

20 PRIVACY

20.1 PRIVACY STATEMENT

Liberty Medical is the sole importer and primary distributor of Hollister & Dansac products in Australia and New Zealand.

Liberty Medical is covered by 10 National Privacy Principles, the NPPs, as set out in the Privacy Act 1988 (as amended by the Privacy Amendment (Private Sector) Act 2000).

To comply with our obligations under the NPPs we have a Privacy Policy, which sets out how we manage privacy in our organisation. You are welcome to receive more information about the Policy

Privacy and Confidentiality

As responsible corporate citizens we appreciate the importance of confidentiality. This part of the obligation remains unchanged by this privacy policy.

The privacy policy deals with your additional right to privacy and is independent of our contractual and ethical obligations.

20.2 PRIVACY POLICY

The Privacy Act covers this organisation.

Liberty Medical wishes to implement obligations under the Privacy Act and would like to take all reasonable steps in order to comply with the Act and protect the privacy of the personal information that we hold. This policy sets out how we intend to do so.

The Policy applies to users of our products.

The personal information that the Organisation collects

Liberty Medical may collect the following personal information:

- Your name
- Address
- Contact details
- Medical condition
- Current product being used, if any
- Feedback on our product's suitability
- Processing payment, where applicable

Why we collect it?

Liberty Medical collects uses and discloses the information in accordance with the Collection Statement.

This information is collected in order to:

- Provide best suitable Hollister product for your condition, as requested by yourself, medical professional or agent
- Gain accurate market statistics for product research and development purposes
- Inform you of new or alternative products that may improve your quality of life

Access to your personal information

Liberty Medical provides access to the personal information that we hold about you. Access will be provided in accordance with our Access Policy.

Complaints

If you have any complaints about our privacy practices or wish to make a complaint about how your personal information is managed please contact the Human Resource Business Partner.

Complaints will be handled under the Liberty Medical's Privacy Complaints Policy.

Storage

We will take all reasonable steps to protect the security of the personal information that we hold. This includes appropriate measures to protect electronic materials and materials stored and generated in hard copy.

Contract

We **do not** contract out data storage or processing functions.

Legal reasons why we collect the personal information

We collect the information in order to comply with our legal obligations. It is a requirement of Quality Assurance accreditation and the Therapeutic Goods Act 1989 that we can identify and trace, as best as possible, the users of our products.

What happens if you choose not to provide the information

You are not obliged to give us your personal information. However, if you choose not to provide Liberty Medical with the personal name, address, contact details and medical condition we may not be able to provide you with the full range of our services, including follow up on product satisfaction.

20.3 PRIVACY COLLECTION STATEMENT

Liberty Medical is the sole importer and primary distributor of Hollister and Dansac products in Australia and New Zealand.

The personal information collected by Liberty Medical is:

- Your name
- Address
- Contact details
- Medical condition
- Current product being used, if any
- Feedback on our product's suitability
- Processing payment, where applicable

Use and disclosure

- Selling you our product
- Assessing our product's suitability
- Submission of product complaint
- Processing payment, where applicable
- We may also collect the information when conducting customer loyalty and promotional campaigns.

Liberty Medical will usually **not disclose** this information to any person or organisation outside Liberty Medical. There may be the occasional requirement to provide this information to a Medical Professional who is treating you.

Legal reasons why we collect the personal information

We collect the information in order to comply with our legal obligations. It is a requirement of Quality Assurance accreditation and the Therapeutic Goods Act 1989 so that we can identify and trace, as best as possible, the users of our products.

What happens if you choose not to provide the information

You are not obliged to give us your personal information. However, if you choose not to provide Liberty Medical with the personal name, address, contact details and medical condition we may not be able to provide you with the service/ sell the product/process your payment in a particular way.

Access

You can gain access to the personal information that Liberty Medical holds about you. If you wish to do so, please refer to our Access Policy.

Sources of information

Where possible Liberty Medical will collect the information directly from Liberty Medical's customers. Information is also sought and given by a Medical Professional treating your condition in order to provide the best suitable product direct to you.

Overseas

Liberty Medical may send information to other Hollister offices overseas. This information is used for the purpose of market demographics and will only detail medical conditions. **No** names, addresses or contact details are supplied.

20.4 PRIVACY ACCESS POLICY

Liberty Medical is the sole importer and primary distributor of Hollister and Dansac products in Australia and New Zealand.

This policy is directed to those individuals whose personal information is held by Liberty Medical.

Purpose

The purpose of this Policy is to set out how Liberty Medical will provide access to your personal information. The Policy is part of our Privacy Policy and our desire to provide for, maintain and give effect to your right to privacy.

Overriding principles

At all times the conduct under this Policy will be governed by the following principles:

- All requests for access will be treated seriously
- All requests will be dealt with promptly
- All requests will be dealt with in a confidential manner
- Your request to access your personal information will not effect your existing obligations or effect the commercial arrangements between you and Hollister.

Form of Access

Liberty Medical will provide access by allowing you to inspect, take notes of or receive copies or print outs of the personal information that Hollister holds about you.

You can make your request in writing to the Financial Controller at the address below.

To obtain access you will have to provide proof of your identity. This is necessary to ensure that personal information is provided only to the correct individuals and that the privacy of others is not undermined.

When will Access be denied?

Access will be denied if:

- The request does not relate to the personal information of the person making the request;
- Providing access would pose a serious and imminent threat to life or health of a person;
- Providing access would create an unreasonable impact on the privacy of others;
- The request is frivolous and vexatious;
- The request relates to existing or anticipated legal proceedings
- Providing access would prejudice negotiations with the individual making the request;

- Access would be unlawful;
- Denial of access is authorised or required by law;
- Access would prejudice law enforcement activities;
- Access discloses a '*commercially sensitive*' decision making process or information; or
- Any other reason that is provided for in the National Privacy Principles (NPPs) set out under the Privacy Act.

Where possible, Liberty Medical will favour providing access. It may do so by providing access to the appropriate parts of the record or by using an appropriate '*intermediary*'.

Where there is a dispute about the right or forms of access these will be dealt with in accordance with Liberty Medical's *Grievance Policy*.

Time

We will take all reasonable steps to provide access **within 30 days** of your request. In cases where the request is not complicated or does not require access to a large volume of information, we will endeavour to provide information **within 14 days**.

Costs and charges

Liberty Medical will provide this information free of charge.

20.5 PRIVACY COMPLAINTS POLICY

How we handle privacy complaints for individual customers

Introduction

Liberty Medical is the sole importer and primary distributor of Hollister and Dansac products in Australia and New Zealand.

Liberty Medical sees the importance of privacy to the organisation, its customers and other stakeholders. As such, Liberty Medical is committed to protecting the privacy of the personal information that we hold. This is part of our organisations:

- (a) Legal obligations under the Privacy Act 1988
- (b) Ethical and business obligations
- (c) Service to you

Liberty Medical places high priority on effectively dealing with any complaints dealing about privacy that you may have.

Overriding principles

At all times the conduct under this policy will be governed by the following principles:

- (a) All complaints will be treated seriously
- (b) All complaints will be dealt with promptly
- (c) All complaints will be dealt with in a confidential manner
- (d) The privacy complaint will not effect your existing obligations or the commercial arrangements that exist between this organisation and you.

Who may complain under this policy?

If you have provided us with personal information you have a right to make a complaint, have it investigated and dealt with under this policy.

What is a privacy complaint?

A privacy complaint relates to any concern or dispute that you have with our privacy practices as it relates to **your** personal information. This could include matters such as:

- (a) How personal information is collected
- (b) How personal information is stored
- (c) How this information is used or disclosed
- (d) How access is provided.

What do I do if I have a complaint about privacy practices?

Liberty Medical resolves grievances at the local level if possible. If you have a complaint about privacy please contact the Privacy Officer*.

All complaints will be logged on a database/complaints register.

You may complain orally or in writing. Usually your contact with the organisation will be the proper person to discuss or resolve your complaint, however, if your privacy complaint is not resolved the matter will then be referred to the Managing Director.

Grievance procedure

The goal of this policy is to achieve an effective resolution of your complaint within a reasonable set timeframe [28 days or as soon as practicable].

Once the complaint has been made, the point of contact can then resolve the matter in a number of ways:

1. Request further information and investigation: Your initial contact may request further information from you. You should be prepared to give as many details as possible including details of any relevant dates and documentation. This will enable the contact to investigate the complaint and determine an appropriate and useful solution. All details provided will be kept confidential.

The complaint may be investigated. The organisation will try to do so within [72 hours/as soon as possible]. It may be necessary to contact others in order to proceed with the investigation. This may be necessary in order to progress your complaint.

2. **Discuss options:** We will discuss options for a resolution and if you have suggestions about how the matter might be resolved you should discuss these with your contact. The contact could also suggest other solutions or give examples of how the personal information can be revised or stored in a different way.
3. **Refer to the Managing Director:** If your complaint is not resolved at the local level, it will be referred to the Managing Director. The Managing Director would be provided with the history and may discuss the complaint with the employees, or other parties that are involved.
4. **Resolution:** You will be informed of the outcome and the reasons for the decision. If this does not resolve the complaint, the matter will be referred to a mutually agreed intermediary.
5. If after the above steps have been followed you are still dissatisfied with the outcome you may refer the complaint to the federal or state Office of the Privacy Commissioner.

Records

The organisation will keep a record of your complaint and the outcome.

Anonymous complaints

Liberty Medical is unable to deal with anonymous complaints as we are unable to investigate properly and follow-up such complaints.

However, in the event that an anonymous complaint is received Liberty Medical will note the issues raised and try and resolve them appropriately. For example, Liberty Medical may wish to conduct further training or provide assistance in a given area.