

## **PRIVACY POLICY - OLD CLEVELAND ROAD CLINIC**

### **(AUSTRALIAN PRIVACY POLICY)**

#### **PART A – PURPOSE AND CONTEXT**

1.0 The Old Cleveland Road Clinic is committed to ensuring the privacy and confidentiality of all personal information associated with the Old Cleveland Road Clinic business undertakings.

1.1 Old Cleveland Road Clinic follows the terms and conditions of privacy and confidentiality in accordance to the Australian Privacy Principles (**APPs**) as per schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth), forming part of the *Privacy Act 1988* ('the Act').

1.2 The purpose of this Privacy Policy is to clearly communicate how Old Cleveland Road Clinic collects and manages personal information.

1.3 The point of contact regarding any queries regarding this policy is The Practice Manager on 33988800.

#### **PART B – AUSTRALIAN PRIVACY PRINCIPLES**

2.0 As a private sector health service provider and under permitted health situations, Old Cleveland Road Clinic is required to comply with the APPs as prescribed under the Act.

2.1 The APPs regulate how Old Cleveland Road Clinic may collect, use, disclose and store personal information and how individuals, including Old Cleveland Road Clinic's patients may:

- address breaches of the APPs by the Old Cleveland Road Clinic;
- access their own personal information; and,
- correct their own personal information.

2.2 In order to provide patients with adequate health care services, the Old Cleveland Road Clinic will need to collect and use personal information. It is important to be aware that if the patient provides incomplete or inaccurate information or the patient withholds personal health information the Old Cleveland Road Clinic may not be able to provide said patient with the services they request or need.

2.3 In this Privacy Policy, common terms and definitions include:

- **"personal information"** as defined by the *Privacy Act 1988 (Cth)*. Meaning *"information or an opinion including information or an opinion forming part of a database,*

*whether true or not, and whether recorded in a material format or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion"; and,*

- **"health information"** as defined by the *Privacy Act 1988 (Cth)*. This is a particular subset of "personal information" and means information or an opinion about:
  - the health or a disability (at any time) of an individual;
  - an individual's expressed wishes about the future provision of health services to him or her; or,
  - a health service provided or to be provided to an individual.

2.3.1 Personal information also includes '**sensitive information**' which is information including, but not limited to a patient's:

- race;
- religion;
- political opinions;
- sexual preferences; and or,
- health information.

2.3.2 Information deemed '**sensitive information**' attracts a higher privacy standard under the Act and is subject to additional mechanisms for the patient's protection.

## **PART C – TYPES OF PERSONAL INFORMATION**

3.0 The Old Cleveland Road Clinic collects information from each individual patient that is necessary to provide said patient with adequate health care services.

3.1 This may include collecting information about a patient's health history, family history, ethnic background or current lifestyle to assist the health care team in diagnosing and treating a patient's condition.

## **PART D – COLLECTION & RETENTION**

4.0 This information will in most circumstances be collected directly from you via treatment form, medical consult form, face to face consultation etc.

4.1 In other instances, the Old Cleveland Road Clinic may need to collect personal information about a patient from a third party source. This may include:

- relatives; or,
- other health service providers.

4.2 This will only be conducted if the patient has provided consent for the Old Cleveland Road Clinic to collect his/her information from a third party source; or, where it is not reasonable or practical for the Old Cleveland Road Clinic to collect this information directly from said patient. This may include where:

- the patient's health is potentially at risk and his/her personal information is needed to provide them with emergency medical treatment.

4.3 The Old Cleveland Road Clinic endeavours to store and retain a patient's personal & health information in our electronically onto a domestic server.

## **PART E – PURPOSE OF COLLECTION, USE & DISCLOSURE**

5.0 The Old Cleveland Road Clinic only uses a patient's personal information for the purpose(s) they have provided the information for unless one of the following applies:

- the patient has consented for The Old Cleveland Road Clinic to use his/her information for an alternative or additional purpose;
- the disclosure of the patient's information by The Old Cleveland Road Clinic is reasonably necessary for the enforcement of criminal law or a law imposing a penalty or sanction, or for the protection of public revenue;
- the disclosure of the patient's information by The Old Cleveland Road Clinic will prevent or lessen a serious and imminent threat to somebody's life or health; or,
- The Old Cleveland Road Clinic is required or authorised by law to disclose your information for another purpose.

### **i. *Health Professionals to provide treatment***

During the patient's treatment at The Old Cleveland Road Clinic he/she may be referred to other medical treatment/services (i.e. pathology or radiology) where The Old Cleveland Road Clinic staff may consult with senior medical experts when determining a patient's diagnosis or treatment.

The Old Cleveland Road Clinic staff may also refer the patient to other health service providers for further treatment during and following the patient's admission (i.e. physiotherapist or outpatient or community health services).

These health professionals will be designated health service providers appointed to use the patient's health information as part of the process of providing treatment. This process will be conducted whilst maintaining the confidentiality and privacy of the patient's personal information.

**ii. *Alternative Health services***

At any point a patient wishes to be treated by an alternative medical practitioner or health care service that requires access to his/her personal/health information, the Old Cleveland Road Clinic requires written authorisation. This written authorisation is to state that the patient will be utilising alternative health services and that these health services have consented for a transfer of personal/health information.

**iii. *Other Third Parties***

At the patient's request, the Old Cleveland Road Clinic may provide your personal information regarding a patient's treatment or condition to additional third parties. These third parties may include:

- parent(s);
- child/ren;
- other relatives;
- close personal friends;
- guardians; or,
- a person exercising a patient's power of attorney under an enduring power of attorney.

Where information is relevant or reasonable to be provided to third parties, written consent from the patient is required unless prior verbal ( documented in chart) permission has been obtained.

Additionally, the patient may at any time wish to disclose that no third parties as stated are to access or be informed about his/her personal information or circumstances.

**iv. *Other Uses of Personal Information***

In order to provide the best possible environment in which to treat patients, The Old Cleveland Road Clinic may also use personal/health information where necessary for:

- activities such as quality assurance processes, accreditation, audits, risk and claims management, patient satisfaction surveys and staff education and training;
- invoicing, billing and account management;
- to liaise with a patient's health fund, Medicare or the Department of Veteran's Affairs, as necessary; and,
- the purpose of complying with any applicable laws – i.e. in response to a subpoena or compulsory reporting to State or Federal authorities.

5.1 If at any point or for any of the aforementioned reasons The Old Cleveland Road Clinic uses or discloses personal/ health information in accordance with the APPs, The Old Cleveland Road Clinic will provide written notice for the patient's consent for the use and/or disclosure.

## **PART F – ACCESS AND CHANGES TO PERSONAL INFORMATION**

6.0 If an individual patient reasonably requests access to their personal information for the purposes of changing said information he/she must engage with practice manager or his/her doctor.

6.1 Once an individual patient requests access to his/her personal information The Old Cleveland Road Clinic will respond within a reasonable period of time to provide said information.

6.2 All personal will be updated when brought to the attention of the Old Cleveland Road Clinic by the patient.

6.3 If an individual requests access to his/her personal information The Old Cleveland Road Clinic will charge a reasonable fee.

## **PART G – COMPLAINTS HANDLING**

7.0 How an individual patient may complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds the entity, and how the entity will deal with such a complaint.

## **PART H – DISPOSAL OF PERSONAL/HEALTH INFORMATION**

8.0 If The Old Cleveland Road Clinic receives any unsolicited personal information that is not deemed appropriate for the permitted health situation, The Old Cleveland Road Clinic will reasonably de-identify and dispose of said information accordingly.

8.1 If The Old Cleveland Road Clinic holds any personal or health information that is no longer deemed relevant or appropriate for the permitted health situation, The Old Cleveland Road Clinic will reasonably de-identify and dispose of said information accordingly.

#### **PART I – ACCESS TO POLICY**

9.0 The Old Cleveland Road Clinic provides free copies of this Privacy Policy for patients and staff to access, which can be/will be located/provided:

Hard Copies provided upon request

#### **PART J – REVIEW OF POLICY**

11.1 The Old Cleveland Road Clinic in accordance with any legislative change will review the terms and conditions of this policy to ensure all content is both accurate and up to date.

11.2 Notification of any additional review(s) or alteration(s) to this policy will be provided to patients and staff within X days/weeks/months notice. If change occurs patients and staff are required by The Old Cleveland Road Clinic to review/sign/acknowledge in writing etc. this Privacy policy.