



Privacy Policy

What is privacy?

Healthy Living NT is an organisation covered by the *Privacy Act 1988* ('the Privacy Act'), as amended by the *Privacy Amendment (Private Sector) Act 2000*, the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* and the *Privacy Amendment Notifiable Data Breaches (NDB) Act 2017*

New privacy laws commenced on 12 March 2014 that introduced new Australian Privacy Principles ('APPs'). The APPs set out the way organisations (government agencies and some private sector organisations) including those providing health services, such as Healthy Living NT can collect, use, disclose and provide access to personal and sensitive information. Additionally the amendment on Notifiable Data Breaches identifies eligible data breaches and how to report them.

Personal information is any information that identifies or could identify a person, whether it is true or not. It includes, for example, your name, age, gender and contact details. Personal information can also include sensitive information, which is information about your health and health services provided to you.

Who is Healthy Living NT and what do we do?

Healthy Living NT is the trading name for the Diabetes Association of the NT Inc., a charitable, member based organisation established in 1980 to provide support to people with diabetes, other chronic health conditions and members of the general community.

Healthy Living NT is committed to the protection of your privacy. This Privacy Policy sets out how Healthy Living NT handles your personal and sensitive information and ensures we manage personal and sensitive information consistently with the APPs.

This Privacy Policy applies to:

- all employees, consultants, contractors, agents, visiting health professionals and volunteers, including Board members, of Healthy Living NT and
- All information collected or managed by Healthy Living NT through our services and programs and through interaction with our website www.healthylivingnt.org

Healthy Living NT is contracted to deliver a number of State and Commonwealth government funded programs, and delivers services and programs in its own right. These include:

- Diabetes education services to clients in urban, rural and remote areas.
- Cardiac rehabilitation services to clients in urban, rural and remote areas.
- Nutrition education services to clients in urban, rural and remote areas.

All of our health education services are designed to provide people with chronic conditions the knowledge and skills required for effective self-management of their health condition.

- Diabetes, cardiac and nutrition information, advice, training and support for health professionals, carers and community members



Life. Be in it.™

- Membership information and support
- Product supply and support in the use of products
- Health promotion programs including active recreation and physical activity promotion and programs
- Advocacy support and advice
- the National Diabetes Services Scheme (NDSS). Healthy Living NT is the NT Agent for the NDSS, an initiative of the Australian Government administered with the assistance of Diabetes Australia. The NDSS delivers diabetes-related products at subsidised prices and provides information and education support services to people with diabetes and their carers. Healthy Living NT is bound by the NDSS Privacy Policy which can be found at <http://www.ndss.com.au/>

In our interactions with you and through adherence to this Privacy Policy, Healthy Living NT is committed to compliance with Australian Privacy Principles and the eligible data breach scheme shown below.

- *Open and transparent management of personal information - Australian Privacy Principle 1*
- *Anonymity and pseudonymity - Australian Privacy Principle 2*
- *Collection of solicited personal information - Australian Privacy Principle 3*
- *Dealing with unsolicited personal information – Australian Privacy Principle 4*
- *Notification of the collection of personal information - Australian Privacy Principle 5*
- *Use or disclosure of personal information - Australian Privacy Principle 6*
- *Direct marketing - Australian Privacy Principle 7*
- *Cross-border disclosure of personal information - Australian Privacy Principle 8*
- *Adoption, use or disclosure of government related identifiers - Australian Privacy Principle 9*
- *Quality of personal information - Australian Privacy Principle 10*
- *Security of personal information - Australian Privacy Principle 11*
- *Access to personal information - Australian Privacy Principle 12*
- *Correction of personal information - Australian Privacy Principle 13*
- *Notification of eligible data breaches – Privacy Act Part IIIC*

Further information on these can be found at <http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles>

<https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme>

Collection of your information

Healthy Living NT normally collects your personal and sensitive information only if you have consented to the information being collected. We will only seek to collect the information that is reasonably necessary for one or more of our services or activities or if one of the other exceptions applies under the APPs. We may also receive information about you such as diagnosis, referrals and health information sent from your doctor or health care professional that is necessary in order for Healthy Living NT to provide you with a health service.

Dependent on the nature of the service provided to you, we collect your personal information such as your name, contact details, gender, date of birth, occupation, Medicare or Department of Veterans' Affairs or Concession number, country of birth, details of your parent or carer and details of your doctor. We also collect sensitive information about you such as whether you are of Aboriginal or Torres Strait Islander origin, main language spoken at home, your diagnosis, height, weight, family history, health information and medical history.

We collect information about NDSS and non-NDSS product sales, including the products purchased, date and location of purchase, and method of payment. We also collect your credit card details if you use our online, mail order or phone services to purchase products, membership or to make a donation.

We will only collect your information by lawful and fair means through our interactions or in the course of providing a health service to you. We collect your information in a few different ways including:

- forms, such as the Client Details form, Membership form or NDSS registration form
- electronically, such as through our website
- phone calls
- information you provide while visiting NDSS Access Points, such as your local pharmacy, health centre and hospital
- information you provide while visiting our offices or participating in one of our services or education / physical activity programs
- other correspondence, such as email and mail
- information you provide during private consultations with one or more of our health professionals
- information received from your doctor or health care professional relating to diagnosis, treatment and medical history.

We will always collect personal information from you directly unless it is unreasonable or impractical for us to do so e.g. in the case of a medical diagnosis, treatment or medical history.

When a person does not have the capacity to provide consent e.g. when a person is under 15 years old or is an adult receiving continuing care, the person's primary carer or guardian must consent to the collection of the person's information.

If we receive personal information about you that we did not request and we could not have collected this information as set out in the dot points above, we will destroy or de-identify the information (i.e. any information that could reasonably identify you as an individual is removed) as soon as practicable, reporting any eligible data breach to you and the Office of the Australian Information Commissioner. This will apply except where the information is part of a Commonwealth record, or we are required by law or a court/tribunal order to retain the information.

When we collect your information, or as soon as practical, we will take reasonable steps to let you know:

- that the information has been received by Healthy Living NT and how to contact us
- if we received your information from another source, details of the information we have received and why we received it
- why we are collecting the information
- the main consequences (if any) for you if you do not provide all or part of the information we have requested
- the organisations or types of organisations to which we normally pass on information
- that you can access and seek to correct your information and that our Privacy Policy explains how that can be done
- that our Privacy Policy contains information about how someone can complain if they believe we may have breached the APPs and how we will handle that complaint and
- whether we are likely to disclose information to overseas parties and if so, the countries in which those parties are located

Can I remain anonymous?

It is your choice to provide information to us. Wherever it is lawful and practicable, you have the option not to identify yourself or to use a fictional name when interacting with us. You can remain anonymous when using some parts of the Healthy Living NT website or some elements of our services.

However, it may be necessary for us to collect your personal or sensitive information if you would like to access certain materials or services. If you choose not to provide necessary information, we may not be able to provide the services you have requested.

Security of your information

We take appropriate steps to protect your personal and sensitive information held by us from misuse, interference, unauthorised access, modification, loss or disclosure. This includes during storage, collection, processing, transfer and destruction of the information.

Information is stored in secure, alarmed, access-controlled premises, within which:

- Paper files are stored in locked cabinets or rooms, and
- Electronic databases are password secured with access restricted to those staff involved in providing the services to you, within servers protected by firewalls and intrusion detection.

Employees of Healthy Living NT, NDSS Access Points, contracted third parties, volunteers, health professional students and other parties to whom we disclose your information, such as IT service providers, sign a confidentiality agreement that requires them to comply with the Privacy Act and our Privacy Policy.

We take steps to ensure the security of the Healthy Living NT website. However, users are advised that there is always some risk when transmitting information across the internet, including a risk that information sent to or from a website may be intercepted, corrupted or modified by third parties.

The Healthy Living NT website contains links to external websites. We recommend that you review the privacy policies of those external websites as we are not responsible for their privacy practices.

When we no longer need, or are no longer required to keep, personal or sensitive information for any purpose we will take reasonable steps to destroy the information using confidential destruction services or ensure that the information is de-identified. This will apply except where the information is part of a Commonwealth record, or we are required by law or a court/tribunal order to retain the information.

Notifiable data breaches

The Privacy Act Amendment Notifiable Data Breaches (NDB) Act 2017 requires Healthy Living NT to notify particular individuals and the Office the Australian Information Commissioner about eligible data breaches'. A data breach is eligible if it is likely to result in serious harm to any of the individuals to whom the personal or sensitive information relates. Healthy Living NT will make an objective assessment of whether a data breach is likely to result in serious harm and take remedial action according to its data breach response plan. See <https://www.oaic.gov.au/> for further information.

Use of your information

We only use your personal and sensitive information for purposes which are directly related to the reason you provided us with your information in the first place and where you would reasonably expect us to use your information. For example:

- we may send people who register with the NDSS information about the use of products and the effective self-management of diabetes,
- we may advise diabetes, cardiac or nutrition education clients about upcoming education services or scheduled review appointments, and communicate with your doctor or health care professional regarding management of your health condition,
- we will send regular information to members including magazines, newsletters, correspondence and electronic communications,

- We may send regular information to members of the general community and participants in active recreation and physical activity programs.

We will not use your personal information for another purpose unless you have given consent (for example, in the Client Details form, Membership form or NDSS registration form) or one of the exceptions under the Privacy Act applies. For example, if the use of the information is authorised by Australian law or is necessary for law enforcement by an enforcement body.

Disclosure of your information

When you provide us with your personal and sensitive information through the Client Details form, Membership form or NDSS registration form, we seek your consent to disclose the information for the purposes identified in those forms.

We only disclose your personal and sensitive information for purposes which are directly related to the reason you provided us with your information in the first place and where you would reasonably expect us to disclose your information.

For example:

- If you are a subscribing Member of Healthy Living NT, we will only use your personal information for the purpose of communicating directly with you and will not divulge your information to any third party unless required to do so by law.
- If you are a client of our diabetes, cardiac or nutrition education services, we will only use your personal or sensitive information in accordance with health professional ethical standards for the purposes of:
 - Providing you with diabetes, cardiac or nutrition education and advice, information and services relating to the management of your diabetes, cardiac or other condition, and
 - Communicating with your doctors and health professionals involved in your care.

We will not divulge your information to any unauthorised third party unless required to do so by law. No identifiable personal or health information is included in our statistics which are used for the purpose of reporting to funders.

- Where Healthy Living NT is directly contracted to provide diabetes, cardiac or nutrition education services to clients of another health organisation, we will always:
 - Seek verbal consent from the client to receive the service,
 - Ensure so far as possible that any identifiable client personal or health information is managed within the systems, and in accordance with the protocols, of the contracting/recipient health organisation, and
 - Manage personal or sensitive health information in accordance with health professional ethical standards.

We will only use your personal or sensitive information for the purposes of:

- Providing you with diabetes, cardiac or nutrition education and advice, information and services relating to the management of your health condition, and
- Communicating with your doctors and health professionals involved in your care.

We will not divulge your information to any unauthorised third party unless required to do so by law. No identifiable personal or health information is included in our statistics which are used for the purpose of reporting to funders.

- If you are registered with the NDSS, your information will be provided to Diabetes Australia Ltd, the Department of Health and NDSS Access Points, as required by the Commonwealth.

For further information on the NDSS privacy policy, go to: <http://www.ndss.com.au/>

- If you are a participant in our active recreation or physical activity programs, we will only use your personal or sensitive information for the purposes of providing you with information, advice and services relating to programs and activities in which you are participating or may be of interest to you.

We will not divulge your information to any unauthorised third party unless required to do so by law. No identifiable personal or health information is included in our statistics which are used for the purpose of reporting to funders.

You can be assured that we will take all reasonable steps to ensure your personal details remain confidential at all times. All external parties who receive your information must sign a confidentiality agreement that requires them to comply with the Privacy Act and our Privacy Policy.

We do not usually send personal information out of Australia or store data outside of Australia. Should we be required to send information overseas we will undertake to protect your personal information. We will do this by ensuring that the country has similar protections in relation to privacy or that we enter into contractual arrangements.

We will not disclose your personal information for another purpose unless you have given consent (for example, in the NDSS registration form) or one of the exceptions under the Privacy Act applies. For example, we may disclose your personal information if authorised by Australian law or if necessary for law enforcement.

If you authorise another person to purchase NDSS product on your behalf, we will take reasonable steps to verify the credentials of that person in order to form an opinion that you would reasonably expect us to act in this manner. We reserve the right not to supply product to another person on your behalf where we are not able to establish these credentials.

Cookies

The Healthy Living NT website uses software known as 'cookies' to record your visit to the website and collect some statistical information. We use this information to help administer and improve our website. We do not use this information to personally identify you. Information we may collect includes:

- your server address
- your domain name
- the date and time of access to the website
- pages accessed and documents downloaded
- the previous site visited
- if you have visited the website before
- the type of browser software in use.

You may set your web browser to disable cookies when visiting our websites. However, some website functions may be unavailable if you choose to do so.

Email communication

We will endeavour to use email to correspond with you where you have indicated that this is your preferred mode of communication.

There are risks when transmitting information over the internet, including via email. We will consider these risks before we make an informed decision based on all the circumstances to correspond with you via email. Healthy Living NT does not routinely use email to communicate your identifiable health information, unless you have requested us to do so.

You should also be aware of these risks when sending personal or health information to us via email. If this concerns you, then you should use other methods of communication with us such as post, fax or phone.

Direct communications and promotional materials

From time to time, we may send out promotional materials for the purposes of Healthy Living NT or the NDSS. If you do not wish to receive these communications, please contact Healthy Living NT to unsubscribe (see contact details below). Your information may also be used by us to provide you with details of our services and events where permitted by the Privacy Act or where you have consented to the use or disclosure of your personal information for direct communications and promotional materials.

It is our policy that any direct communication or promotional material will include a statement advising that you may request not to receive further material by contacting us using the details provided. Please note, if you are registered with the NDSS and you request not to receive our promotional communications, you will continue to receive important information about diabetes and NDSS product safety issues.

Requests to participate in research by third parties

We sometimes receive requests from researchers for data to assist them to write research papers or to plan for the emerging needs of people with diabetes or cardiac conditions. We assess all research requests on specific criteria, such as the value of the research, ethics committee approvals and the protection of the privacy of the individuals who have consented to be involved.

You may receive information from Healthy Living NT about opportunities to participate in research unless you have chosen to unsubscribe. There is no obligation to participate in a study and you may at any time unsubscribe from receiving information about opportunities to participate in research.

Healthy Living NT will never provide your identifiable personal or health information to researchers unless you have given us permission to do so.

How to access and correct your information

You have the right to access personal and sensitive information we hold about you and request us to correct personal or sensitive information where you believe that information is out of date, inaccurate, incomplete, irrelevant or misleading. There is no charge for making these requests.

We will take reasonable steps to ensure that all personal information that we collect, use or disclose is accurate, up-to-date, complete, relevant and not misleading.

We will correct any personal information that we believe to be incorrect, out-of-date, incomplete, irrelevant or misleading. This includes taking reasonable steps to notify any organisation or government agency to which information was disclosed about the correction.

You may request to access or correct your personal information at any time by contacting the Privacy Officer using the details below. We will give you access to the information unless one of the exceptions under the Privacy Act applies - for example, if providing access would be unlawful or denying access is authorised by law.

If you request to access or correct your information, we will respond within a reasonable time (usually within 30 days). If your request is refused, we will give you a written notice that sets out the reasons for refusal and how to complain about the decision.

The Spam Act 2003

The Spam Act prohibits sending unsolicited commercial emails, SMS and MMS messages for commercial purposes. Examples of unsolicited communications are ones that do not directly relate to a service you have previously signed up with or agreed to. While not-for-profit organisations such as Healthy Living NT do have some exemptions from the Spam Act, we are guided by the Code of Practice developed by the Australian Direct Marketing Association.

See www.adma.com.au/comply/code-of-practice/ for further information.

It is our policy that all electronic newsletter communications will include an unsubscribe facility.

Complaints and enquiries

Healthy Living NT is committed to the protection of your privacy. If you have any questions about how we handle personal information, would like to complain about how we have handled your information, or would like further information about our Privacy Policy, please submit a written query or complaint to our Privacy Officer. Our Privacy Officer will assess any complaints and liaise with you to resolve any issues within a reasonable time (usually within 30 days). If you are unhappy with the outcome, you may lodge a complaint with the Australian Information Commissioner who can order the payment of compensation by Healthy Living NT in certain circumstances.

See <http://www.oaic.gov.au/privacy/making-a-privacy-complaint> for further information.

Privacy Officer Contact Details

Chief Executive Officer
Healthy Living NT
PO Box 40113
CASUARINA NT 0811

Phone: 08 89 278 488
Fax: 0889 278 515
Email: privacy@healthylivingnt.org.au

Updating our Privacy Policy

This policy will be reviewed annually to ensure Healthy Living NT's compliance with all the relevant privacy laws and policies and consequentially, we will update our Privacy Policy from time to time. Our website will have the most current Privacy Policy www.healthylivingnt.org.au

Approval

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| Original Approval Date: | Created: 17 December 2001 |
| Revision 1 Approval Date: | 13 April 2002 |
| Revision 2 Approval Date: | 17 January 2007 |
| Revision 3 Approval Date: | 26 May 2010 |
| Revision 4 Approval Date: | Board Meeting 2/14 of 26 April 2014 |
| Revision 5 Approval Date: | Board Meeting 6/16 of 10 December 2016 |
| Revision 6 Submission Date: | Executive Board Meeting 1/18 of 1 March 2018 |
| Revision 6 Approval Date: | Executive Board Meeting 1/18 of 1 March 2018 |

Circulation: All Healthy Living NT staff, volunteers, website and on request. A copy of HLNT's Privacy Statement will be on display at Healthy Living NT's offices and made available to clients.

Sign off by: Chair of the Board



Signature:

On behalf of Healthy Living NT Board