



Privacy Policy

Applies to:

All Staff

Definitions:

- **'Personal information'** is defined² as any 'information or an opinion about an identified individual, or an individual who is reasonably identifiable:
 - Whether the information or opinion is true or not; and
 - Whether the information or opinion is recorded in a material form or not'

- **'Sensitive information'** is a subset of personal information and is defined³ as:
 - Information or an opinion (that is also personal information) about an individual's:
 - racial or ethnic origin
 - political opinions
 - membership of a political association
 - religious beliefs or affiliations
 - philosophical beliefs
 - membership of a professional or trade association membership of a trade union
 - sexual preferences or practices, or
 - criminal record
 - Health information about an individual
 - Genetic information (that is not otherwise health information)
 - Biometric information that is to be used for the purpose of automated biometric verification or biometric identification, or
 - Biometric templates

'Health information' is defined⁴ to mean:

- Information or an opinion, that is also personal information, about:
 - the health or a disability (at any time) of an individual, or
 - 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, or
 - other personal information collected to provide, or in providing, a health service, or



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- *other personal information about an individual collected in connection with the donation, or intended donation, by the individual of their body parts, organs or body substances, or*
- *Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual. (Other types of genetic information that are not health information fall within the definition of 'sensitive information')*

'Consent' is defined⁴ as 'express consent or implied consent'. The four key elements of consent are:

- *the individual is adequately informed before giving consent*
- *the individual gives consent voluntarily*
- *the consent is current and specific, and*
- *the individual has the capacity to understand and communicate their consent.*

Policy Statement:

Independent Health Care Service will manage your personal information in an open and transparent way, and will take steps to ensure that all practices, procedures and systems comply with the Australian Privacy Principles.

Independent Health Care Service collects the following information as part of our service delivery to clients:

- Personal information – this includes your name, address, and telephone number. We record this information in order to identify you and deliver services to you. Personal information is collected from you following your consent, and is used solely for the purposes of providing services to you. We only collect personal information that we require in order to provide services to you. We do not disclose your personal information to anyone else, except when you have consented or would reasonably expect this – for example, when we broker your service delivery to a third party (see below);
- Personal Information which includes "sensitive information" such as cultural and linguistic background and religious affiliations;
- Health Information – defined as above, and includes information such as your health or a disability, and the health service provided to you.



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Independent Health Care Service uses your personal information only for the purpose you have given the information to us unless one of the following applies:

- The other purpose is directly related to the purpose for which you have given us the information and you would reasonably expect, or we have told you, that your information is usually disclosed for another purpose or to other individuals, organisations or agencies;
- You have consented for us to use your information for another purpose;
- We are required or authorised by law to disclose your information for another purpose - for example
 - the reporting of data to funding bodies such as the Australian Government Department of Social Services;
 - the purpose of complying with any applicable laws such as compulsory reporting;
 - quality activities such as quality reporting, audits, client satisfaction surveys;
 - the disclosure of your information by us will prevent or lessen a serious threat to somebody's life, health or safety, or to public health or safety ;
or
 - the disclosure of your information by us is reasonably necessary for the enforcement of the criminal law or a law imposing a penalty or sanction, or for the protection of public revenue.

Independent Health Care Service may store the personal information we collect from you in various forms, including through an electronic accounting system. IHCS will comply with the Australian Privacy Principles, and this Privacy Policy, in respect of your personal information in whatever form that information is stored by us.

We will take steps to ensure that the information we hold about you is accurate, up to date, and complete. We encourage you to update any changes to your personal information as they occur to ensure that the information is accurate, up to date and complete.

IHCS stores the personal information that we collect in a manner that protects it from interference, loss and misuse as well as from unauthorised access, use or disclosure. These include physical storage locations (secure areas), access controls and IT security processes.

Accessing Information

You have a right to have access to the health information that we hold in your health record. You can also request an amendment to your health record should you believe that it contains inaccurate information.



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Independent Health Care Service will provide you with access to your information, or make requested changes to the information we hold, unless there is a reason under the *Privacy Act 1988* or other relevant law to refuse such access or refuse to make the requested changes.

If we do not agree to change your medical record/personal information in accordance with your request, we will allow you to make a written statement of the requested changes and we will enclose this with your record. We will also provide you with written explanation of the reasons for the refusal to change your records.

Should you wish to obtain access to or request changes to your health record you can ask for our Privacy Officer (see details below) who can give you more detailed information about this process. We will respond to your request within a reasonable period of time (this will generally be within 30 days of receipt of your request).

Complaints regarding Privacy

If -

- you have questions or comments about this Privacy Policy; or
- Independent Health Care Service does not agree to provide you with access to your personal information; or
- you have or a complaint about our information handling practices or a complaint about a breach of the APP's

You can lodge a complaint with or contact our Privacy Officer on the details below or lodge a complaint directly with the Federal Privacy Commissioner (details below).

Disclosure of Information to Overseas Recipients

Independent Health Care Service does not, and will not, disclose your personal information to overseas recipients. This includes our electronic storage of information.

Unsolicited Personal Information

- Unsolicited personal information is personal information received by us when we take no active steps to collect the information.
- If we receive unsolicited personal information, we determine if this information is information that we would have collected from you during the provision of service. If we determine that we would not have collected this information and the information is not contained in a Commonwealth record, we will destroy or de-



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identify the information as soon as practical and if it is lawful and reasonable to do so.

- If we are not required to destroy or de-identify the information, we will take reasonable steps to ensure that you are aware of the collection of information either at the time, or as soon as practical after collection occurs.

Expected Outcome:

IHCS will follow the requirements of the Privacy Act 1988 and the Australian Privacy Principles, and ensure that all clients of the service are informed of how their privacy is protected.

Privacy Officer Details:

Privacy Officer
Independent health Care Service Pty Ltd
4 Sunderland St
Moonah Tas 7009

Federal Privacy Commissioner Details:

Complaints to the Office of the Australian Privacy Commissioner can be lodged via www.oaic.gov.au/privacy/making-a-privacy-complaint

References:

¹ *Privacy Principles guidelines Privacy Act 1988* (2014), Australian Government, Office of the Information Commissioner, p15.

² *Privacy Principles guidelines Privacy Act 1988* (2014), Australian Government, Office of the Information Commissioner, p18.

³ *Privacy Principles guidelines Privacy Act 1988* (2014), Australian Government, Office of the Information Commissioner, pp26-27.

⁴ *Privacy Principles guidelines Privacy Act 1988* (2014), Australian Government, Office of the Information Commissioner, p7.