

### Introduction

This Privacy Policy is The Rehabilitation Specialists' official privacy policy and it applies to all personal information collected by The Rehabilitation Specialists. In this policy we explain how and why we collect your personal information, how we use it, and what controls you have over our use of it.

The Rehabilitation Specialists Pty Ltd is committed to the protection of your personal information. The Rehabilitation Specialists Pty Ltd is subject to the Australian Privacy Principles (APPs) under the Privacy Act 1988 (and subsequent amendments). The APPs govern the way we collect, use, disclose and secure personal information. They also permit you to access the information we hold about you in order to correct or update it.

### Definitions

**Consent:** For the purposes of this policy, "consent" is limited to permission for the collection, recording, storing and/or sharing of personal information and should not be confused with other types of consent (e.g. participation in research).

Consent can either be express (e.g. on a signed consent form) or implied. It is best practice to seek express consent wherever possible, particularly where significant privacy implications are involved.

**Express Consent:** Express consent is given explicitly, either orally or in writing. This could include a handwritten signature, an oral statement, or use of an electronic medium or voice signature to signify agreement. The Rehabilitation Specialists will see express consent via a written consent form as much as practicable in relation to the service being provided. Where a referral has been made to The Rehabilitation Specialists and where you are aware of this referral, implied consent to liaise with the referring party is assumed.

**Implied consent:** Consent may be implied where it is reasonable to conclude from a person's words or actions that they consent, e.g. if a person expresses interest in a business's services and provides a business card, it could general be implied that the person consents to the business sending him or her information about its services. Implied consent is likely to be established the more an organisation can demonstrate that:

- the individual was given details about uses and disclosures (e.g. in a Privacy Statement);
- the individual was given an opportunity to withhold consent (e.g. via a consent form)
- the individual was aware of the consequences of giving consent;
- the disadvantages of giving consent were negligible; and
- the individual will not be disadvantaged by choosing to withhold consent at a later date.

### Collection of information

Some information provided to us by clients, customers, contractors and other third parties might be considered private or personal. Without these details we would not be able to carry on our business and provide our services to you. We will only collect such personal information if it is necessary for one of our functions or activities.

The Rehabilitation Specialists will only collect personal information about you by lawful and fair means and not in an unreasonably intrusive manner.

The types of personal information we may collect include:

- identifying and contact information such as name, age, employment details and contact details such as home address, home and mobile phone numbers and email address;
- health information including current and past medical history;
- information about your lifestyle and lifestyle interests.

At or before the time the personal information is collected by us we will take reasonable steps to ensure that you are made aware of who we are, the fact that you are able to gain access to the information held about you, the purpose of the collection, the type(s) of organisations to which we usually disclose the information collected about you, any laws requiring the collection of the information and the main consequences for you if all or part of the information is not collected.

Where possible we will collect personal information directly from you or a person authorised to provide this information on your behalf. Where we collect your personal information from a third party (for example, a government agency, employer, educational institution and service provider or adviser who has dealt with you) we will take reasonable steps to ensure that you are made aware of this.

The Rehabilitation Specialists collect personal information if an individual registers to receive email newsletters via our website ([www.rehabilitationspecialists.com.au](http://www.rehabilitationspecialists.com.au)). This personal information includes the individual's name and email address.

The Rehabilitation Specialists collect personal information if an individual attends our seminars. This personal information includes the individual's name, company name, job title, address and phone contact details.

#### **Consequence of consent not being provided**

If an individual does not provide consent or relevant information requested by The Rehabilitation Specialists, we might not be able to provide workplace rehabilitation services, specialised injury management or injury prevention services, or any other service to that person. The Rehabilitation Specialists will advise the referring party in those instances where consent is not provided.

#### **Use of information collected and disclosure of personal information to others**

We may use or disclose personal information held about an individual for the primary purpose for which it is collected (e.g. provision of our services, including administration of our services, notification to you about changes to our services, record-keeping following termination of our services to you and technical maintenance). We may also use such information for a purpose related to the primary purpose of collection and where it would reasonably be expected by you that we would use the information in such a way. This information is only disclosed to persons outside our business in the circumstances set out in this policy or as otherwise notified to you at the time of collection of the information.

The purpose for which The Rehabilitation Specialists use personal information includes:

- provide return to work and return to health support, including rehabilitation, assessments, injury/case management and return to work consultancy and programs;
- provide assistance with returning individuals to their pre-injury role, or with locating new employment if the individual is not able to return to their pre-injury role;
- provide ergonomic assessment and training services;
- provide manual handling assessments and manual handling training;
- secondary and ancillary purposes such as for internal statistical and analysis purposes.

If an individual registers on The Rehabilitation Specialists website to receive email updates and newsletters, The Rehabilitation Specialists will use their personal information for purposes which include communicating with them about services that might be of interest to them.

In order to properly conduct our activities, we may disclose, with your consent where necessary, personal information to other persons or organisations (and they may contact you directly). Such persons or organisations include:

- health service providers;
- our service providers (including auditors);
- your employer;
- your insurer;
- persons authorised by you, including your agents and advisers and educational institutions;
- other parties to whom we are authorised or required by law to disclose information.

In addition, we are permitted to use or disclose personal information held about you:

- where you have consented to the use or disclosure;
- where we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious, immediate threat to someone's health or safety or the public's health or safety;
- where we reasonably suspect that unlawful activity has been, is being or may be engaged in and the use or disclosure is a necessary part of our investigation or in reporting the matter to the relevant authorities;
- where such use or disclosure is required under or authorised by law (for example, to comply with a subpoena, a warrant or other order of a court or legal process);
- where we reasonably believe that the use or disclosure is reasonably necessary for prevention, investigation, prosecution and punishment of crimes or wrongdoings or the preparation for, conduct of, proceedings before any court or tribunal or the implementation of the orders of a court or tribunal by or on behalf of an enforcement body.

## **Security and storage**

To the extent required by the Privacy Act, The Rehabilitation Specialists will take reasonable steps to:

- make sure that the personal information that we collect, use and disclose is accurate, complete and up to date;
- protect the personal information that we hold from misuse and loss and from unauthorised access, modification or disclosure; and
- where permitted by law, destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the Privacy Act.

Where required we will retain information relating to you electronically within a secure case management software database, and this information may be held indefinitely although will be held for at least 7 years where we are obliged to do so to meet legal and business requirements.

Information stored within our computer systems can only be accessed by those entrusted with authority and computer network password sanctions.

## **Access to and correction of personal information**

The Rehabilitation Specialists' are committed to maintaining accurate, timely, relevant and appropriate information about our customers and clients. So long as your request for your personal information is in accordance with the Australian Privacy Principles, then we will give you access to that information if practicable (although a fee may be imposed).

The Rehabilitation Specialists will take reasonable steps to amend any personal information about you which is inaccurate or out of date upon receiving this advice from you. To ensure confidentiality, details of your personal information will be passed on to you only if we are satisfied that the information relates to you.

If we refuse to provide you with access or correct the personal information held about you by us, then we will provide reasons for such refusal.

## **Complaints**

If you have a complaint about our Privacy Policy or the collection, use or safe disposal or destruction of your personal information, your complaint should be directed in the first instance to us at the contact details at the end of this document.

We will investigate your complaint and attempt to resolve any breach that might have occurred in relation to the collection, use or destruction of personal information held by us about you in accordance with the Commonwealth Privacy legislation. If you are not satisfied with the outcome of this procedure then you may request that an independent person (usually the Commonwealth Privacy Officer) investigate your complaint.

## **Transfer of information overseas**

The Rehabilitation Specialists have employees located in overseas locations, specifically UK and Canada in administrative and quality assurance roles. As such, they will have access to our secure systems for records management.

Pursuant to the Australian Privacy Principles we may transfer personal information we have collected about you to someone other than you in a foreign country only if such transfer is permitted by the Australian Privacy Principles.

## **Changes to Privacy Policy**

This privacy policy is effective from 12 July 2017. As this privacy policy is updated from time to time, to obtain a copy of the latest version at any time, please contact us on the details provided below.

## **Contacting us**

If you require further information regarding our Privacy Policy, please contact us at the following address:

- E-mail: [admin@rehabilitation specialists.com.au](mailto:admin@rehabilitation specialists.com.au)
- Post: **PO Box 365, Darlinghurst, NSW, 1300**

Should you wish to read more information on privacy legislation or the Australian Privacy Principles we recommend that you visit the Office of the Australian Information Commissioner's website at <https://www.oaic.gov.au/>.