

## 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 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 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
- 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.

## 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 electronic transfer of prescriptions (eTP), My Health Record, e.g. via Shared Health Summary.
4. We may also collect your personal information when you visit our website, 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

# Privacy Policy



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 information?

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 Australian Privacy Principles (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 eTP, 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.

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 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.

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

We may also provide de-identified data to other organisations to improve population health outcomes. 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 information included.

## Policy on Artificial Intelligence (AI)

Some practitioners may utilize Artificial Intelligence (AI) scribes to assist themselves to efficiently create clinical notes. Practitioners are acutely aware that these are just tools and the responsibility lies with the user to ensure their safe and effective use.

Patients will be informed that AI is a listening software used to assist in documenting consultations and generating clinical notes. If applicable, you will be informed:

- About the purpose of using AI in your consultation
- How your information is processed and stored
- The right to decline or withdraw consent at any time without affecting your care

Peel Health Care will obtain initial paper, electronic or verbal consent prior to using AI for a patient and record this in the patient files. Post initial consent, the clinician will obtain verbal consent at each appointment, documenting this in the patient file.

In the event AI is used to generate referral letters, clinicians will review and verify the content to ensure that only necessary medical information is included. Patients have the right to review and request modifications to their referral letters before they are sent.

All use of AI software must comply with the Privacy Act 1988 and the Australian Privacy Principles.

Clinicians will ensure that AI does not capture non-consensual recordings or non-medical discussions.

Any data breaches or concerns should be reported to the Practice Manager.

## Policy on Video Recording

Our practice adopts a default position of *not* recording video consultations and *not* authorising patients to make their own recordings of video consultations.

In accordance with the recognised principle of only collecting health information that is necessary, a decision to record images during a video consultation would generally be made by a clinician on the basis of collecting only that information which is clinically necessary for managing a patient. In the same way that a face-to-face consultation is not usually recorded, it is not anticipated that a video consultation would be recorded.

Recording would be reserved for exceptional circumstances where it is absolutely clinically necessary, and only with written consent of all parties. Exceptional circumstances for making a recording during a video consultation may include still images (e.g. a wound or skin lesion) or moving images (e.g. A tremor, gait abnormality, unusual movement or range of movement) where such images are deemed to have clinical value.

Any recorded video would only be stored securely in the same manner and same security as other clinical information (see “How do we store and protect your personal information?”)

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

Your personal information may be stored at our practice in various forms including but not limited to: Electronic records, paper records and visual records (X-rays, CT scans, videos and photos)

Our practice stores all personal information securely. All data is protected by at least two levels of password protection (i.e. At both computer level, and clinical database level). Any backups are also stored by at least two levels of password protection (i.e. at both backup container level, and restored database level)

Server hardware containing electronic records is contained within locked communications cabinets, and local password protection on the server hardware.

Where paper is used to gather your personal information, we have taken numerous steps to protect your personal information from misuse, interference and loss, unauthorized access, modification and disclosure.

Additionally, we take reasonable steps to destroy or permanently de-identify personal and sensitive information when we no longer need it.

All staff and contractors must sign confidentiality agreements prior to accessing your personal information.

## 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, unless an exception under the Privacy Act 1988 applies. We may charge a fee for retrieving this information, in which case we will inform you of the fee and obtain your agreement to that fee before providing the information. We will require you to provide us with appropriate proof of identify before we provide you with a copy of the personal or sensitive information we hold. If we believe that we are not able to provide you with access to the personal or sensitive information, we will give you a notice of our reasons and advise you of the complaint mechanisms that exist under the Privacy Act 1988.

Our practice acknowledges patients may request access to their medical records. We require you to put this request in writing and our practice will respond within 30 days.

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, in person, or via phone if you verify your identity to our satisfaction.

## 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 a reasonable timeframe in accordance with our resolution procedure.

# Privacy Policy



Please address any complaints to:

**Practice Manager  
Peel Health Care  
103 Peel Street  
Tamworth NSW 2340**

Ph: 02 6766 8288

You may also contact the OAIC. Generally, the OAIC will require you to give them time to respond before they will investigate. For further information visit [www.oaic.gov.au](http://www.oaic.gov.au) or call the OAIC on 1300 363 992.

## **Privacy and our website**

Our website privacy policy is contained within our Information and Communications Technology Policy, and is also available on our website.

## **Policy review statement**

This policy will be reviewed every 12 months and changes posted on our website, or made available to patients upon request