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Privacy Policy

Privacy Policy**Policy**

Gunditjmarra Cooperative along with its funded and contracted service providers, has access to personal information (which includes sensitive information) and health information about clients and staff. The Cooperative collects, uses, stores and discloses a range of personal and health information for the purposes of providing a range of services. Therefore it is critical that Gunditjmarra Aboriginal Cooperative protects the privacy of this personal and health information in the normal running of the practice. Staff are required to access relevant files.

Gunditjmarra Aboriginal Cooperative is bound by privacy and other laws including:

- *Commonwealth Privacy Act - Privacy Amendment (Private Sector) Act 2000,*
- *Privacy Act 1998,*
- *Victorian Health Records Act 2001* set by the Health records Act Regulations 2012 (Vic)
- Privacy and data Protection Act 2014
- Freedom of Information Act 1982

This Privacy Policy is to provide information to you, our patient, on the management of patient health information, that is, how your personal information, including your health information, is collected and used within our practice, and the circumstances in which we may share it with third parties.

Gunditjmarra Aboriginal Cooperative Limited (GAC) has a clear responsibility for maintaining privacy of client, patient and consumer information.

This includes medical records, client records and other documents not normally regarded as part of the medical or client record, such as appointment books, software, data and collection sheets and are securely stored such as including prescription forms, administrative records.

Why and when your consent is necessary

When you register as a patient of our practice, you provide consent for our GPs and practice staff to access and use your personal information so they can provide you with the best possible healthcare. Only staff who need to see your personal information will have access to it. If we need to use your information for anything else, we will seek additional consent from you to do this. Our patient registration form includes a section for patients to provide consent to sharing information.

Why do we collect, use, hold and share your personal information?

Our practice will need to collect your personal information to provide healthcare services to you. Our main purpose for collecting, using, holding and sharing your personal information is to manage your health. We also use it for directly related business activities, such as financial claims and payments, practice audits and accreditation, and business processes eg. staff training.

What personal information do we collect in your medical record

Medical records, whether electronic or not, are a collection of information about a patient's healthcare that are essential for his or her present and future care (WHO 2001) and are covered by s. 3 of the *Health Records Act 2001* (AustLII 2012).

The information we will collect about you includes your:

- names, date of birth, addresses, contact details
- medical information including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors
- Medicare number (where available) for identification and claiming purposes
- healthcare identifiers
- health fund details.

Dealing with us anonymously

You have the right to deal with us anonymously or under a pseudonym unless it is impracticable for us to do so or unless we are required or authorised by law to only deal with identified individuals.

How do we collect your personal information?

Our practice may collect your personal information in several different ways.

1. When you make your first appointment our practice staff will collect your personal and demographic information via your registration. Our practice has an Information Collection and Disclosure Form attached within the patient registration form for clients to sign.
3. During the course of providing medical services, we may collect further personal information. Information may also be collected through electronic transfer of prescriptions (eTP), My Health Record, eg via Shared Health Summary, Event Summary.
4. We may also collect your personal information when you visit our website, send us an email or SMS, telephone us, make an online appointment or communicate with us using social media.
5. In some circumstances personal information may also be collected from other sources. Often this is because it is not practical or reasonable to collect it from you directly. This may include information from:
 - your guardian or responsible person
 - other involved healthcare providers, such as specialists, allied health professionals, hospitals, community health services and pathology and diagnostic imaging services
 - your health fund, Medicare, or the Department of Veterans' Affairs (as necessary).

When, why and with whom do we share your personal information?

We sometimes share your personal information:

- with third parties who work with our practice for business purposes, such as accreditation agencies or information technology providers – these third parties are required to comply with APPs and this policy
- with other healthcare providers
- when it is required or authorised by law (eg court subpoenas)
- when it is necessary to lessen or prevent a serious threat to a patient's life, health or safety or public health or safety, or it is impractical to obtain the patient's consent
- to assist in locating a missing person
- to establish, exercise or defend an equitable claim
- for the purpose of confidential dispute resolution process
- when there is a statutory requirement to share certain personal information (eg some diseases require mandatory notification)
- during the course of providing medical services, through eTP, My Health Record, via Shared Health Summary, Event Summary which Gunditjmarra participates in.

Only people who need to access your information will be able to do so. Other than in the course of providing medical services or as otherwise described in this policy, our practice will not share personal information with any third party without your consent.

We will not share your personal information with anyone outside Australia (unless under exceptional circumstances that are permitted by law) without your consent.

Our practice will not use your personal information for marketing any of our goods or services directly to you without your express consent. If you do consent, you may opt out of direct marketing at any time by notifying our practice in writing.

Our practice may use your personal information to improve the quality of the services we offer to our patients through research and analysis of our patient data. In general, quality improvement for the purpose of seeking to improve the delivery of a particular service would be considered a directly related secondary purpose for information use or disclosure so we do not need to seek specific consent for this use of client information, however we include information about quality improvement activities and audits in the Cooperative policy on managing information.

We may provide de-identified data to other organisations to improve population health outcomes. The information is secure, patients cannot be identified and the information is stored within Australia. You can let our reception staff know if you do not want your information included.

How do we store and protect your personal information?

Your personal information may be stored at our practice in various forms, eg. electronic records, visual records (X-rays, CT scans, videos and photos.)

Our practice stores all personal information securely.

Electronic format is stored, in a protected information system, only accessible by users deemed necessary to have access, systems are only accessible by appropriate users with the use of an individual password/s. All staff sign a confidentiality agreements including contractors. No details are provided that would jeopardise the effectiveness of our security measures.

How can you access and correct your personal information at our practice?

You have the right to request access to, and correction of, your personal information.

Our practice acknowledges patients may request access to their medical records. We require you to put this request in writing to the Practice Lead, Gunditjmara Health Clinic, 3 Banyan Street Warrnambool Victoria 3280 and our practice will respond within 30 days. A Fee may be charged for this service, please refer to our fees schedule.

Our practice will take reasonable steps to correct your personal information where the information is not accurate or up to date. From time to time, we will ask you to verify that your personal information held by our practice is correct and current. You may also request that we correct or update your information, and you should make such requests in writing to the Practice Lead, Gunditjmara Health Clinic, 3 Banyan Street Warrnambool Victoria 3280.

How can you lodge a privacy-related complaint, and how will the complaint be handled at our practice?

We take complaints and concerns regarding privacy seriously. You should express any privacy concerns you may have in writing. We will then attempt to resolve it in accordance with our resolution procedure. Complaints can be forwarded to the Practice Lead, Gunditjmara Health Clinic, 3 Banyan Street Warrnambool Victoria 3280, 03 5564 3344 or alternatively health@gunditjmara.org.au. Please allow up to 30 days for complaints to be processed.

You may also contact the OAIC. Generally, the OAIC will require you to give them time to respond before they will investigate. For further information visit www.oaic.gov.au or call the OAIC on 1300 363 992. You could also contact the Victorian Health complaints Commissioner between 9am and 5pm Monday to Friday on 1300 582 113.

Policy review statement

This privacy policy will be reviewed regularly to ensure it is in accordance with any changes that may occur. Patients will be notified of amendments to the Privacy Policy through the Registration and Privacy Form.

The Royal Australian College of General Practitioners. Privacy and managing health information in general practice.
East Melbourne, Vic: RACGP, 2017