

PRIVACY POLICY / COLLECTION STATEMENT

Introduction

We are committed to protecting the privacy of patient information and to handling your personal information in a responsible manner in accordance with the Privacy Act 1988, the Privacy Amendment (Enhancing Privacy Protection) Act 2012, the Australian Privacy Principles and relevant State and Territory privacy legislation (referred to as privacy legislation).

This Privacy Policy explains how we collect, use and disclose your personal information, how you may access that information and how you may seek the correction of any information. It also explains how you may make a complaint about a breach of privacy legislation.

This Privacy Policy is current from [28/10/2020]. From time to time we may make changes to our policy, processes and systems in relation to how we handle your personal information. The review date of this privacy policy is [30/12/2021]. We will update this Privacy Policy to reflect any changes. Those changes will be available on our website and in the practice.

Collection

We collect information that is necessary and relevant to provide you with medical care and treatment, and manage our medical practice. This information may include your name, address, date of birth, gender, family history, credit card and direct debit details and contact details. This may also include your patient health record, which is any personal information relating to your health, disability or health status. The definition of “health information” can be found in Section 6 of the *Health Records and Information Privacy Act 2002* (NSW).

This information may be stored on our computer medical records system and/or in hand written medical records.

Wherever practicable we will only collect information from you personally. However, we may also need to collect information from other sources such as treating specialists, radiologists, pathologists, hospitals and other health care providers.

We collect information in various ways, such as over the phone or in writing, in person in our Heritage Medical Practice Wahroonga rooms or over the internet if you transact with us online. This information may be collected by medical and non-medical staff.

HMPW requires its employees to observe obligations of confidentiality in the course of their employment with all staff/contractors signing Confidentiality Agreements. In emergency situations we may also need to collect information from your relatives or friends.

We may be required by law to retain medical records for certain periods of time depending on your age at the time we provide services. HMPW keeps health information for a minimum of 7 years from the date of last entry in the patient records unless the patient is / was a child in which case the record must be kept until the patient attains or would have attained 25 years of age.

Your health information may be collected without your consent where the collection is required or authorised by or under an Australian law or a court/tribunal order, or where it is unreasonable or impracticable to obtain consent to the collection to the extent that we reasonably believe that the collection is necessary to prevent a serious threat to the life, health or safety of any individual, or to public health or safety.

Disclosure of Patients' Health Information to a Third Party

There are circumstances where we may be permitted or required by law to disclose your personal information to third parties. For example, to Medicare, Police, insurers, solicitors, government regulatory bodies, tribunals, courts of law, hospitals, or debt collection agents.

In order to obtain disclose your health information to a third party, we require your written consent.

Using health information for quality improvement and research

Our practice participates in the Australian Government PIP Quality Improvement incentive which supports general practice to invest in ongoing quality improvement activities. These activities aim to improve the care you receive as a patient and your health outcomes. Your de-identified health data is shared with our Local Primary Health Network and the Australian Institute of Health and Welfare. Approved researchers and third parties might access the data set for secondary purposes. For example, a research purpose to compare the care options for people with similar health concerns in different areas. All providers and health data analysts in Australia have professional and legal obligations to protect patient information privacy. This information does not include patient's names, addresses or other identifying information. Please speak to the Practice Manager if you would like to opt out of your de-identified health data being part of quality improvement and research.

Overseas Transfer of Data

We will not transfer your personal information to an overseas recipient unless we have your consent or we are required to do so by law (or we believe the disclosure 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 consent.

Document Automation Technologies

Our practice uses templates that are personalised, particularly so that only the relevant medical information is included in referral letters.

Data Quality and Security

We will take reasonable steps to ensure that your personal information is accurate, complete, up to date and relevant. For this purpose our staff may ask you to confirm that your contact details are correct when you attend a consultation. We request that you let us know if any of the information we hold about you is incorrect or out of date.

Personal information that we hold is protected by:

- securing our premises;
- Placing passwords and varying access levels on databases to limit access and protect electronic information from unauthorised interference, access, modification and disclosure; and providing locked cabinets and rooms for the storage of physical records.

Corrections

If you believe that the information we have about you is not accurate, complete or up-to-date, we ask that you contact us by phone or in writing (contact details on letterhead).

Notifiable Data Breach

The Notifiable Data Breaches (NDB) scheme under Part IIIIC of the Privacy Act 1988 (Privacy Act) establishes requirements for entities in responding to data breaches. Entities have data breach notification obligations when a data breach is likely to result in serious harm to any individuals whose personal information is involved in the breach.

Website Privacy

HMPW's website contains links to other sites. Please be aware that HMPW is not responsible for the privacy practices of any linked sites. We encourage users who leave our site to read the privacy statements of each and every linked website that they choose to visit. All links to external sites are provided for your convenience. The information, products and advertisements contained in the linked sites are neither approved nor endorsed by HMPW, and HMPW is not responsible for such information, products or advertisements.

Access

You are entitled to request access to your medical records. We request that you put your request in writing and we will respond to it within a reasonable time.

There may be a fee for the administrative costs of retrieving and providing you with copies of your medical records.

We may deny access to your medical records in certain circumstances permitted by law, for example, if disclosure may cause a serious threat to your health or safety. We will always tell you why access is denied and the options you have to respond to our decision.

Complaints

If you have a complaint about the privacy of your personal information, we request that you contact us in writing. Upon receipt of a complaint we will consider the details and attempt to resolve it in accordance with our complaints handling procedures.

If you would like to communicate with the practice anonymously, there is a patient feedback form at the reception desk and on our website.

If you are dissatisfied with our handling of a complaint or the outcome you may make an application to the Australian Information Commissioner or the Privacy Commissioner in your State or Territory.

Contact

Please direct any queries, complaints, requests for access to medical records, or if you have any queries regarding our Privacy Policy please contact:

- Practice Manager-Heritage Medical Practice Wahroonga
- Office of the Federal Privacy Commissioner 1300363992
- Office of the NSW Privacy Commissioner 9268 5588
- www.oaic.gov.au - 1300 363 992