
Privacy Policy

Leading our community towards better health



1.0 PURPOSE

Health services and aged care providers regularly collect personal information from individuals in the course of their business. Personal information can include names, gender, date of birth, address, contact details and next of kin.

The *Privacy Act 1988* regulates how health service providers and government agencies may collect, use, disclose, and store personal information, and how individuals may access and correct personal information held about them. It imposes certain obligations on health care providers to manage personal information.

2.0 SCOPE

This policy applies to all staff, contractors and volunteers at Nathalia District Hospital in all departments.

3.0 DEFINITION

Personal information is defined as any information or an opinion about the client/patient/resident, where the person's identity can be ascertained. It includes all information which is in some way connected to the person.

Confidentiality refers to communications between individuals with an inherently private relationship, such as a patient and medical professional.

Freedom of information refers to the public's right to access information

4.0 POLICY STATEMENT:

Protecting the privacy of personal information is recognised by Nathalia District Hospital as a key issue in patient/client/resident care. However, patient/client/resident care can also require the transfer of information between health care professionals and health care facilities. This transfer of information must be balanced with the organisation's duty of care and requirement for security, and the patient/client/resident's right to privacy. The following policy aims to achieve this balance.

5.0 RISK MANAGEMENT:

- 3.1 Clinical: Security of Health Record: Risk Rating 4 (Low) measured by % of patients who have been advised of privacy policy and % of patients who have signed consent to share information.
- 3.2 Clinical: Breach of Patient Confidentiality: Risk Rating Medium (3) measured by % of staff and volunteers who have signed a confidentiality agreement.

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5.0 PROCEDURE:

6.1 The Victorian Information Privacy Act 2000 and the Health Records Act 2001 and the Commonwealth Privacy Principles 2014 guide this Privacy Policy and covers the collection, treatment and storage of personally identifiable information used and held by Nathalia District Hospital.

6.2 Brochures are available for consumers on “*Your Health Information – it’s use and protection.*”

Collection of Personal Information

6.3 NDH only collects personal health information necessary to perform our functions. Information will be collected by fair and lawful means, where possible directly from the patient themselves. Examples of information collected include but is not limited to:

- name, address, age, dependants and contact details, including telephone numbers and in some cases facsimile numbers, email addresses
- information concerning your health and any medical treatment both past and present
- any information relevant to your care

Use and Disclosure

6.4 Information provided by the consumer will be used only for the purpose/s intended and where the intention includes confidentiality, information will be treated as such unless otherwise required by law. Generally, the purpose of collecting information is to allow the staff to provide care and treatment. NDH may use or disclose information for other purposes, which are required under law. NDH is legally required to present your clinical record in court if the record is subpoenaed for any reason, or to report any notifiable disease to the Department of Health.

6.5 Consumer information will only be shared with health professionals that the consumer has consented to. Other health care services including private health care professionals that the consumer attends may also access your information, with their consent. In an emergency where the consumer is unable to consent, NDH will release information to other health care professionals to ensure the best care and outcomes.

6.6 NDH will only transfer information outside Victoria in circumstances where the information will have appropriate protection; where the transfer is necessary for the provision of service to the individual; or where consent has been obtained.

Data Security and Data Retention

6.7 All reasonable measures are taken to protect personal health information from unauthorised access, improper use, disclosure, unlawful destruction or accidental loss. Medical records and computer

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systems have controlled access and only authorised staff members can gain access. Information that may be needed for future care of the individual or for public health reasons will be kept securely for future retrieval.

- 6.8 No data is stored on clouds or externally to Australia, and all data is managed and destroyed according to our Records Management Plan.

Access and Correction

- 6.9 Consumers are able to request access to their personal information held at NDH, as set out in the *Freedom of Information Act 1982*. In some circumstances access may be refused and an explanation will be provided. Consumers may be asked to complete a personal information access request form and require identification to prove entitlement to receive the personal information that is being requested.

- 6.10 Consumers also have a right to request an amendment to incorrect information.

The Right to Complain

- 6.11 Any consumer can complain at any time to NDH about any actual or perceived breach of NDH's privacy obligations to them. Complaints about possible breaches of the Privacy Policy should be directed to the Privacy Officer.

7.0 REFERENCES:

Goulburn Valley Health Executive Manual 2011
Barwon Health Privacy Policy 2014
Victorian Health Records Act 2001
Victorian Health Records Regulations 2002
Information Privacy Act 2000
Freedom of Information Act 1982
Australian Privacy Principles 2014
National Standard 1: Governance for Safety and Quality in Health Service Organisations
Standards & Guidelines for Residential Aged Care 1.2, 1.8

Author: Leigh Giffard DON
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| Version Control Schedule | | |
|--------------------------|------------|--|
| Version Number | Issue Date | Revision Made |
| 1 | Nov 2010 | Original Version not subject to version control |
| 2 | March 2014 | Change of format to meet ISO9000 Format Changes to meet the Australian Privacy Principles |