

# **MCLEOD STREET MEDICAL**

## **AUSTRALIAN PRIVACY PRINCIPLES (APP) POLICY**

### **PART A – PURPOSE AND CONTEXT**

1.0 McLeod Street Medical is committed to ensuring the privacy and confidentiality of all personal information affiliated with the McLeod Street Medicals business undertakings.

1.1 McLeod Street Medical follows 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 McLeod Street Medical collects and manages personal information.

1.3 The point of contact regarding any queries regarding this policy is

Annette Slater, Practice Manager PH: 07 40521 583 email [manager@mcleodstmed.com.au](mailto:manager@mcleodstmed.com.au)

### **PART B – AUSTRALIAN PRIVACY PRINCIPLES**

2.0 As a private sector health service provider and under permitted health situations, McLeod Street Medical is required to comply with the APPs as prescribed under the Act.

2.1 The APPs regulate how McLeod Street Medical may collect, use, disclose and store personal information and how individuals, including McLeod Street Medical patients may:

- address breaches of the APPs by McLeod Street Medical;
- access their own personal information; and,
- correct their own personal information.

2.2 In order to provide patients with adequate medical care, McLeod Street Medical 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 McLeod Street Medical may not be able to provide the 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:
  - (a) Information or opinion about the health or disability (at any time i.e. past, present or future) of an individual that can be classified as personal information;
  - (b) Information or opinion about an individual's expressed wishes about the future provision of health services that can be classified as personal information;
  - (c) Information or opinion about health service provided, or to be provided, to an individual, that can be classified as personal information;
  - (d) Other personal information collected to provide, or in providing, a health service;
  - (e) Other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or
  - (f) Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the 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 McLeod Street Medical collects information from each individual patient that is necessary to provide the patient with adequate medical care.

3.1 This may include collecting information about a patient's health history, family history, ethnic background or current lifestyle to assist the Doctors in diagnosing and treating a patient's condition.

## **PART D – COLLECTION & RETENTION**

4.0 This information will in most circumstances be collected directly from the patient through but not limited to the following mediums:

- (g) McLeod Street Medical new patient information form;
- (h) Update forms and new information forms,
- (i) face to face consultation.

4.1 In other instances, McLeod Street Medical 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 McLeod Street Medical to collect his/her information from a third party source; or, where it is not reasonable or practical for McLeod Street Medical to collect this information directly from the 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 McLeod Street Medical endeavors to store and retain a patient's personal & health information in hard copy on site, transferred electronically onto a domestic server ,off site backup server and removable hard drives.

## **PART E – PURPOSE OF COLLECTION, USE & DISCLOSURE**

5.0 McLeod Street Medical 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 McLeod Street Medical to use his/her information for an alternative or additional purpose;

- the disclosure of the patient's information by McLeod Street Medical 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 McLeod Street Medical will prevent or lessen a serious and imminent threat to somebody's life or health; or,
- McLeod Street Medical is required or authorised by law to disclose the patient's information for another purpose.

**i. *Health Professionals to provide treatment***

During the patient's treatment at McLeod Street Medical he/she may be referred to alternative medical treatment/services (i.e. pathology or radiology) where McLeod Street Medicals' staff may consult with senior medical experts when determining a patient's diagnosis or treatment.

McLeod Street Medicals' staff may also refer the patient to other health service providers for further treatment during and following the patient's admission. These services include, but are not limited to:

- Physiotherapy; Specialist review; 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 McLeod Street Medical 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***

McLeod Street Medical may provide the patient's personal information regarding a patient's treatment or condition to additional third parties. These third parties may include:

- parent(s); child/ren; guardians;
- other relatives; close personal friends
- a person exercising a patient's power of attorney under an enduring power of attorney.
- Providing third party goods and services to companies e.g. Workcover, Medicals.

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 to treat patients, McLeod Street Medical 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 McLeod Street Medical uses or discloses personal/ health information in accordance with the APPs, McLeod Street Medical 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 the information he/she must engage with the relevant practice manager.

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

Annette Slater or Deb Francis  
 Practice Manager  
 07 40521 583  
 manager@mcleodstmed.com.au

6.2 Once an individual patient requests access to his/her personal information McLeod Street Medical will respond within a reasonable period of time to provide the information.

6.3 All personal information will be updated in accordance to any changes to a patient's personal circumstances brought to McLeod Street Medicals 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 McLeod Street Medical may charge a fee. Please note that this fee is associated with administrative costs only.

## **PART G – COMPLAINTS HANDLING**

7.0 How an individual patient may complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds the entity, and how the entity will deal with such a complaint.

McLeod Street Medical treats all complaints seriously and will try to resolve complaints fairly and without undue delay. If you believe we have breached the Australian Privacy Principles you may

1. Contact the Practice Manager on 07 40521 583 or Email [admin@mcleodstmed.com.au](mailto:admin@mcleodstmed.com.au) ;  
or by mail at 67 McLeod Street, Cairns, QLD 4870.
2. Complain directly to the Office of the Australian Information Commissioner on 1300 363 992 , email [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or mail  
Office of the Australian Information Commissioner,  
GPO Box 5218, Sydney, NSW Australia 2001.

## **PART H – PERSONAL INFORMATION AND OVERSEAS RECIPIENTS**

8.0 Use of Overseas Parties:

McLeod Street Medical does not send any of your health information overseas as part of their regular practice however if McLeod Street Medical is required to send your medical information to an overseas recipient a signed authority would be obtained. The overseas entities engaged are subject to the legislative requirements as stipulated by the APPs.

## **PART I – DISPOSAL OF PERSONAL/HEALTH INFORMATION**

9.0 If McLeod Street Medical receives any unsolicited personal information that is not deemed appropriate for the permitted health situation, McLeod Street Medical will reasonably de-identify and dispose of the information accordingly.

9.1 If McLeod Street Medical holds any personal or health information that is no longer deemed relevant or appropriate for the permitted health situation, McLeod Street Medical will reasonably de-identify and dispose of the information accordingly.

## **PART J – ACCESS TO POLICY**

10.0 McLeod Street Medical provides free copies of this Privacy Policy for patients and staff to access, which can be/will be located/provided:

- [www.mcleodstmed.com.au](http://www.mcleodstmed.com.au)
- from Reception
- Policies and Procedures manual in Practice Managers office

## **PART K – REVIEW OF POLICY**

11.1 McLeod Street Medical 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 30 days notice. If change occurs patients and staff are required by McLeod Street Medical to review and sign this Privacy policy.

## **PART L – PATIENT ACKNOWLEDGEMENT**

I Patient Name, acknowledge that I have read the aforementioned Privacy and Confidentiality Policy and understand the requirements of McLeod Street Medical and myself in how to manage my personal information whilst attending McLeod Street Medical.