**Thomas Street Family Medical Clinic**

**Privacy Policy**

**2021**

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Current as of: 1/5/2021

**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.

Our Practice collect, use, hold and share 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 (eg staff training).

**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 (eg staff training).

**What personal information do we collect?**

The information we will collect about you includes:

* 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 or Veteran affairs (where available) for identification and claiming purposes
* healthcare identifiers

**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 will collect your personal information:

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. For use in ehealth services such as Electronic Transfer of Prescriptions (eTP), MyHealth Record/PCEHR system via Shared Health Summaries or Event Summaries.
3. 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
* Medicare, or the Department of Veteran's Affairs (as necessary).

**Who do we share your personal information with?**

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 (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 Electronic Transfer of Prescriptions (eTP), MyHealth Record/PCEHR system (eg via Shared Health Summary, Event Summary).

Only people that 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.

We may 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.

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

Your personal information may be stored at our practice as electronic records. Paper based records are no longer being used. Previous paper based records are still available and are stored upstairs.

Doctors, allied health practitioners and all other staff and contractors associated with this Practice have a responsibility to maintain the privacy of personal health information and related financial information. The privacy of this information is every patient’s right.

Practice computers and servers comply with the RACGP computer security checklist and we have a sound back up system and a contingency plan to protect the practice from loss of data.

Whenever private and sensitive health documentation is discarded the practice uses a locked security bin provided by Shred-X Pty Ltd.

Correspondence

Patient reports, letters and x-rays are to be received by staff in person at reception. Letters are opened and scanned into medical file for doctors to view. When x-ray films are delivered a note is placed on patients computer record and films are put in box for collection.

Electronic results/letters are transmitted over the public network in an encrypted format using secure messaging software these go directly to the referring doctor’s computer for action. Where medical information is sent by post the use of secure postage.

Incoming patient correspondence and diagnostic results are opened by reception staff fully trained regarding privacy of information.

Facsimile

Facsimile, printers and other electronic communication devices in the practice are located in areas that are only accessible to the doctors and authorised staff. Faxing is point to point and will therefore only be transmitted to one location. All faxes containing confidential information are sent to fax number after ensuring the recipient is the designated receiver. Faxes received are managed according to incoming correspondence protocols.

Emails

An internal email system is in place, only doctors and clinic staff have access to this database. Patient information is securely sent between doctors, nurse and reception staff and can only be accepted with personalized login and password.

Medical Records

The physical medical records and related information created and maintained for the continuing management of each patient are the property of this practice. Our patient health records can be accessed by an appropriate team member when required. Patient records are now computerised, all staff have passwords in order to access information. Past files are upstairs with staff access only and not visible to other patients.

Both active and inactive patient health records are kept and stored securely.

Paper based Records – which were used prior to becoming completely computerised

Security maintained for paper based medical files at all times, they are upstairs away from unauthorised access. These records are only retrieved by authorised Practice staff and are secured when the practice is closed.

Computerised Records

Our practice is considered paperless and has systems in place to protect the privacy, security, quality and integrity of the personal health information held electronically. Staff are trained in computer security policies and procedures.

The Practice Manager has designated responsibility for overseeing the maintenance of our computer security and adheres to protocols as outlined in our practice IT policy and procedure manual.

**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.

Our practice acknowledges patients may request access to their medical records. We require you to put this request in writing by filling out our ‘Request for Medical Records Form’ and handing in to reception or mailing it or faxing it to the clinic. Our practice will then respond within 14 days of receiving the form and requests will be completed within 30 days. There may be an administration fee of $20 and additional fee of 20cents per printed page. A patient will not be charged for making the request.

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 your personal information held by our practice is correct and up-to-date. You may also request that we correct or update your information, and you should make such requests in writing to the practice. These corrections will be scanned into patients file. We will acknowledge the request within 14 days but try with 2 working days and complete the request within 30 days.

**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 have a ‘right to complain’ and where possible you are encouraged to raise any concerns directly with the practice team who are trained to make sure patients of the practice feel confident that any feedback or complaints made at the practice will be handled appropriately. Most complaints can be responded to and resolved at the time you make them known to us

You should express any privacy concerns you may have in writing. We will then attempt to resolve it in accordance with our resolution procedure. The practice manager responds to all complaints promptly. The *Acknowledgment of Complaint* letter is used to respond to complaints in writing within 2 working days. If the matter will take longer to resolve we will call you to let them know that we are working on the problem. We work with you to resolve the complaint and communicate the outcome including any changes made as a result of the complaint.

If the matter cannot be resolved you may also contact the Health Complaints Commissioner on 1300 582 113. For further information visit <https://hcc.vic.gov.au>. Or you could call the Office of the Australian Information Commissioner on 1300 363 992.

Policy review statement

The Privacy Policy at our clinic will be reviewed on a regular basis to ensure that it is in accordance with any changes that may occur in the Privacy Laws. When policy is amended an updated copy will be uploaded on to our website for patients to review. We will also be placing a sign at reception to let patients know that the Policy has been amended.