



# PRIVACY POLICY

## Eli Waters Medical Centre

Current as at August 2023

### Introduction

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

### Why and when your consent is necessary

When you register as a patient of our practice, you provide consent for our 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 details?

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

### 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
- medical information including medical history, medications, allergies, adverse events, immunisations, social and family history and risk factors

### 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.

There may be range of circumstances where providing services anonymously may be impracticable. For example:

- a service may require follow up. If the person does not provide details to allow this, the ongoing care may be compromised
- the care to be provided involves a multi-disciplinary team, making it difficult to provide ongoing care without a clear identification of the patient
- a patient's medical status may be compromised if a clinician cannot obtain clinical information critical to providing safe and appropriate care

## How do we collect your personal information?

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

1. When you make your first appointment our 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.
3. Information can also be collected through My Health Record, e.g. via Shared Health Summary, Event Summary.
4. We may also collect your personal information when you send us an email or SMS, telephone us, make an online appointment or communicate with us using social media.
5. 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)

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

We sometimes share your personal information:

- with third parties who work with our 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 (e.g. 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 (e.g. some diseases require mandatory notification)
- during the course of providing medical services, through My Health Record (e.g. 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, our practice will not share personal information with any third party without your consent.

In the above cases, only information needed to meet the requirements will be provided. Where health information must be disclosed to a third party, our practice considers what information is relevant for the proposed purpose. Patients will reasonably expect the disclosure of only the necessary subset of their health information, along with third-party access restrictions. We only forward patient information that relates to the condition for which the referral is being made. Prior to disclosing any health information, our practice carefully examines authority for disclosure and seeks advice where necessary.

We will not share your personal information with anyone outside Australia (unless under exceptional circumstances that are permitted by law) without your consent.

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

## How do we store and protect your personal information?

Your personal information is stored at our practice in electronic records and visual records (e.g. X-rays)

Our practice stores all personal information securely. Our practice has confidentiality agreements in place for all staff and contractors. Our computers, clinical and administration programs are all password protected.

## How can you access and correct your personal details?

You have the right to request access to, and correction of, your personal information.

Our practice acknowledges patients may request access to their medical records. We require you to put this request in writing by completing The Request of Medical Records form and our practice will respond within 30 days. There may be a fee for your medical records.

Our 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 in writing to the practice.

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

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 our resolution procedure. All complaints will be addressed within 30 days of receiving the complaint.

Complaints can be emailed to the practice manager:

Adedoyin Ogunseye

[a.ogunseye@eliwatersmedicalcentre.com.au](mailto:a.ogunseye@eliwatersmedicalcentre.com.au)

Complaints can also be posted to:

Eli Waters Medical Centre

1/1 Guest Court

ELI WATERS QLD 4655

## Contacts

You can contact the Office of Australian Information Commissioner (OAIC).

P: 1300 363 992 | E: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Generally, the OAIC will require you to give them time to respond before they will investigate. More information can be found on their website: [www.oaic.gov.au](http://www.oaic.gov.au).

OR

You may also contact the Office of the Information Commissioner Qld

P: 1800 642 753 | W: [www.oic.qld.gov.au](http://www.oic.qld.gov.au) | Postal: PO Box 10143 | Adelaide Street | Brisbane | Qld | 4000

## Privacy and our website

We do not collect personal information via our practice website

## Policy review statement

This privacy policy was reviewed in August 2023.

This policy will be reviewed annually to ensure it is in accordance with any changes that may occur.

Next review date: August 2024.

The current policy is displayed on our website; and an updated copy can be accessed at the practice.

# EMAIL POLICY

## **Our practice has a policy about the use of email.**

Email/electronic requests are handled by the practice manager for follow up with the GPs. Patients are advised that this facility is for incoming enquiries only as their confidentiality may be compromised. This also applies to information by fax unless we are assured that the information will be sent directly to a secure fax.

Patients are able to obtain advice or information related to their care by electronic means where the GP determines that a face-to-face consultation is unnecessary. Electronic communication includes email and fax.

Patients requesting medical records or personal information to be emailed, are required to complete and sign a request of medical records and our practice email consent form. This outlines that the patient acknowledges that emailing personal information is not a secure form of messaging and do so at their own risk. Once the patient has signed, the form is scanned into the patient's health record.

Communication with patients via electronic means is conducted with appropriate regard to the privacy laws relating to health information and confidentiality of the patient's health information. Staff using email or other forms of electronic messaging should be aware that it is not possible to guarantee that electronic communications will be private. All personal health information or sensitive information sent by email must be securely encrypted. When an email message is sent or received in the course of a person's duties, that message is a business communication and therefore constitutes an official record.

Staff members should be aware that electronic communications could, depending on the technology, be forwarded, intercepted, printed and/or stored by others. As such staff have full accountability for emails sent in their name or held in their mailbox and are expected to utilise this communication tool in an acceptable manner which includes (but is not limited to):

- limiting the exchange of personal emails
- refraining from responding to unsolicited or unwanted emails
- deleting hoaxes or chain emails
- not opening email attachments from unknown senders
- virus checking all email attachments
- maintaining appropriate language within e-communications
- ensuring any personal opinions are clearly indicated as such
- encrypting confidential information

Our practice reserves the right to check individual email as a precaution to fraud, viruses, workplace harassment or breaches of confidence by employees. Inappropriate use of the email facility will be fully investigated and may be grounds for dismissal.

# SOCIAL MEDIA POLICY

## **Our practice has a policy about the use of social media.**

'Social media' is any online social network used to disseminate information through online interaction.

### Social Media Policy

Regardless of whether social media is used for business related activity or for personal reasons, the following standards apply to all GPs and practice staff of the practice. GPs and practice staff are legally responsible for their postings online. GPs and staff may be subject to liability and disciplinary action including termination of employment if their posts are found to be in breach of this policy.

### Privacy and security

All practice staff must obtain the relevant approval from the social media responsible officer prior to posting any public representation of the practice on social media websites. The practice reserves the right to remove any content at its own discretion.

When using the practice's social media, practice staff will not:

- post any material that:
  - is unlawful, threatening, defamatory, pornographic, inflammatory, menacing, or offensive;
  - infringes or breaches another person's rights (including intellectual property rights) or privacy, or misuses the practices or another person's confidential information e.g., do not submit confidential information relating to our patients, personal information of staff, or information concerning the practice's business operations that have not been made public;
  - is materially damaging or could be materially damaging to the practice's reputation or image, or another individual;
  - is in breach of any of the practice's policies or procedures.
- use social media to send unsolicited commercial electronic messages or solicit other users to buy or sell products or services or donate money.
- impersonate another person or entity (e.g., by pretending to be someone else or another practice employee or other participant when you submit a contribution to social media) or by using another's registration identifier without permission.
- tamper with, hinder the operation of, or make unauthorised changes to the social media sites.
- knowingly transmit any virus or other disabling feature to or via the practice's social media account, or use in any email to a third party, or the social media site.
- attempt to do or permit another person to do any of these things:
  - claim or imply that you are speaking on the practice's behalf, unless you are authorised to do so;
  - discloses any information that is confidential or proprietary to the practice, or to any third party that has disclosed information to the practice.
- be defamatory, harassing, or in violation of any other applicable law.
- include confidential or copyrighted information (e.g. music, videos, text belonging to third parties).
- violate any other applicable policy of the practice.

## Monitoring social media sites

The practice's social media channels are part of our service and are monitored in accordance with the practice's current policies on the use of internet, email and computers.

## Staff responsibility

Our practice manager is the designated social media officer and manages the practice's social media accounts. All posts on the practice's social media website must be approved by this staff member. This role is recorded in their position description.

## Testimonials

The practice complies with AHPRA national law and takes reasonable steps to remove testimonials that advertise their health services (which may include comments about the practitioners themselves). The practice is not responsible for removing (or trying to have removed) unsolicited testimonials published on a website or in social media over which they do not have control.

## Personal social media use

Personal social media may not be accessed during work hours. This includes any facility for online publication and commentary including but not limited to:

- social networks e.g., Facebook, Twitter
- professional networks e.g., LinkedIn
- video and photo sharing sites e.g., YouTube, Instagram
- personal blogs
- forums and discussion boards e.g., Yahoo

Staff are free to personally engage in social media outside of work hours, as long as their actions do not have the potential to bring the practice into disrepute. Employees may not represent personal views expressed as those of this practice.

Any social media posts by staff on their personal social media platforms must not reveal confidential information about the practice or a person who uses the practice (e.g. staff should not post information relating to patients or other staff, or information concerning the practice's business operations that have not been made public).

Any social media posts by staff on their personal social media platforms should:

- include the following disclaimer example in a reasonably prominent place if you identify yourself as a practice employee on any posting: *'The views expressed in this post are mine and do not reflect the views of the practice/business/committees/boards that I am a member of'.*
- respect copyright, privacy, fair use, financial disclosure and other applicable laws when publishing on social media platforms.

## Breach of policy

Social media activities internally and externally of the practice must be in line with this policy. Breach of this policy could result in disciplinary action including possible termination of employment.

## Policy review

This policy will be reviewed regularly to ensure it up to date with changes in social media or relevant legislation. Any amendments to this policy will be clearly communicated to the staff at the next staff meeting.