



SEYMOUR HEALTH

Title: **PRIVACY POLICY**

Scope: Organisation wide

Responsible Committee: Continuous Quality Improvement

Document type: Policy

PURPOSE

Seymour Health (SH) recognises the importance of protecting the privacy and rights of individuals in relation to their personal information. SH will comply with *The Privacy and Data Protection Act 2014 (Vic)*, the *Privacy Act 1988 (Cth)*, the *Australian Privacy Principles (2014)* and the *Health Records Act 2001 (Vic)* in relation to the collection, management, storage and disclosure of personal information.

DEFINITIONS

Personal information: any information that can be used to personally identify an individual. This may include name, date of birth, address, telephone number, email address and profession or occupation. Where the information collected has the ability to personally identify an individual the information will be considered personal information. Health information is also considered personal information.

POLICY

Information obtained by SH in the course of its business will be collected, managed and stored in line with the Australian Privacy Principles and according to the relevant legislative requirements.

Principle 1 – Open and transparent management of personal information

SH will ensure the safety and privacy of personal information by ensuring there are robust policies and procedures related to the collection, management and storage of personal information.

The following types of personal information may be collected and held:

- name, mailing or street address
- email address, telephone number, facsimile number
- age or date of birth
- profession or occupation
- information about health and services provided
- financial information
- any additional information relating to an individual required for their episode of care

The personal information is collected directly from the individual unless it is unreasonable or impracticable to do so.

It may be collected in the following ways:

- during conversations in person or by telephone
- written where forms are completed
- via electronic means e.g. email, fax, web based applications

SH may also obtain personal and health information from another person involved in the care of a client. Personal information is collected with the client's informed consent (or that of their authorised representative).

Personal information is collected in the following circumstances:

- *Client/patient/resident/carer* for the purpose of providing healthcare
- *Staff and volunteer* for employment/volunteer positions, next of kin details and personnel records

Principle 2 - Anonymity and pseudonymity

Individuals are not obliged to identify themselves or disclose personal information when seeking services from SH. However if an individual declines to identify him/herself SH may not be able to provide the level of service expected or required.

Principle 3 - Collection of solicited personal information

Personal information will only be collected for the inclusion in a health/personnel record. Solicited information may be obtained in the following ways:

- In response to a request, direction or order
- From a third party in response to a request, or an arrangement for transferring information
- A completed form or application
- A feedback letter
- An employment application
- A form completed to enter a competition
- Completion of a register on entry to the organisation
- A record of a credit card payment
- CCTV footage that identifies individuals

Principle 4 - Dealing with unsolicited personal information

Unsolicited information is personal information received where no active steps have been taken to collect it. Any unsolicited information that could not have been collected under Principle 3 must be destroyed or de-identified

Principle 5 - Notification of the collection of personal information

SH will ensure individuals are aware of the following matters:

- Seymour Health contact details
- The fact and circumstance of collection
- Whether the collection is required or authorised by law
- The purposes of collection
- The consequences if personal information is not collected
- Usual disclosures of the information undertaken by SH
- Information about SH Privacy policy
- Whether SH is likely to disclose personal information to overseas recipients

Principle 6 - Use or disclosure of personal information

SH may use and disclose personal information, including health information in the following circumstances:

- For the purpose of providing health care
- To manage, review, develop and improve SH systems and processes

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- To third parties involved in the client's care or the provision of services or to other providers to SH with the consent of the client (or their authorised representative) unless otherwise permitted by law e.g. situations involving a serious and imminent threat to the health, safety or welfare of the client or public

Principle 7 - Direct marketing

Seymour Health will not:

- Use personal information for direct marketing
- Use personal information to inform individuals about fundraising activities

Principle 8 - Cross-border disclosure of personal information

Seymour Health will not disclose personal or health information to any person outside Australia. Identified data will only be transferred where it is required by law and where the receiving entity commits to ensuring protection of data according to the Australian Privacy Principles.

Principle 9 - Adoption, use or disclosure of government related identifiers (e.g. Medicare Number)

SH will not use any government identifiers as its own identifier of clients.

Principle 10 - Quality of personal information

SH will take reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete. Handling poor quality personal information can have significant privacy impacts for individuals.

Principle 11 - Security of personal information

SH will take reasonable steps to protect personal information from misuse, interference and loss as well as unauthorized access, modification or disclosure. Electronic information is protected by password and paper-based information protected by access control.

Principle 12 – Access to personal information

SH will control access to personal information through its Request, Release and Transmission of Patient Information policy in accordance with the *Freedom of Information Act 1982*.

Principle 13 – Correction of personal information

See Principle 10.

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Key Aligned Documents

Confidentiality Policy

<https://app.prompt.org.au/download/100936?code=5e6e0516a616d3d990a6282367c8b8dc>

Personnel File Access policy

<https://app.prompt.org.au/download/100935?code=7ade1b5cc6a2fc8de1d80fb5aac2098d>

[Consumer Feedback Policy](#)

Request, Release and Transmission of Patient Information policy

Key Legislation, Acts & Standards

- Australian Commission on Safety and Quality in Health Care (October 2012) - National Safety and Quality Service Standards – Standard 1.19.2
- Accident Compensation Act 1985 (Vic)
- Health Records Act (Victoria) 2001 (Vic)
- Health Services Act (Victoria) 1988 (Vic)
- Information Privacy Act (Victoria) 2001
- Privacy and Data Protection Act 2014
- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- NDIS Practice Standards

References

Kilmore District Hospital (2017) Privacy Policy

<https://app.prompt.org.au/download/65602?code=03238303547d61d10bc679a939dbcae5>

Goulburn Valley Hospice Care Service (2018) Privacy policy

<https://app.prompt.org.au/download/112010?code=7fd38b3a4f4e1b0b0bae9278580a4974>

Office of the Australian Information Commissioner, Privacy fact sheet 17: Australian Privacy Principles. January 2014

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Approved by

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