

# *Privacy and managing health information in general practice*



The Royal Australian College of General Practitioners (RACGP) has developed a privacy policy template for general practices to adapt, for compliance with the requirements of the Australian Privacy Principles (APPs). It is important each practice uses this template as a guide and adapts its content to their individual procedures.

This template covers:

- practice procedures
- staff responsibilities
- patient consent
- collection, use and disclosure of information
- access to information.

The template is designed to communicate to patients how a practice manages personal information and to complement other practice policies such as complaint resolution and breach notification procedures.

This template was developed with assistance from the Office of the Australian Information Commissioner (OAIC) and was current at time of publication.

For more information on privacy visit [www.oaic.gov.au](http://www.oaic.gov.au), or for privacy policies for GPs, visit [www.oaic.gov.au/privacy/privacy-resources/training-resources/privacy-policies-for-gps](http://www.oaic.gov.au/privacy/privacy-resources/training-resources/privacy-policies-for-gps)

# Wingham Family Health Clinic privacy policy

Current as of: 01/09/2022 to be reviewed 1/03/2023

## Introduction

This privacy policy is to provide information to you, our patient, on how your personal information (which includes your health information) is collected and used within our practice, and the circumstances in which we may share it with third parties.

## 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.

## 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 (e.g. staff training).

## What personal information do we collect?

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?

Wingham Family health Clinic 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.
2. During the course of providing medical services, we may collect further personal information.
3. 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.
4. 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 (e.g. some diseases require mandatory notification) during the course of providing medical services, through eTP, My Health Record (eg via Shared Health Summary, Event Summary).

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.

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.

- as an electronic record in our medical software
- as paper records
- x rays, CT scans, photos or videos

Wingham Family Health Clinic stores all personal information securely.

- patient paperwork must never be placed in view of the public, all paperwork to be turned face down on desktops.
- it is the policy of Wingham Family Health Clinic to have screen savers set to turn on at all times.
- Wingham Family Health Clinic sends and receives correspondence and reports to and from our clinical desktop system to other healthcare providers through the use of conformant secure messaging software.
- All computers & software are pass worded protected.
- Servers are in a locked environment and pass worded protected.
- All staff and contractors have signed confidentiality agreements in place.
- if the practice wishes to be part of research involved with Third Parties i.e., Drug company sponsored activities, the practice has to go through the Human Research Ethics Committee (HREC) first Refer to guidelines posted at - NHMRC [www.nhmrc.gov.au](http://www.nhmrc.gov.au)
- Internal staff SQL searches do not need HREC approval but data must be de-identified.

## 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 (preferably a transfer of file form from another medical surgery) and our practice will respond within a reasonable time. Generally, we try to transfer files to the requesting surgery within 7 days. There may be a fee for printing, photocopying, postage or CD disk & the time it required to be done.

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

Practice Manager

Wingham Family Health Clinic 9 Primrose Street Wingham NSW 2429

02 65534811 or email [pm@wfhclinic.com.au](mailto:pm@wfhclinic.com.au)

## 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

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Wingham Family Health Clinic will be in touch with you within 30 days regarding your complaint & offer solutions to how we can solve your complaint.

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](http://www.oaic.gov.au) or call the OAIC on 1300 363 992.

## Privacy and our website

Cookies are pieces of information that a website transfers to your computer's hard disk for record-keeping purposes, website usage statistics or to provide enhanced functionality on the site. Our cookies may do some or all of these depending on the particular page and its functionality. Generally, the information obtained by cookies is de-identified and does not constitute personal information, but may include the IP address of your computer. You are ultimately in control of your browser's dealings with cookies. Most browsers are by default set to accept cookies, but have the capacity to block or delete them. However, if you do not wish to receive any cookies you should set your browser to refuse cookies. By using our website, you accept the use and installation of these cookies to provide you with these our websites services.

## Policy review statement

This privacy policy will be reviewed regularly to ensure it is in accordance with any changes that may occur. We will let patients know through our website and/or notices at reception of when amendments have been made to this policy.

### **Disclaimer**

The *Privacy policy template for general practices* is intended for use as a guide of a general nature only and may or may not be relevant to particular practices or circumstances. The Royal Australian College of General Practitioners (RACGP) has used its best endeavours to ensure the template is adapted for general practice to address current and anticipated future privacy requirements. Persons adopting or implementing its procedures or recommendations should exercise their own independent skill or judgement, or seek appropriate professional advice. While the template is directed to general practice, it does not ensure compliance with any privacy laws, and cannot of itself guarantee discharge of the duty of care owed to patients. Accordingly, the RACGP disclaims all liability (including negligence) to any users of the information contained in this template for any loss or damage (consequential or otherwise), cost or expense incurred or arising by reason of reliance on the template in any manner.