

# *NUNDAH DOCTORS SURGERY*

**PRIVACY POLICY DEVELOPED IN ACCORDANCE WITH  
AUSTRALIAN PRIVACY PRINCIPLES (APP)**

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**AUSTRALIAN PRIVACY PRINCIPLES (APP) POLICY**

**PART A – PURPOSE AND CONTEXT**

- 1.0 Nundah Doctors Surgery (the surgery) is committed to ensuring the privacy and confidentiality of all personal information affiliated with the surgery's business undertakings.
- 1.1 Nundah Doctors Surgery follows the terms and conditions of privacy and confidentiality in accordance to the Australian Privacy Principles (**APPs**) as per schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth), forming part of the *Privacy Act 1988* ('the Act').
- 1.2 The purpose of this Privacy Policy is to clearly communicate how Nundah Doctors Surgery collects and manages personal information.
- 1.3 The first point of contact regarding any queries regarding this policy is the senior receptionist or thereafter the Practice Manager and Practice Principals.

**PART B – AUSTRALIAN PRIVACY PRINCIPLES**

- 2.0 As a private sector health service provider and under permitted health situations, Nundah Doctors Surgery is required to comply with the APPs as prescribed under the Act.
- 2.1 The APPs regulate how the practice may collect, use, disclose and store personal information and how individuals, including the surgery's patients may:
- address breaches of the APPs by Nundah Doctors Surgery;
  - access their own personal information; and,
  - to correct their own personal information.
- 2.2 In order to provide patients with optimal health care services, Nundah Doctors Surgery will need to collect and use personal information. It is important to be aware that if the patient provides incomplete or inaccurate information or the patient withholds personal health information Nundah Doctors Surgery may not be able to provide said patient with the services they are requesting.
- 2.3 In this Privacy Policy, common terms and definitions include:
- **"Personal information"** as defined by the *Privacy Act 1988 (Cth)*. Meaning *"information or an opinion including information or an opinion forming part of a database, whether true or not, and whether recorded in a material format or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion"*; and,
  - **"Health information"** as defined by the *Privacy Act 1988 (Cth)*. This is a particular subset of "personal information" and means information or an opinion about:
    - the health or a disability (at any time) of an individual;
    - an individual's expressed wishes about the future provision of health services to him or her; or,

2.3.1 Personal information also includes '**sensitive information**' which is information including, but not limited to a patient's:

- race;
- religion;
- political opinions;
- sexual preferences; and or,
- health information.

2.3.2 Information deemed '**sensitive information**' attracts a higher privacy standard under the Act and is subject to additional mechanisms for the patient's protection.

## **PART C – TYPES OF PERSONAL INFORMATION**

3.0 Nundah Doctors Surgery collects information from each individual patient that is necessary to provide said patient with adequate health care services by Nundah Doctors Surgery.

3.1 This may include collecting information about a patient's health history, family history, ethnic background or current lifestyle to assist the health care team in diagnosing and treating a patient's condition.

## **PART D – COLLECTION & RETENTION**

4.0 This information will in most circumstances be collected directly from the patient through but not limited to the following mediums:

- Nundah Doctors Surgery Consent Form
- Medical Treatment Form and
- Face to Face consultation

In other instances, Nundah Doctors Surgery may need to collect personal information about a patient from a third party source. This may include:

- Relatives or,
- other health service providers.

This will only be conducted if the patient has provided consent for Nundah Doctors Surgery to collect his/her information from a third party source; or, where it is not reasonable or practical for Nundah Doctors Surgery to collect this information directly from said patient. This may include where:

- the patient's health is potentially at risk and his/her personal information is needed to provide them with emergency medical treatment or
- The person is not able to provide the information themselves

Nundah Doctors Surgery stores and retains an individual's personal & health information through an electronically secured and encrypted server / database. All hard copy records are scanned into an electronic file and archived. These records will either be returned to the individual or de-identified and shredded by an accredited document shredding company.

## **PART E – PURPOSE OF COLLECTION, USE & DISCLOSURE**

5.0 Nundah Doctors Surgery only uses a patient's personal information for the purpose(s) they have provided the information for unless one of the following applies:

6.0 additional purpose;

- the patient has consented for Nundah Doctors Surgery to use his/her information for an alternative or
- the disclosure of the patient's information by Nundah Doctors Surgery is reasonably necessary for the enforcement of criminal law or a law imposing a penalty or sanction, or for the protection of public revenue;
- the disclosure of the patient's information by Nundah Doctors Surgery will prevent or lessen a serious and imminent threat to somebody's life or health; or,
- Nundah Doctors Surgery is required or authorised by law to disclose your information for another purpose.

**i. *Health Professionals to provide treatment***

During the patient's treatment at Nundah Doctors Surgery he/she may be referred to alternative medical treatment/services (i.e. pathology or radiology) where Nundah Doctors Surgery staff may consult with senior medical experts when determining a patient's diagnosis or treatment. Nundah Doctors Surgery staff may also refer the patient to other health service providers for further treatment during and following the patient's admission. These services include but are not limited to:

- physiotherapy
- podiatry
- psychology
- hospital outpatient departments
- community health services

These health professionals will be designated health service providers appointed to use the patient's health information as part of the process of providing treatment. Please note that this process will be conducted whilst maintaining the confidentiality and privacy of the patient's personal information.

**ii. *Alternative Health services***

At any point a patient wishes to be treated by an alternative medical practitioner or health care service that requires access to his/her personal/health information Nundah Doctors Surgery requires written authorisation. This written authorisation is to state that the patient will be utilising alternative health services and that these health services have consented for a transfer of personal/health information.

**iii. *Other Third Parties***

Nundah Doctors Surgery may provide your personal information regarding a patient's treatment or condition to additional third parties. These third parties may include:

- parent(s)
- adult children
- other relatives
- close personal friends
- guardians
- a person exercising a patient's power of attorney under an enduring power of attorney.

Where information is relevant or reasonable to be provided to third parties, written consent from the patient is required. Additionally, the patient may at any time wish to disclose that no third parties as stated are to access or be informed about his/her personal information or circumstances.

#### iv. **Other Uses of Personal Information**

In order to provide the best possible environment in which to treat patients, Nundah Doctors Surgery may also use personal/health information where necessary for:

- activities such as quality assurance processes, accreditation, audits, risk and claims management, patient satisfaction surveys and staff education and training;
- invoicing, billing and account management;
- to liaise with a patient's health fund, Medicare or the Department of Veteran's Affairs, as necessary; and,
- the purpose of complying with any applicable legislation

6.1 If at any point or for any of the aforementioned reasons Nundah Doctors Surgery uses or discloses personal/health information in accordance with the APPs, Nundah Doctors Surgery will provide written notice for the patient's consent for the use and/or disclosure.

#### **PART F – ACCESS AND CHANGES TO PERSONAL INFORMATION**

7.0 If an individual patient reasonably requests access to their personal information for the purposes of changing said information he/she must engage with the relevant doctor and practice manager.

7.1 The *first* point of contact for patient access to personal information is: Senior Reception Staff member on duty

Thereafter: the practice manager, the treating doctor or Practice Principal

Practice contact number: 07 3266 8488

Email available for professional use only (exceptions to be negotiated)

Senior reception staff are available during normal business hours

A request for Personal Health information must be completed. If request is on behalf of a third party, signed authorisation providing specific details of access must be provided.

7.2 Once an individual patient requests access to his/her personal information Nundah Doctors Surgery staff will respond within a reasonable period of time to provide said information.

7.3 All personal information will be updated in accordance to any changes to a patient's personal circumstances brought to Nundah Doctors Surgery attention. All changes to personal information will be subject to patient's consent and acknowledgement.

7.4 If an individual requests access to his/her personal information Nundah Doctors Surgery will charge a non-Medicare refundable consultation fee. Please note that this fee is associated with administrative costs only.

#### **PART G – COMPLAINTS HANDLING**

8.0 Nundah Doctors Surgery has a structured complaints policy and reporting pathway. The complaint should be made in writing to the practice manager. A complaints / suggestion box , comments form and pen is located in the waiting room

7.1 A written response will be provided within 2 weeks. The response may include but is not limited to:

- Written feedback
- Mediation process
- Offer of options for further action should the individual remain dissatisfied with the outcome of the mediation process. Resources are provided in the practice new patient brochure and website and include but are not limited to:
  - i. Queensland ombudsman <http://www.ombudsman.qld.gov.au>
  - ii. Health Quality and Complaints Commission: [www.hqcc.qld.gov.au](http://www.hqcc.qld.gov.au)

## **PART H – PERSONAL INFORMATION AND OVERSEAS RECIPIENTS**

### 9.0 Use of Overseas Parties:

(a) Nundah Doctors Surgery does not directly engage with any overseas entities, with which health information would be transferred, appointed or disclosed. All data provided to Brisbane Metro North Primary Health Network (PHN) in conjunction with Medicare Australia reporting requirements is de-identified and encrypted using secure messaging software. For details please view:

- a. Brisbane North Primary Health Network (PHN): [www.brisbanenorthphn.org.au](http://www.brisbanenorthphn.org.au)
- b. Medicare Australia: <http://www.humanservices.gov.au/>

(b) Nundah Doctors Surgery has agreements with Australian based companies that have data held on cloud (Internet) computing systems. These include but are not limited to email services and financial institutions. For further details on these companies privacy policies please see:

a. **Xero Accounting Systems**

<http://www.xero.com/au/about/privacy/> Currently Xero servers are located in the United States of America (**U.S.**), primarily by Rackspace, Inc. (**Rackspace**). Personal information will be routed through, and stored on, those servers as part of the Service. Rackspace complies with relevant aspects of the U.S.-EU Safe Harbor Framework and has certified that it adheres to relevant Safe Harbor Privacy Principles. Personal information is stored on secure servers that have SSL Certificates issued by leading certificate authorities Entrust & GTE Cybertrust and all Data transferred between the client and the Service is encrypted.

b. **Microsoft Outlook**

<http://privacy.microsoft.com/en-us/fullnotice.mspx/> Personal information collected on Microsoft sites and services may be stored and processed in the United States or any other country in which Microsoft or its affiliates, subsidiaries or service providers maintain facilities. Microsoft abides by the U.S.-EU Safe Harbor Framework and the U.S.-Swiss Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of data from the European Economic Area, and Switzerland.

c. **Australian Health Communication Network:** <http://www.hcn.com.au/Privacy>

**Best Practice Medical Software** <http://www.bpssoftware.com.au/docs/Privacy%20Statement.pdf>

**Transfer of Personal Information offshore**

- a. If Best Practice, or any agency contracted to undertake a service or activity for us, transfer your personal information outside Australia, we would, before disclosing personal information overseas, take reasonable steps to ensure that overseas recipients do not breach the Privacy Act or corresponding Privacy Principles.

**Security**

- b. **Best Practice** takes reasonable steps to ensure the security of personal information held from such risks as loss or unauthorized access, destruction, use, modification or disclosure. Their ICT systems are password protected and comply with Australian security standards.

Your privacy is important to us. Nundah Doctors Surgery is committed to dealing with your Personal Information responsibly, and in accordance with the Privacy Act and the Australian Privacy Principles. Security of data is via Small Business Microsoft Server 2011 R2 Active Directory. If you would like more information on privacy issues generally and the way in which privacy is protected in Australia, you can consult the website of the Office of the Australian Information Commissioner at <http://www.oaic.gov.au/>.

**PART I – DISPOSAL OF PERSONAL/HEALTH INFORMATION**

- 10.0 If Nundah Doctors Surgery receives any unsolicited personal information that is not deemed appropriate for the permitted health situation, we will shred said information in accordance with accreditation and legislative guidelines via a credentialed and approved document shredding company based in Brisbane.
- 11.0 If Nundah Doctors Surgery holds any personal or health information that is no longer deemed relevant or appropriate for the permitted health situation, we will shred said information in accordance with accreditation and legislative guidelines via a credentialed and approved document shredding company based in Brisbane. A certificate of destruction is provided to Nundah Doctors Surgery for each collection.

**PART J – ACCESS TO POLICY**

Nundah Doctors Surgery provides a copy of this Privacy Policy for patients and staff to access on site. The privacy policy is also located:

- Website: [www.nundahdoctorsurgery.com.au](http://www.nundahdoctorsurgery.com.au)
- 2016 Practice Policy and Procedure Manual
- Additional hard Copies of this privacy policy will be provided upon request – (please ask reception staff). An administrative fee of \$5.00 applies to cover printing costs.

## **PART K – REVIEW OF POLICY**

- 11.1 Nundah Doctors Surgery, in accordance with any legislative change will review the terms and conditions of this policy annually to ensure all content is both accurate and up to date.
- 11.2 Any further additional review(s) or alteration(s) to this policy will be provided to patients and staff within one month of any amendments.