

# ORGANISATION PRIVACY POLICY (EXTERNAL)

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## PURPOSE:

In accordance with the Aged Care Act and Privacy Act (including the APPs contained in the Privacy Act), Infinite Care ('we', 'our' or 'us') is committed to safeguarding your privacy and ensuring that your Personal Information is collected, used, stored and disclosed in a lawful, fair and transparent manner.

This Privacy Policy helps ensure that:

- Infinite Care maintains robust systems and processes to comply with legislative requirements, and
- You are informed about your rights and our obligations in relation to your Personal Information, including:
  - what Personal Information we may collect;
  - when and why your Personal Information may be used, held, or disclosed;
  - how we protect your Personal Information from misuse, interference, loss, or unauthorised access;
  - how you can access your Personal Information or request a correction; and
  - how you can make a complaint if you believe your privacy has been compromised, and how we will address it.

This policy applies to all individuals receiving care and services from Infinite Care, their nominated representatives and Supporters and any other person interacting with Infinite Care's services or Online Platforms.

## DEFINITIONS:

Term	Definition
<b>Aged Care Act</b>	means the <i>Aged Care Act 2024</i> (Cth).
<b>Aged Care Rules</b>	means the <i>Aged Care Rules 2025</i> (Cth).
<b>Aged Care Worker</b>	has the meaning in sections 11(4) and (5) of the Aged Care Act, namely: <ul style="list-style-type: none"> <li>(a) an individual employed or otherwise engaged (including as a volunteer) by us to deliver funded aged care services; or</li> <li>(b) an individual who:                             <ul style="list-style-type: none"> <li>(i) is employed or otherwise engaged (including as a volunteer) by an associated provider; and</li> <li>(ii) is engaging in conduct under the associated provider's arrangement with us relating to our delivery of funded aged care services ; or</li> </ul> </li> <li>(c) an individual who is a Registered Provider (including an independent contractor).</li> </ul>
<b>APPs</b>	means the Australian Privacy Principles under the Privacy Act.
<b>Data Breach</b>	means unauthorised access to, or disclosure, alteration, loss, or destruction of, Personal Information—or, an action that prevents us from accessing Personal Information on either a temporary or permanent basis.
<b>Eligible Data Breach</b>	means a Data Breach that is likely to result in serious harm to any of the individuals to whom the Personal Information relates and where we are unable to prevent the likely risk of serious harm with remedial action.
<b>Health Information</b>	means: <ul style="list-style-type: none"> <li>(a) information or an opinion about:</li> </ul>

	<ul style="list-style-type: none"> <li>(i) the health, including an illness, disability or injury, (at any time) of an individual; or</li> <li>(ii) an individual’s expressed wishes about the future provision of health services to the individual; or</li> <li>(iii) a health service provided, or to be provided, to an individual; that is also personal information;</li> </ul> <p>(b) other Personal Information collected to provide, or in providing, a health service to an individual;</p> <p>(c) other Personal Information collected in connection with the donation, or intended donation, by an individual of his or her body parts, organs or body substances; and</p> <p>(d) genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual;</p> <p>as defined in section 6FA of the Privacy Act.</p>
<b>Health Service</b>	<p>means activity that is intended or claimed (expressly or otherwise) by the individual or the person performing it:</p> <ul style="list-style-type: none"> <li>(a) to assess, maintain or improve the individual’s health; or</li> <li>(b) where the individual’s health cannot be maintained or improved – to manage the individual’s health; or</li> <li>(c) to diagnose the individual’s illness, disability or injury; or</li> <li>(d) to treat the individual’s illness, disability or injury or suspected illness, disability or injury; or</li> <li>(e) to record the individual’s health for the purposes of assessing, maintaining, improving or managing the individual’s health;</li> </ul> <p>as defined in section 6FB of the Privacy Act.</p>
<b>Online Platforms</b>	<p>means the online platforms we operate including <a href="https://www.infin8care.com.au">https://www.infin8care.com.au</a> and any of our other websites or social media pages (including Facebook, Instagram and LinkedIn and TikTok) managed by us.</p>
<b>Permitted General Situation</b>	<p>means a situation where Infinite Care reasonably believes the collection, use or disclosure:</p> <ul style="list-style-type: none"> <li>(a) is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety (and it is unreasonable or impracticable to obtain the individual’s consent);</li> <li>(b) is necessary for Infinite Care to take action where Infinite Care suspects unlawful activity or misconduct of a serious nature that relates to Infinite Care’s functions or activities;</li> <li>(c) is necessary to help locate a person reported as missing; or</li> <li>(d) is necessary for the establishment of a defence of a legal or equitable claim or for a confidential alternative dispute resolution process.</li> </ul>
<b>Permitted Health Situation</b>	<p>means a situation in relation to the collection, use or disclosure of Health Information in certain circumstances related to, for example,</p> <ul style="list-style-type: none"> <li>(a) the provision of a health service;</li> <li>(b) research;</li> <li>(c) genetic information; or,</li> <li>(d) responsible persons/carers etc.</li> </ul>

<b>Personal Information</b>	means information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.
<b>Privacy Act</b>	means the <i>Privacy Act 1988</i> (Cth), as amended from time to time.
<b>Privacy Officer</b>	means our first point of contact for all privacy related inquiries and matters, who can be contacted using the details set out in 'Getting in Touch'.
<b>Privacy Policy</b>	means this document.
<b>Responsible Person</b>	means: (a) any person who is responsible for executive decisions (including members of the governing body); (b) any other person who has authority or responsibility for (or significant influence over) planning, directing or controlling our activities; (c) any person who has responsibility for overall management of the nursing services delivered by us, or overall management of the nursing services delivered at one of our approved residential care homes, and who is a registered nurse; (d) any person who is responsible for the day-to-day operations of an approved residential care home or service delivery branch.
<b>Sensitive Information</b>	means: (a) information or an opinion about an individual's: (i) racial or ethnic origin; (ii) political opinions; (iii) membership of a political association; (iv) religious beliefs or affiliations; (v) philosophical beliefs; (vi) membership of a professional or trade association; (vii) membership of a trade union; (viii) sexual orientation or practices; (ix) criminal record; that is also Personal Information; that is also Personal Information; (b) Health Information about an individual; or (c) genetic information about an individual that is not otherwise Health Information; or (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or (e) biometric templates.
<b>Supporter</b>	of an individual, means an individual registered as a supporter of the individual under section 37 of the Aged Care Act.

## SCOPE:

This Policy applies to all individuals and entities involved in the collection, handling, use, disclosure, and retention of Personal Information on behalf of Infinite Care, including:

- Responsible Persons;
- Aged Care Workers;

- individuals receiving aged care services and their nominated representatives or Supporters;
- prospective employees (i.e. job applicants); and
- current employees, contractors, consultants, and third-party service providers who may access or process Personal Information in the course of their engagement with Infinite Care.

## POLICY STATEMENT:

Infinite Care is committed to protecting your privacy through the responsible and transparent handling of Personal Information. We comply with the Privacy Act, including the APPs, the Aged Care Act and all relevant State and Territory health records laws. All suppliers and contractors engaged by Infinite Care must enter into written agreements requiring strict compliance with applicable privacy obligations.

## POLICY:

### 1. Collection of Personal Information

In order to provide you with care and services, we often need to collect your Personal Information. If we do not collect the Personal Information or if any of the Personal Information you provide is incomplete or inaccurate:

- (a) we may be unable to provide care and services to you to the requested standard (or at all);
- (b) we may be unable to communicate with you to provide information about care and services;
- (c) we may be unable to tailor the content of our marketing communications to suit your preferences; or
- (d) your interactions with us may be deferred or not effective.

### 2. Types of Personal Information we collect

Depending on the nature of the care and services we provide to you, the Personal Information we collect may include your:

- (a) contact details (such as your name, gender, date of birth, postal address, email address and phone number) and other identification information such as driver's licence or passport details;
- (b) demographic information (such as marital status; whether you are an Aboriginal or Torres Strait Islander; and country of birth details);
- (c) contact details for any family, next of kin, Supporters or medical professionals;
- (d) Health Information relevant to our services, such as your medical history, vaccination status and mobility capabilities;
- (e) registration numbers for government services such as Medicare, the Department of Veteran Affairs and pension cards;
- (f) health fund details;
- (g) financial information and information required for you to do business with us including bank account details, income statements, credit card information and any other relevant financial information relating to your pension;
- (h) information concerning any relevant attorneys, legal personal representatives or other decision makers authorised to act on your behalf.
- (i) information on prior dealings with us;

- (j) details of any complaints or feedback lodged by you or regarding care and services provided to you;
- (k) information regarding any individual contributions made by you;
- (l) other information you may provide to us from time to time, or information provided by a third party about you in the provision of services or when making an enquiry or complaint;
- (m) interests and preferences;
- (n) image, as may be captured on closed circuit television (CCTV) within or around our premises;
- (o) device and browsing information when you access our website;
- (p) criminal history record; and,
- (q) Sensitive Information.

If you apply for employment with us, or to be an Infinite Care contractor or volunteer, we may also collect your:

- (a) employment history and qualifications;
- (b) academic records;
- (c) references;
- (d) medical information;
- (e) tax file number;
- (f) personal alternative contact details;
- (g) superannuation fund details;
- (h) National Disability Insurance Scheme Worker Screening outcome;
- (i) right to work status;
- (j) criminal history record;
- (k) other relevant probity checks; and,
- (l) diversity information you provide to us (e.g. gender identity, disability status etc).

### 3. Methods of collection of Personal Information

To provide our tailored and personalised care and services, we collect Personal Information from you in various ways. Unless it is unreasonable or impracticable for us to do so, we generally collect and handle your Personal Information that is provided by you, with your consent or where otherwise permitted by law. We will assume that you have consented to us collecting all information that is provided to us in accordance with this Privacy Policy unless you tell us otherwise at the time you provide it to us. Please note that if you provide us with Personal Information about a third party, for example your legal personal representative or emergency contact, you represent to us that the person consents to us collecting and handling their Personal Information in accordance with this Privacy Policy, and we will collect it on this basis.

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances we may be provided with information about you by third parties. In such cases, we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party and about your rights under this Privacy Policy.

We may also sometimes collect Personal Information through:

- (a) our Online Platforms (including your interactions with us on our social media platforms);

- (b) forms (hardcopy and electronic) filled out by you in the course of delivering care and services;
- (c) third party service providers (for example, your current or previous health care provider that holds medical records, including via referrals);
- (d) My Health Record;
- (e) an accountant holding financial records or Centrelink;
- (f) via CCTV in operation at our premises;
- (g) requests to join our mailing or distribution lists or to be contacted for further information about our products and/or services;
- (h) the provision of customer service and support;
- (i) referrals from existing clients receiving care and services;
- (j) debt collection agencies if you default in a payment to us;
- (k) family members, next of kin, or attorneys authorised to act on your behalf; and
- (l) responses to surveys or research conducted by us or on our behalf.

If we receive unsolicited Personal Information we will assess whether it is reasonably necessary to retain it. If not, it is destroyed or de-identified as soon as practicable, if it is lawful and reasonable to do so.

We will not collect your Sensitive Information unless:

- (a) you consent, and your Sensitive Information is reasonably necessary for one or more of our functions or activities; or
- (b) one of the following apply:
  - i the collection is required or authorised under an Australian law or a court or tribunal order;
  - ii a Permitted General Situation exists; or
  - iii a Permitted Health Situation (see definitions table) exists.

#### 4. Use of Personal Information

In accordance with the Aged Care Act and the Privacy Act, we will only use your Personal Information for the purpose for which the Personal Information was given by you or on your behalf; for purposes connected to the delivery of services by us; where you (or your attorney) have consented to such use of your Personal Information; or otherwise in accordance with Australian law. Generally, we use your Personal Information to:

- (a) assess your eligibility to access our services;
- (b) consider your suitability as a volunteer, contractor or for employment;
- (c) supply services and adjust those services to meet your specific needs;
- (d) marketing, including to:
  - (i) notify our clients about our new or existing products and services, upcoming events, promotions, and open days; and
  - (ii) distribute material and general information relating to our care and services;
- (e) obtain services from our suppliers;

- (f) discuss the services you are using with your authorised guardian or next of kin in certain circumstances (for example, where you have impaired capacity);
- (g) contact you to discuss the services are you using and give you the opportunity to provide feedback;
- (h) for billing purposes and to determine if you need to make any payments;
- (i) respond to enquiries from existing or prospective clients seeking information about the care and services we deliver;
- (j) enforce agreements between you and us;
- (k) resolve any disputes and enforce our agreements and rights with third parties;
- (l) undertake research and surveys and analyse statistical information;
- (m) comply with contractual, legislative and policy requirements including in relation to occupational health and safety and environmental matters;
- (n) comply with our reporting obligations to regulatory bodies;
- (o) improve our service delivery;
- (p) comply with legal requirements;
- (q) monitor and manage safety and security; and
- (r) as otherwise permitted or required by law.

## 5. Government Identifiers

We will not adopt Commonwealth Government identifiers for use as our own identifiers. If we are required to collect a Commonwealth Government identifier to provide a service to you, we will not use this number to identify you in our systems. We will not disclose Commonwealth Government identifiers unless you have consented, or we are required by law.

## 6. Disclosure of Personal Information

Unless we have your consent, we will only disclose your Personal Information for the following reasons:

- (a) for a purpose connected with the delivery of services to you by us or one of our Associated Providers;
- (b) for the purpose for which the Personal Information was given to us by you or on your behalf;
- (c) to comply with our obligations under the Aged Care Act or another applicable law; and
- (d) where disclosure is required to be provided to a court, tribunal, authority or person with the power to request such disclosure.

When we provide services to you, we may disclose your Personal Information in accordance with relevant laws. Further we may disclose information to:

- (a) our related body corporates;
- (b) third parties in order to provide our services;
- (c) authorised individuals, for example: an individual with power of attorney or legal guardianship; Supporters under the Aged Care Act; Independent Aged Care Advocates;
- (d) organisations we contract to provide services on our behalf including software suppliers and mail houses;

- (e) third-party digital analytics and marketing tools and platforms for advertising our services to create custom audiences and measure ad performance;
- (f) anyone to whom part or all of our assets or businesses are transferred or sold;
- (g) our professional advisers including lawyers, accountants, and auditors; and
- (h) government agencies, regulatory bodies and law enforcement agencies, or other similar entities.

## 7. Storage and security

We take the security of your Personal Information seriously. Your Personal Information is stored in a manner and is protected by the appropriate organisational and technical security safeguards to, as far as is reasonable, protect it from misuse and loss and from unauthorised access, modification or disclosure. Those who work with us are aware of the importance we place on protecting your privacy and their role in helping us to do so. Some specific examples of the things we do in our organisation to protect your information include:

Method	Examples
<b>Staff obligations and training</b>	<ul style="list-style-type: none"> <li>• We regularly train and assess our staff on how to keep your Personal Information safe and secure.</li> <li>• Our staff are required under our internal processes and policies to keep your Personal Information secure at all times.</li> <li>• Access to Personal Information is controlled through access and identity management systems.</li> <li>• Security professionals monitor and respond to (potential) security events across our network.</li> </ul>
<b>System security</b>	<ul style="list-style-type: none"> <li>• We store your Personal Information in secured systems which are in protected and resilient data centres.</li> <li>• We have technology that prevents malicious software or viruses and unauthorised persons from accessing our systems.</li> </ul>
<b>Service providers and overseas transfers</b>	We do not currently send information overseas or use service providers that handle or store data overseas. However, if this changes, we will require them to take steps to keep your information safe and use it appropriately, and we will control where information is stored and who has access to it.
<b>Building security</b>	We use a mix of ID cards, access cards, keys, alarms, cameras, guards and other controls to protect our offices and buildings.
<b>Our websites and apps</b>	When you log into our Online Platforms, we encrypt data sent from your computer or device to our system so no-one else can access it.
<b>Destroying or deidentifying data when no longer required</b>	<ul style="list-style-type: none"> <li>• We aim to keep Personal Information only for as long as we need for our business or to comply with the law.</li> <li>• When we no longer need Personal Information, we take active steps to destroy or de-identify it.</li> </ul>

### Record Retention

Generally, we retain Personal Information for 7 years. When the Personal Information that we collect is no longer required, we will take all reasonable steps to destroy or de-identify it. We may, however, retain Personal Information for as long as is necessary to comply with any applicable law, for the

prevention of fraud, for insurance and governance purposes, in our IT back-up, for the collection of any monies owed and to resolve disputes. For example, under the Aged Care Rules, we are required to retain certain information for a period of seven years, including for example vaccination information. Similarly, under the *Health Records and Information Privacy Act 2002* (NSW) or other equivalent state legislation, we must retain Health Information for 7 years from the last session on which we provided the Health Service to you, or until the person is 25 years old. Once we delete your Health Information, we still keep a record of your name, the time period the Health Information spanned, and the deletion date.

## 8. Access to and correction of Personal Information

You may request access to the Personal Information we hold about you by contacting us using the details provided in the 'Getting in Touch' section below. Where appropriate, and with your written consent, we may also provide this information to your Supporter, legal representative, an Independent Aged Care Advocate, or an aged care volunteer visitor. Generally, we will provide you or the relevant individual with access to your Personal Information requested unless applicable laws allow us to refuse, or prevent us from giving you, access to the Personal Information we hold about you.

While our records may contain information about you, such as clinical records, progress notes and assessments, these are typically the property of the person or entity that created them (e.g. a treating clinician or Infinite Care). For privacy and confidentiality reasons, especially to protect the dignity and privacy of both residents and staff, we generally do not release copies of such records, unless legally required to do so or appropriate under applicable laws. We will never unreasonably refuse requests to access Personal Information.

Where we agree to provide you with access to your Personal Information, sometimes we may make this conditional on us recovering our reasonable costs of doing so. No fee will be incurred for requesting access, but if your request for access is accepted, you will be notified of the fee payable (if any) for providing access if you choose to proceed with your access request. If we do not give you access to your information, we will explain why and how you can make a complaint.

We endeavour to ensure that the Personal Information collected from you is up to date, accurate and complete. You may lodge a request to correct Personal Information we hold about you if you believe it is inaccurate, incomplete, irrelevant, misleading or out of date. There is no fee for doing this. To do so, please contact us at the contact details listed in 'Getting in Touch' below.

## 9. Promotions and marketing

We may use Personal Information we hold about you, from time to time, to send marketing materials to current or prospective consumers. Generally, we only do so where you consent or where allowed by applicable laws. Our communications to you may be sent in various forms such as by post or by electronic means (including Electronic Direct Mail (EDM), email and SMS).

If you wish to cease receiving this marketing information, please use the "unsubscribe" facilities included in all our marketing communications. We ensure opt-outs from marketing communications are promptly respected. We will only use your Sensitive Information for direct marketing with your consent. Consent can be withdrawn by unsubscribing or contacting the Privacy Officer.

## 10. Infinite Care's Online Platforms

We sometimes use cookie technology on our Online Platforms. Cookies are pieces of information that a website transfers to your computer's hard disk for record keeping purposes and are a necessary part of facilitating online transactions. Most web browsers are set to accept cookies. We use them because cookies are useful to estimate our number of visitors and determine overall traffic patterns through our websites.

We may also collect statistical information regarding the use of our Online Platforms, including the domains from which website users visit, IP addresses, the dates and times of visits, activities undertaken on our Online Platforms and other clickstream data. In addition, we sometimes use web beacon technology to monitor internet activity on our websites. A web beacon is a clear-pixel image that generates an anonymous de-identified notice of a websites visit when viewed. A web beacon usually works in conjunction with a cookie.

If you do not wish to receive any cookies you may set your browser to refuse cookies. However, this may mean you will not be able to take full advantage of the services on our Online Platforms. If you set your browser to refuse cookies, a web beacon may still be able to generate a notice of your visit but it will not be associated with the information contained in cookies.

Our Online Platforms may sometimes contain links to other websites operated by third parties for your convenience. We cannot provide any guarantees regarding third-parties' information handling policies or the content of third-party websites you may visit. Before disclosing your Personal Information on any other platform, we recommend that you examine the terms and conditions and privacy policy of the relevant platform. Please note that we are not responsible for any practices on linked platforms that might breach your privacy.

## 11. Employment and recruitment

If you send us an application to be considered for an advertised position (or unsolicited), this information may be used to assess your application or suitability for employment with us. This information may be disclosed to our related bodies corporate and service providers for purposes such as aptitude and psychological testing or other human resources management activities.

As part of the application process, you may be asked for your consent to the use and disclosure of certain Personal Information about pre-employment testing. We may also ask you to consent to the disclosure of your Personal Information to those people who you nominated to provide references. A refusal to provide any of this information, or to consent to its proposed disclosure, may affect the success of the application.

This Privacy Policy does not apply to our handling of information about our employees. Our handling of employee records is exempt from the APPs under the Privacy Act if the act or practice is directly related to:

- (a) either a current or former employment relationship between us and the individual; and
- (b) an employee record held by us relating to the individual.

For information about our practices relating to employee records, please contact us at the contact details listed in 'Getting in Touch' below.

## 12. Notifiable data breaches

Infinite Care takes breaches of privacy very seriously. If we suspect a Data Breach has occurred, our priority is to contain and assess the suspected breach. In doing so, we will:

- (a) determine the cause and extent of the breach;
- (b) take any necessary immediate remedial action to contain the breach and prevent the risk of serious harm;
- (c) consider the types of information involved, including whether the Personal Information is sensitive in nature;
- (d) analyse the nature of the harm that may be caused to affected individuals;

- (e) consider the person or body that has obtained or may obtain Personal Information as a result of the breach (if known); and
- (f) determine whether the Personal Information is protected by a security measure.

If we believe an Eligible Data Breach has occurred, we will, as soon as practicable, notify the Office of the Australian Information Commissioner (**OAIC**) and all affected individuals or, if it is not possible to notify affected individuals, provide public notice of the breach (in a manner that protects the identity of affected individuals).

### 13. Changes to our Privacy Policy

We reserve the right to change this Privacy Policy and notify you by posting an updated version of the policy on our Online Platforms. In light of this, we strongly recommend that you review our Privacy Policy each time you visit or use our Online Platforms or provide us with any of your Personal Information.

## GETTING IN TOUCH:

If you have any inquiries or complaints about how we handle your Personal Information, or if you have any questions about this Privacy Policy, we welcome you to get in touch with us by contacting our Privacy Officer at:

**Attention:** Privacy Officer, Infinite Care  
**Post:** PO Box 8108,  
Gold Coast Mail Centre QLD 9726  
**Email:** [feedback@infin8care.com.au](mailto:feedback@infin8care.com.au)

We will endeavour to assess and respond to your query promptly and consistent with our legal obligations. All complaints are taken seriously and handled with impartiality and discretion.

More information about your rights and our obligations in respect to privacy and information on making a privacy complaint are available from the OAIC. If you are not happy with how we have dealt with your complaint you can refer your complaint to the OAIC via at:

**Website:** [www.oaic.gov.au](http://www.oaic.gov.au)  
**Post:** GPO Box 5218  
Sydney NSW 2001  
**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Alternatively, information about your rights and our obligations in respect to care and services and information on making a complaint about the care and services received are available from the Commission at:

**Website:** <https://www.agedcarequality.gov.au/>  
**Post:** GPO Box 9819  
In Your Capital  
City  
**Email:** [info@agedcarequality.gov.au](mailto:info@agedcarequality.gov.au)

## RELATED POLICIES AND PROCEDURES:

- Privacy Collection Statement.

## LEGISLATION

- *Privacy Act 1988* (Cth)
- *Aged Care Act 2024* (Cth)
- *Aged Care Rules 2025* (Cth)
- Aged Care Quality Standards
- OAIC's Guidelines to the Australian Privacy Principles.