privacy complaints will:
 - be treated seriously;
 - be dealt with promptly;
 - be dealt with in a confidential manner; and
 - not affect your existing obligations or affect the commercial arrangements between you and Benchmark.
- C. Benchmark will investigate your complaint, and inform you of the outcome.



- D. If you are dissatisfied with the outcome of your complaint, you may contact the Office of the Australian Information Commissioner (**OAIC**). Details about the OAIC can be found at www.oaic.gov.au.

8. Contact details

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Fax: (02) 8404 0596

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