

*Privacy and managing  
health information in  
general practice*



# privacy policy

Current as of: December 2020

## **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.

## **Your consent and how to withdraw**

Fully informed and voluntary consent to the purposes for which it intends to use and disclose your personal information, will be obtained by Jimboomba Medical Centre before or as soon as practicable after the collection of your Health Information. An example of Jimboomba Medical Centre collecting consent is participating in our Reminder system.

Having provided consent, you are able to opt out/withdraw it at any time. To withdraw consent, please place your withdrawal request in writing Attention: Practice Manager.

We would like to explain that although you are able to opt out of our reminder system, if a Doctor deems it medically necessary to contact you to discuss notifiable results/correspondence they have a legal obligation to do so.

Please note that withdrawing your consent may lead to Jimboomba Medical Centre no longer being able to provide you with certain care or services.

## **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, practice quality improvement activities, accreditation, and business processes (eg staff training).

## **What is 'personal information'?**

Personal information is information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

## What personal information do we collect?

The information we will collect about you includes your:

- names, date of birth, addresses, contact details, including email and mobile phone.
- emergency contact details
- signature of consent / verbal consent
- 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, Gender, marital status, occupation, cultural background.
- healthcare identifiers
- health fund details.
- CCTV surveillance footage

## 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 authorized by law to only deal with identified individuals. If you chose to deal with us in this way we would be required to check with our practice indemnity insurance.

## 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.
2. During the course of providing medical services, we may collect further personal information. Information can also be collected through electronic transfer of prescriptions (eTP), My eHealth Record, eg via Shared Health Summary, Event Summary.
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 including medical students on placement at our practice.
- when it is required or authorised by law (eg court subpoenas of medical records or CCTV footage)

- 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 (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.

**Medical Student access:**

Our clinical staff provide teaching and clinical training when the medical students attend our clinic on their placement.

Upon arrival of your consultation our reception team will inform you if a medical student will be present during your consultation along with a signage being displayed at reception. If for any reason you would prefer the student not to be present during your consultation please notify our reception staff. Your decision will in no way affect your treatment or care at the practice.

The medical student will sign a privacy and confidential statement prior to commencing their placement within our Practice. Some students are required to do a case study as part of their placement. In these cases, the student will need to select one patient that they had seen during a consultation with one of our Practitioners. The Practice Manager will contact this patient to discuss the clinical case and request a form be signed to consent to participation. All information in the clinical case is de-identified.

Medical Students may see a patient prior to consultation with the doctor. The purpose of this is for the student to collect clinical history and information on the nature of the visit. When the patient consults with the doctor, the student will present their findings.

**Disclosure of information via Email:**

Jimboomba Medical Centre is unable to encrypt emails and preferable method of transferring information is via fax or Registered Post mail. If there is an urgent request for information to be sent via email, Jimboomba Medical Centre requires patient consent acknowledging that the email is not encrypted therefor not protected if sent to the incorrect address.

Another circumstance of disclosure of information can be from a result of your action. There may be circumstances in which we consider you, by your actions, to have released us from our duty of confidentiality or to have consented to the disclosure of information about you without actually saying so (for example, if you discuss your health status publicly to the media in such a way as to leave us with little alternative but to respond publicly).

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

We may disclose your personal information to the following overseas recipients:

- any practice or individual who assist us in providing services (such as where you have come from overseas and had your health record transferred from overseas or have treatment continuing from an overseas provider)
- anyone else to whom you authorise us to disclose it; and
- anyone else where authorised by law.

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.

### **CCTV management**

Jimboomba Medical Centre is committed to ensuring that personal information collected by surveillance camera systems is handled in accordance with the Australian Privacy Principles (APPs) contained in the Information Privacy Act 2009 (Qld), along with the Privacy Act 1988 (Privacy Act).

#### **Purpose**

Surveillance camera systems are used by Jimboomba Medical Centre to monitor and record activity for providing a safe and secure environment for our staff, clients and the general public, as well as for property protection and crime prevention. Appropriate signage has been installed in either the immediate or general vicinity of cameras to advise that cameras are in operation.

#### **Access**

Footage can only be accessed by persons authorised to do so. Practice Principals and the Practice Manager have access to live and pre-recorded tapes. Reception staff have access to live footage only. Access to the system is password protected.

Footage will only be used for its intended purpose, for public safety and for the investigation and prosecution of criminal offences. Should an incident occur, footage may be provided to the Queensland Police Service for law enforcement purposes. Collected information will not be given to any other person or agency unless authorised or required by law.

Reasons for disclosing information include:

- for law enforcement purposes;
- for official investigations;
- where individuals have agreed to the disclosure of their information;
- where it is necessary for the health, safety or welfare of individuals or public health reasons; or
- when otherwise required by law, including under the Right to Information Act 2009.

#### **Public request for access**

Patients can apply to access their personal information, including surveillance camera footage, under the Right to Information Act 2009 and Information Privacy Act 2009. Applications must be made in writing to the Practice Manager.

#### **Storage**

Surveillance footage is kept onsite and the systems has its own hard drive that is secured with protected

password. The hard drive is in a staff only access area. The recorded footage is stored for two weeks and then cleared. A copy of any released footage that has been used for the investigation and prosecution of criminal offences will be stored on the Practice server and retained in accordance with the Public Record Act 2002. The live footage monitor is placed in a position where it cannot be viewed by unauthorised persons.

### **Photography/Filming**

For the protection and privacy of our patients, doctors and staff at Jimboomba Medical Centre, photos and filming is prohibited on the premises/during consultation unless written consent is collected from all parties involved.

## **How do we store and protect your personal information?**

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

Our practice stores all personal information securely.

Our security measures include, but are not limited to:

- Employing firewalls and virus scanning tools to protect against unauthorized persons and viruses from entering our systems
- Using dedicated secure networks or encryption when we transmit electronic data
- Practicing a clean desk policy
- Our practice has a security alarm which is operational outside of business hours
- Paper based and other hard copy documents are located securely within the practice
- Electronic records in a secure environment both on and offsite
- Records are only accessible by those persons who require access to the personal information for the purposes of carrying out their employment activities
- Where information we hold is identified as no longer needed for any purpose we ensure it is effectively and securely destroyed
- Educating our staff as to their obligations about your personal information
- Requiring our staff to use passwords when accessing our systems

## **How can you access and or 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. To request access to this information you will be required to complete and sign 'Request for Access to Personal Information' form and either mail it to the Practice or hand into reception. Our Practice Manager, Kylie White will be responsible in handling this request, and our practice will respond within a reasonable time.

### **Parental Access to Health Information**

If a parent seeks access to their child's records, the general rule is that unless Jimboomba Medical Centre considers the child to be a mature minor, and in the absence of any court orders or consent orders in relation to the child, both parents have an equal right to access their child's medical records.

Subject to the exceptions set out in the Privacy Act and any court or consent orders in relation to the child, you may seek access your child's personal information which we hold about your child in accordance with our access policy.

To request access to this information you will be required to complete and sign 'Request for Access to Personal Information' form and either mail it to the Practice or hand into reception. Our Practice Manager, Kylie White will be responsible in handling this request.

**How to give friends/relatives access to your medical file:**

To arrange a friend or family member access to your medical information, we request you arrange an appointment with your doctor to discuss this request. Your doctor will ask you to complete a consent form 'Third Party consent with Family/Friend'. The Practice Manager will then action this request as per our procedure for 'processing access to personal information'.

**To release medical information to third parties:**

Patient consent is required unless a subpoena or warrant is issued. This may comprise of AFP representatives, lawyers and employers.

Requests from AFP are required to complete the "QLD Police request for patient information form" and supply relevant documentation.

**Processing Access to Personal Information:**

We will respond to your access request as soon as possible. We will endeavor to comply with your request within 14 days of its receipt but, if that deadline cannot be met owing to exceptional circumstances, your request will be dealt with within 30 days.

If circumstances apply, we are permitted by the Privacy Act to deny your request for access or limit the access we provide. We will let you know why your request is denied or limited. For example, we may explain notes written by a Doctor into your file, rather than direct access to evaluative information connected with it. This will be the decision of the attending Doctor as these notes are classified as the Doctor's diary records and certain information may not be viewed by the patient or a third party, because of the sensitive nature.

An administration fee will be charged for providing access. The fee is to cover the costs of time spent in processing your request, printing costs and postage costs if applicable. If Jimboomba Medical Centre can proceed with your request, you will be advised of the fee for access and will be asked for pre-payment. Access will not be provided until payment is received.

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:

ATT: Practice Manager  
Sh 13-16 Jimboomba Shopping Centre  
Mt Lindesay Highway , Jimboomba Qld 4280  
Ph: (07) 5546 9766 Fax: (07) 5546 9014  
Email: [manager@jimboombamedicalcentre.com.au](mailto:manager@jimboombamedicalcentre.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.

You are asked to lodge your concerns in writing to:

ATT: Practice Manager  
Sh 13-16 Jimboomba Shopping Centre  
Mt Lindesay Highway, Jimboomba Qld 4280  
Ph: (07) 5546 9766 Fax: (07) 5546 9014  
Email: [manager@jimboombamedicalcentre.com.au](mailto:manager@jimboombamedicalcentre.com.au)

Any complaint will be investigated by the Privacy Officer and you will be notified of the making of a decision in relation to your complaint as soon as is practicable after it has been made, usually within 30 days.

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.

Office of the Information Commissioner Queensland – 07 3234 7373 [www.oic.qld.gov.au](http://www.oic.qld.gov.au)

## **Privacy and our website**

### **Collection of information via website activity**

For statistical purposes, we may collect information on website activity (such as the number of users who visit our Jimboomba Medical Centre website, the date and time of visits, the number of pages viewed, navigation patterns, what country and what systems users have used to access the site and when entering one of our websites from another website, the address of that web site through the use of 'cookies'. This information on its own does not identify an individual but it does provide members of the Group with statistics that can be used to analyze and improve their websites.

### **Links to other websites**

Our website may contain links to non-Jimboomba Medical Centre websites. Whilst such links are provided for your convenience, you should be aware that the information handling practices of the linked websites might not be the same as ours.



## **Policy review statement**

### **Updates to this Policy**

This Policy will be reviewed from time to time to take account of new laws and technology, changes to our operations and other necessary developments.

We will endeavor to notify you as we update our privacy policy and you will be able to access this policy via our website, alternatively you are welcome to ask reception for a copy.