



PRIVACY POLICY

REVIEWED FEBRUARY 2024

Introduction

This privacy policy is to provide information to you, the 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.

We are committed to protecting the privacy of patient information and to handling your personal information in a responsible manner in accordance with the Australian Privacy Principles. All information collected by this practice is deemed to be private and confidential.

This Privacy Policy explains how we collect, use and disclose your personal information, how you may access that information and how you may seek the correction of any information. It also explains how you may make a complaint about a breach of privacy legislation.

Why and when your consent is necessary

When you register as a patient of our practice, you provide consent for the 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 collect information that is necessary and relevant to provide you with comprehensive medical care and treatment.

We also use it for directly related business activities, such as financial claims and payments, practice audits and accreditation, and business processes (eg staff training).

How do we collect your personal information?

The practice may collect your personal information in several different ways.

1. When you make your first appointment the 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 sources such as medical records transfers, My Health Record, The Australian Immunisation Register, The National Cancer Screening Register and The Health Provider Portal
3. We may also collect your personal information when you visit the website, send us an email or SMS, telephone us, make an online appointment or communicate with us via electronic apps (hotdoc and weko) or other electronic means.
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

Wherever practicable we will only collect information from you personally. However, we may also need to collect information from other sources such as treating specialists, radiologists, pathologists, hospitals and other health care providers.

We collect information in various ways, such as over the phone or in writing, in person in our rooms or over the internet if you transact with us online. This information may be collected by medical and non-medical staff.

In emergency situations we may also need to collect information from your relatives or friends. We may be required by law to retain medical records for certain periods of time depending on your age at the time we provide services.

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.

Hope Island and Homeworld Helensvale Medical Centres will likely refer patients who choose not to identify themselves to public hospitals, for patient safety and to reduce medico-legal risk.

When, why and with whom do we share your personal information?

We sometimes share your personal information:

- with third parties who work with the 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 (eg some diseases require mandatory notification)

- during the course of providing medical services, through, 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, the 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 express consent.

The practice will not use your personal information for marketing any of 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.

The practice may use your personal information to improve the quality of the services we offer to patients through research and analysis of the patient data.

We will treat your personal information as strictly private and confidential. We will only use or disclose it for purposes directly related to your care and treatment, or in ways that you would reasonably expect that we may use it for your ongoing care and treatment. For example, the disclosure of blood test results to your specialist or requests for x-rays.

We use your personal information to communicate with you via telephone, sms mms, apps and mail or by other means necessary to remind you important health checks and to advise you of receipt of communication, results etc, that your doctor wants to see you about.

There are specific and regulated circumstances where we may be permitted or required by law to disclose your personal information to third parties. For example, to Medicare, Police, insurers, solicitors, government regulatory bodies, tribunals, courts of law, hospitals, or debt collection agents.

We may also from time to time provide de-identified statistical data to third parties for research purposes.

We may engage contractors to carry out activities on our behalf, such as an IT service provider, solicitor or debt collection agent. In the course of that work they may see some of your information. We impose security and confidentiality requirements on how they handle your personal information. Outside contractors are required not to use information from the practice for any purpose except for those activities we have asked them to perform.

Secondary use of de-identified data

We may provide **de-identified** data to other organisations to improve population health outcomes as allowable under the privacy legislation. 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 de-identified information included.

De-identified data cannot be linked back to individual patients. We use it for;

- Quality Improvement activities at the practice
- Accreditation
- Students and staff to participate in medical training/teaching.
- Gold Coast Primary Health Network to inform local health needs and services and;
- Research purposes.

Where identified patient data may be used for these allowable secondary uses, your express consent will be obtained and documented.

How do we store and protect your personal information?

We will take reasonable steps to ensure that your personal information is accurate, complete, up to date and relevant. For this purpose our staff may ask you to confirm that your contact details are

correct when you attend a consultation. We request that you let us know if any of the information we hold about you is incorrect or out of date.

Personal information that we hold is protected by:

- securing the premises;
- placing extensive security measures across the computer network
- placing passwords and varying access levels on databases to limit access and protect electronic information from unauthorised interference, access, modification and disclosure; and
- providing locked cabinets and rooms for the storage of physical records.

Our practice stores all personal information securely.

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.

The practice acknowledges patients may request access to their medical records. The preferred process is that you make an appointment to review your record with your GP. This service is not rebate-able through Medicare and there are fees. We may also require you to put an access request in writing to the practice manager, via email or letter and the practice will respond within 30 days.

There may be a fee for the administrative costs of retrieving and providing you with copies of your medical records.

We may deny access to your medical records in certain circumstances permitted by law, for example, if disclosure may cause a serious threat to your health or safety. We will always tell you why access is denied and the options you have to respond to the decision.

The 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 when seeing your doctor, via reception or in writing to the reception email.

How can you lodge a privacy-related complaint, and how will the complaint be handled at our practice?

We strive to provide quality medical care to you and your family, we would welcome both positive and negative comments so that we may improve the services to you. Periodically we may ask you to complete a questionnaire. These are completely anonymous and confidential.

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 the resolution procedure. If you are unhappy with any aspect of the care or service you receive from this practice, please speak to one of the doctors, the practice manager or the reception staff, and we will endeavour to address the problem. If you still have concerns, please submit them in writing to the Practice Manager via the reception email addresses. You will receive a response within 28 days.

You may, however, wish to take your complaint to an outside organisation. The body to contact is:

The Office of the Health Ombudsman
PO Box 13281 George Street
Brisbane Qld 4003
www.oho.qld.gov.au
info@oho.qld.gov.au

Policy review statement

This Privacy Policy is current from 14 February 2024. From time to time we may make changes to our policy, processes and systems in relation to how we handle your personal information. We will update this Privacy Policy to reflect any changes. Those changes will be available on our website and in the practice.

The full copy of the Privacy Policy is available on the practice websites.
www.himc.com.au and www.hwhmc.com.au

Compliance

This practice complies with Federal and Queensland privacy regulations including the *Privacy Act 1988* and *Privacy Amendment (Enhancing Privacy Protection) Act 2012* as well as complying with standards set out in the *RACGP Handbook for the management of health information in general practice (3rd edition)*.

The passage of the *Privacy Amendment (Notifiable Data Breaches) Act 2017* established the Notifiable Data Breaches (NDB) scheme in Australia. The NDB scheme applies to all agencies and organisations with existing personal information security obligations under the Australian **Privacy Act 1988** (Privacy Act) from 22 February 2018.

The NDB scheme introduced an obligation to notify individuals whose personal information is involved in a data breach that is likely to result in serious harm. This notification must include recommendations about the steps individuals should take in response to the breach. The Australian Information Commissioner (Commissioner) must also be notified of eligible data breaches.

THE AUSTRALIAN PRIVACY PRINCIPLES

PART A – PURPOSE AND CONTEXT

1.0 Hope Island and Homeworld Helensvale Medical Centres are committed to ensuring the privacy and confidentiality of all personal information affiliated with the Hope Island and Homeworld Helensvale Medical Centres' business undertakings.

1.1 Hope Island and Homeworld Helensvale Medical Centres follow 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 Hope Island and Homeworld Helensvale Medical Centres collects and manages personal information.

1.3 The point of contact regarding any queries regarding this policy is the Practice Manager
Hope Island and Homeworld Helensvale Medical Centres –Privacy Policy]

PART B – AUSTRALIAN PRIVACY PRINCIPLES

2.0 As a private sector health service provider and under permitted health situations Hope Island and Homeworld Helensvale Medical Centres are required to comply with the APPs as prescribed under the Act.

2.1 The APPs regulate how Hope Island and Homeworld Helensvale Medical Centres may collect, use, disclose and store personal information and how individuals, including Hope Island and Homeworld Helensvale Medical Centre patients may:

- address breaches of the APPs by Hope Island and Homeworld Helensvale Medical Centres;
- access their own personal information; and,
- correct their own personal information.

2.2 In order to provide patients with adequate medical and professional health care services, Hope Island and Homeworld Helensvale Medical Centres 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 Hope Island and Homeworld Helensvale Medical Centres 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,
 - a health service provided or to be provided to an individual.

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 Hope Island and Homeworld Helensvale Medical Centres collect information from each individual patient that is necessary to provide said patient with adequate medical and professional health care services.

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 you via the new patient form, a treatment form, a medical consult form, face to face consultation etc.

4.1 In other instances, Hope Island and Homeworld Helensvale Medical Centres may need to collect personal information about a patient from a third party source. This may include:

- relatives; or,
- other health service providers.

4.2 This will only be conducted if the patient has provided consent for Hope Island and Homeworld Helensvale Medical Centres to collect his/her information from a third party source; or, where it is not reasonable or practical for Hope Island and Homeworld Helensvale Medical Centres 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.

4.3 Hope Island and Homeworld Helensvale Medical Centres endeavour to store and retain a patient's personal & health information in electronic medical records that are stored securely on a local server. Some hard copy records such as those obtained from other health services are locked securely until they can be scanned and managed electronically.

PART E – PURPOSE OF COLLECTION, USE & DISCLOSURE

5.0 Hope Island and Homeworld Helensvale Medical Centres only uses a patient's personal information for the purpose(s) they have provided the information for unless one of the following applies:

- the patient has consented for Hope Island and Homeworld Helensvale Medical Centres to use his/her information for an alternative or additional purpose;
- the disclosure of the patient's information by Hope Island and Homeworld Helensvale Medical Centres 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 Hope Island and Homeworld Helensvale Medical Centres will prevent or lessen a serious and imminent threat to somebody's life or health; or,
- Hope Island and Homeworld Helensvale Medical Centres 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 Hope Island and Homeworld Helensvale Medical Centres he/she may be referred to additional medical treatment services (i.e. pathology or radiology) where Hope Island and Homeworld Helensvale Medical Centres staff may consult with senior medical experts when determining a patient's diagnosis or treatment.

Hope Island and Homeworld Helensvale Medical Centres staff may also refer the patient to other health service providers for further treatment. (i.e. physiotherapist or outpatient or 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 Island and Homeworld Helensvale Medical Centres 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*

Hope Island and Homeworld Helensvale Medical Centres may provide your personal information regarding a patient's treatment or condition to additional third parties, in circumstances where it is relevant and reasonable. These third parties may include:

- parent(s);
- child/ren;
- other relatives;
- close personal friends;
- guardians; or,
- 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, Hope Island and Homeworld Helensvale Medical Centres 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 laws – i.e. in response to a subpoena or compulsory reporting to State or Federal authorities.

5.1 If at any point or for any of the aforementioned reasons Hope Island and Homeworld Helensvale Medical Centres uses or discloses personal/ health information in accordance with the APPs, Hope Island and Homeworld Helensvale Medical Centres will provide written notice for the patient's consent for the use and/or disclosure.

PART F – ACCESS AND CHANGES TO PERSONAL INFORMATION

6.0 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 practice manager.

6.1 The point of contact for patient access to personal information is:

Anthea Blower

Practice Manager

Hope Island Medical Centre:

Hope Island Shopping Centre,

10 Santa Barbara Road,

Hope Island QLD 4214

Tel: 5510 8199

Fax: 5510 8399

E: anthea@himc.com.au

Homeworld Helensvale Medical Centre:

Homeworld Medical & Professional Centre

502 Hope Island Road,

Helensvale QLD 4214

Tel: 5580 6677

Fax: 5580 6656

E: anthea@hwhmc.com.au

6.2 It is preferred that this request is made in writing. Once an individual patient requests access to his/her personal information Hope Island and Homeworld Helensvale Medical Centres will respond within a reasonable period of time to make arrangements to provide said information. This will usually be in the form of an appointment with the patient's usual general practitioner.

6.3 All personal details will be updated in accordance to any changes to a patient's personal circumstances brought to Hope Island and Homeworld Helensvale Medical Centres attention. All changes to personal information will be subject to patient's consent and acknowledgement.

6.4 If an individual requests access to his/her personal information Hope Island and Homeworld Helensvale Medical Centres will charge \$65.00 and there is no Medicare rebate

PART G – COMPLAINTS HANDLING

7.0 In the first instance please discuss your concerns with your doctor and/or the practice manager of Hope Island and Homeworld Helensvale Medical Centres.

7.1 If you are not satisfied with the response contact the

Office of the Australian Information Commissioner

GPO Box 5218

Sydney NSW 2001

<http://www.oaic.gov.au/privacy/privacy-complaints>

Phone: 1300 363992

PART H – PERSONAL INFORMATION AND OVERSEAS RECIPIENTS

8.0 Use of Overseas Parties:

- (a) Hope Island and Homeworld Helensvale Medical Centres does not engage with any overseas entities, with which personal or health information would be transferred, appointed or disclosed.
- (b) Hope Island and Homeworld Helensvale Medical Centres follow policy and procedure guidelines that restrict the use of email in relation to patient information. This is because email is not a secure form of communication and may be routed via overseas service providers. It has approximately the same security as a postcard. If email is utilised written patient consent must be obtained.

PART I – DISPOSAL OF PERSONAL/HEALTH INFORMATION

9.0 If Hope Island and Homeworld Helensvale Medical Centres receives any unsolicited personal information that is not deemed appropriate for the permitted health situation, Hope Island and Homeworld Helensvale Medical Centres will reasonably de-identify and dispose of said information accordingly.

9.1 If Hope Island and Homeworld Helensvale Medical Centres holds any personal or health information that is no longer deemed relevant or appropriate for the permitted health situation, Hope Island and Homeworld Helensvale Medical Centres will reasonably de-identify and dispose of said information accordingly.

PART J – ACCESS TO POLICY

10.0 Hope Island and Homeworld Helensvale Medical Centres provides free copies of this Privacy Policy for patients and staff to access, which can be/will be located/provided:

- Website - www.himc.com.au and www.hwhmc.com.au

- The Practice Policy and Procedure Manual:
- Full Hard Copies provided upon request
- Summary Brochure available at reception

PART K – REVIEW OF POLICY

11.1 Hope Island and Homeworld Helensvale Medical Centres in accordance with any legislative change will review the terms and conditions of this policy to ensure all content is both accurate and up to date.

11.2 Notification of any additional review(s) or alteration(s) to this policy will be provided to patients and staff within 5 days notice. If change occurs patients and staff are required by Hope Island and Homeworld Helensvale Medical Centres to review/sign/acknowledge in writing etc. this Privacy policy.

Australian Privacy Principles

The Australian Privacy Principles (APPs) regulate the handling of personal information by Australian government agencies and some private sector organisations.^[1]

The [13 APPs](#) are contained in schedule 1 of the *Privacy Act 1988* (the Privacy Act).

The APPs cover the collection, use, disclosure and storage of personal information. They allow individuals to access their personal information and have it corrected if it is incorrect. There are also separate APPs that deal with the use and disclosure of personal information for the purpose of direct marketing (APP 7), cross-border disclosure of personal information (APP 8) and the adoption, use and disclosure of government related identifiers (APP 9).

The APPs generally apply to Australian and Norfolk Island government agencies and also to private sector organisations with an annual turnover of \$3 million or more. These entities are known as ‘APP entities’. In addition, the APPs will apply to some private sector organisations with an annual turnover of less than \$3 million, such as health service providers. More information is available on the [Who is covered by privacy](#) and the [Privacy Topics — Business](#) pages.

For a summary of the APPs, see the [APP quick reference tool](#). For more detail, see the [full text of the APPs](#). Additional information on complying with the APPs can be found in the [APP guidelines](#).

[1] The APPs, which came into force on 12 March 2014, replaced the Information Privacy Principles (IPPs) that previously applied to Australian and Norfolk Island Government agencies and the National Privacy Principles (NPPs) that previously applied to private sector organisations.

Australian Privacy Principles Summary

APP 1 — Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2 — Anonymity and pseudonymity

Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3 — Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4 — Dealing with unsolicited personal information

Outlines how APP entities must deal with unsolicited personal information.

APP 5 — Notification of the collection of personal information

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6 — Use or disclosure of personal information

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7 — Direct marketing

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8 — Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9 — Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10 — Quality of personal information

An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 — Security of personal information

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 — Access to personal information

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 — Correction of personal information

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.