

Address Suite 6.11 Level 6 Epworth Geelong Hospital
1 Epworth Place Warrnambool Vic 3216
Phone 03 5271 8667 **Fax** 03 5271 8674
Email home@geelongchildrensclinic.com.au **ABN** 18 614 209 460

Geelong Children's Clinic - Privacy Policy 2017

The privacy of our patients and their families is very important. Geelong Children's Clinic is committed to protecting the privacy and confidentiality of the personal information (including health information and other sensitive information) that the clinic collects and uses.

This Privacy Policy explains how Geelong Children's Clinic manages the personal information that we collect, use and disclose. This Privacy Policy also explains how you can contact us if you have any questions or concerns about how we handled your personal information, and how you can access or correct the personal information that we hold about you.

Privacy laws

Geelong Children's Clinic complies with its obligations under all applicable privacy and health records laws, including the *Health Services Act 1988* (Vic), the *Privacy Act 1988* (Cth) (and its Australian Privacy Principles) and the *Health Records Act 2001* (Vic) (and its Health Privacy Principles). Where Geelong Children's Clinic provides public health services, the public sector privacy obligations under the *Privacy and Data Protection Act 2014* (Vic) may also apply.

We provide training and supervision to our staff so that they understand the importance of privacy and the laws that apply. Geelong Children's Clinic reviews this policy every couple of years and whenever the privacy laws are amended. We publicise any changes to the policy on our website.

People to whom this policy applies

Geelong Children's Clinic recognises that the privacy principles under the relevant privacy laws apply to our relationship with patients, employees and service providers. We may also hold information about family members of patients, prospective patients and others. Geelong Children's Clinic requires that all employees, medical consultants, health professionals and other organisations working, engaging or doing business with us adhere to those privacy principles and to this policy.

Any breach of confidentiality or privacy by an employee, consultant, health professional or other service provider will be treated with the utmost seriousness, and may provide grounds for disciplinary action up to and including summary termination of employment, engagement or contract.

The personal information that Geelong Children's Clinic collects

Geelong Children's Clinic collects personal information from patients and their carers, and sometimes from other health services or government records (for example, medical records from a patient's hospital admissions at University Hospital Geelong) so that we can provide health services to our patients. The personal information that we collect from patients and their parents or carers may include: name, date of birth, address, contact details, financial details, ethnic background, health and medical history, lifestyle history, family history, details regarding the patient's current health issue and details regarding the patient's treating doctors (such as a general practitioner).

We collect personal information from other people, such as employees, contractors, students, job applicants and service providers, to enable us to consider, employ, work with or transact with them. The personal information we



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may collect from those individuals in those circumstances includes: name, contact details, qualifications, education, financial details and employment history.

If a patient or their parent or carer does not provide to us any of the personal information that we require, we may be unable to provide the patient with the services they need or to otherwise work or transact with you. If you are a patient at Geelong Children's Clinic, you cannot choose to be anonymous or use a pseudonym because this would prevent us from being able to treat you appropriately.

If you attend the Epworth Hospital or the private clinic of another doctor at the Epworth Hospital site, that doctor may maintain and keep their own separate medical record about you.

How Geelong Children's Clinic collects personal information

We will usually collect personal information about a patient from the patient directly, and also from their parent or carer. We may also collect personal information from you about someone else as part of your family, social and medical history, where necessary to provide you with care or treatment.

Sometimes we may need to collect personal information about the patient from a third party such as their general practitioner, another health service provider, or from staff at the patient's kindergarten, school or childcare facility. However, we will only do so if the patient (or their legal guardian) has given us their permission, if we cannot reasonably obtain the information from the patient directly and we require the information for the patient's care and treatment, or if the law permits us to do so.

If we receive personal information about the patient from someone else that we have not requested and we decide that the privacy law would not have permitted us to collect that information, we will ordinarily destroy or de-identify the information.

Information transmitted by email or through our website

Any personal information that you provide to us by email or through our website will be handled in accordance with this Privacy Policy. Geelong Children's Clinic cannot ensure that any information transmitted over the internet is secure and you transmit such information at your own risk.

When you access our website, we may keep a record of your visit. We may collect the following information that does not identify you in relation to your use of our website: your computer address, the date and time of your visit, the type of browser you use, the pages you visit, the information you request and the country from which you request information. We collect this information to monitor and improve our website and services.

Our website may contain links to third party websites unrelated to Geelong Children's Clinic. This Privacy Policy has no application to third party websites. Geelong Children's Clinic makes no representation regarding, and is not responsible for, the content, the privacy practices or tracking devices (such as cookies) of third party websites.

How Geelong Children's Clinic uses and discloses personal information

Geelong Children's Clinic will use and disclose your personal information for the particular purpose for which we have collected it, which is usually **for the purpose of providing health care services and treatment to the patient**. The health professionals and other staff involved in your care and treatment at Geelong Children's Clinic will use your personal information. We may use your information to refer you to external services providers for

diagnostic tests or to other health professionals during your care and treatment, for the purpose of your care and treatment.

We may also use and disclose personal information we collect about a patient in the following circumstances, ordinarily and when appropriate:

- To contact patients and their parent or carer to send them a reminder for an appointment or follow up care, to check details, or to inform patients of out of pocket expenses;
- To provide general information about a patient's condition to their family, near relative or carer, unless the patient has requested that we do not do so;
- To send a summary which will include details of a patient's care and management at Geelong Children's Clinic to their general practitioner or the other specialist who referred the patient to Geelong Children's Clinic, unless the patient requests that we do not do so;
- To other professionals who are involved in providing health care and education to the patient – for example, we may include the patient's physiotherapist or school teacher in the list of professionals permitted to receive a letter about our medical care for the patient – unless the patient has requested that we do not do so;
- To communicate with Medicare and other government agencies involved in funding a patient's health care needs (for example, the National Disability Insurance Scheme);
- To communicate with a patient's private health insurer;
- To ask the patient or their parent or carer for their consent to participate in a survey, quality improvement activity, clinical trial or research (in which case we may disclose personal information to a service provider who assists us with these activities and who agrees to comply with this policy);
- To manage a patient's account with us and to charge the patient (or a third party) for the services we provide;

We may also use and disclose personal information we collect about a patient **where required or permitted by law** (in which case we will inform you of that disclosure, unless we are legally prevented from doing so), including by a court or tribunal or in a legally enforceable order or direction, including to:

- The Victorian or Commonwealth Government, their departments or agencies;
- Organisations that maintain a health or disease register;
- An approved government agency or law enforcement agency, for example in relation to locating missing persons, service of documents or census information collection; and
- To a third party where we are legally required to do so, for example, if we receive a subpoena.

There may be additional restrictions on handling and use of a patient's information **if the patient is subject to a Court Order**, for example, if the child has been placed in the guardianship of the Department of Health and Human Services, or if there are Family Court orders placing the child in the custody of only one parent.

For all children under the age of 15 years, it is the **normal practice of this clinic to send a copy of our medical correspondence to the child's legal guardian** (the letter describing the doctor's findings and medical recommendations that is addressed primarily to the child's referring GP). This usually means the biological parents who have been involved in the child's care during the previous year, or the child's legal guardian as nominated by a foster care agency, kinship agreement or permanent adoption order.



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Where we are contracted to provide public health services, we will disclose personal information in accordance with our **contractual obligations to the relevant public health service providers** and any applicable public sector privacy laws.

We may also need to use and disclose your personal information to carry out certain **activities and functions related to Geelong Children's Clinic's business and operations**, such as quality assurance and improvement, patient satisfaction assessments, audits (clinical and non-clinical), accreditation, service planning, service funding, risk assessment and management and claims investigation and management. We may disclose an individual's personal information to our insurer and to other people or organisations whom we engage to assist us with these activities. We may also use personal information for training and educating our staff. Where possible, we will endeavour to de-identify the personal information before using it for these activities.

From time to time, we engage **external suppliers** to provide certain services – for example, external information technology providers or couriers – and it may be necessary for us to give access to those suppliers to the personal information we collect. Where we do so, we will require those persons and organisations to agree to manage such personal information according to the privacy laws.

We may use and disclose the personal information of **health professionals that seek to practice at Geelong Children's Clinic, job applicants, individuals undertaking work experience, students or trainees** to consider and manage their engagement or employment, for insurance purposes, to manage our relationships with them, and to comply with our legal obligations.

If you are a **service provider**, we may use or disclose your personal information to manage our relationship with you.

Ordinarily, Geelong Children's Clinic will not transfer your personal information to any person or organisation outside Australia, without your permission. However, Geelong Children's Clinic may enter into arrangements with service providers which may store some of Geelong Children's Clinic's data (which may include personal information) overseas. If we do, we will ensure we comply with any privacy law requirements that relate to cross border disclosures of personal information.

Your consent to us collecting, using and disclosing your personal information

By becoming or remaining a patient of Geelong Children's Clinic or by providing your personal information to us, you consent (to the extent that we require your consent under privacy laws to do these things) to Geelong Children's Clinic collecting, using and disclosing your personal information in accordance with this Privacy Policy.

How Geelong Children's Clinic protects your personal information

Geelong Children's Clinic has implemented measures to protect your personal information from misuse, interference, loss, unauthorised access, modification and disclosure. We store all of the information we collect from patients on their medical record which may be in hard copy and electronic format. Every time a patient attends Geelong Children's Clinic, information is added to their medical record.

When it is not required for your care, your hard copy medical record is stored securely. We use various procedures and technologies to protect your privacy, including access control procedures, network firewalls and physical security. Only authorised staff and contractors have access to your records.



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Geelong Children's Clinic will destroy or permanently de-identify any of your information once your child reaches the age of 25 years or 7 years after your child's most recent visit to this clinic (whichever is longer), provided that we no longer require the information for clinical or administrative purposes.

To optimise patient care and protect confidential patient information, the Geelong Children's Clinic prefers not to use family members as interpreters, if the patient and / or their carers do not speak English. For patients and carers who do not speak English, we arrange phone interpreters through TIS National to facilitate good communication during the appointment (<https://www.tisnational.gov.au/>). Please note: if the patient or carer who needs an interpreter does not have a valid Medicare card, there may be an additional fee for the interpreter service for the clinic appointment here, as the TIS free phone interpreting service only applies to Medicare-rebateable services.

How you can request access to or correction of your personal information that we hold

Requesting access to information held by Geelong Children's Clinic

Access to information must be requested in writing. This assists us in handling all requests properly. All requests will be discussed with the treating doctor. Where access is denied or needs to be limited due to concerns about your health and wellbeing or that of another person, this will be discussed with you. Other access options (such as a review of the patient's medical record with the treating practitioner here at the clinic), may be offered to you rather than providing you with a written copy of the record.

We will not charge you a fee to make a request for access to information, however, we will ordinarily charge you for giving you access to your personal information in accordance with the fees and charges we are permitted to charge under the applicable laws, e.g. for photocopying records or for time spent meeting with you.

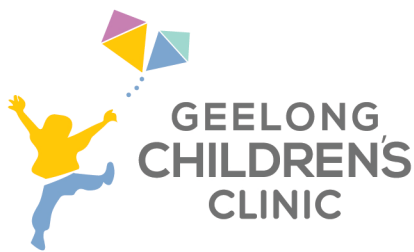
If you are requesting access to the information of another patient, we may not grant access without that person's consent. This can include access to a family member's health information. We recognise that children over the age of 15 can request that information about their health care is kept confidential, and that they have the capacity to consent to the collection of their information and to restrict who will have access to it. This will be managed on a case by case basis, as assessed by the treating doctor.

You may also request that we correct the personal information we hold about you if you believe that it is inaccurate by contacting us using the details set out below.

If we decide to withhold access to personal information that we hold about a person, we will tell the person who made the request the reason in writing.

Queries and complaints regarding your privacy

If you have any queries regarding how Geelong Children's Clinic handles your personal information, or you wish to make a complaint about how we may have handled your personal information, you can contact us using the details set out below. We will consider your complaint promptly and provide a written response on the outcome, where practicable within 30 days of having received the complaint.



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You may contact us in any of the following ways:

By telephone: 03 5271 8667

By letter:

Privacy Officer, Geelong Children's Clinic

Suite 6.11 Epworth Geelong Hospital

1 Epworth Place, Waurn Ponds VIC 3216 AUSTRALIA

Email: home@geelongchildrensclinic.com.au

If you would prefer to make your complaint to an external complaint body, or you are not satisfied with Geelong Children's Clinic's handling or the outcome of the complaints process, you may contact the following organisations to lodge a complaint:

Australian Information Commissioner

By telephone: 1300 363 992

By email: enquiries@oaic.gov.au

Online: <https://www.oaic.gov.au/>

Health Services Commissioner (Victoria)

By telephone: 1300 582 113

By mail: Health Services Commissioner, 26th Floor,
570 Bourke Street, Melbourne VIC 3000

Online: <http://www.health.vic.gov.au/>

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