

## **GREY STREET SURGERY PRIVACY POLICY**

All information collected by this practice is deemed to be private and confidential. The right of every patient is respected.

This practice complies with federal and state privacy regulations including the *Privacy Act 1988* and *Privacy Amendment (Enhancing Privacy Protection) Act 2012* as well as complying with standards set out in the *RACGP Privacy and managing health information in general practice*.

General practitioners and other practice team members are aware of confidentiality requirements for all patient encounters, and recognise that significant breaches of confidentiality may provide grounds for disciplinary action or dismissal.

Every member of the practice team is aware of our Privacy Policy and has signed a privacy statement as part of their terms and conditions of employment or contract. This privacy statement continues to be binding even after the employment or contract has terminated.

Patients of this practice have the right to access their personal (and health) information under legislation. The *Privacy Act 1988* and *Australian Privacy Principles (APPs)* govern health service providers' and other organisations' obligations to give patients access to their personal health information on request, subject to certain exceptions and the payment of fees (if any).

This practice complies with the *Privacy Act 1988* and APPs adopted therein. These regulations give patients the right to know what information a private sector organisation holds about them, the right to access this information, and to also make corrections if they consider any data is incorrect.

A notice is displayed in our waiting room, on our website and in our practice information sheet advising patients and others of their rights of access to information we hold about them, and of our commitment to privacy legislation compliance.

Personal health information about a patient will only be released in accordance with the relevant privacy laws and at the discretion of the patient's usual general practitioner.

Although patients can request verbally to access to their personal health information , we request that patients put their request in writing outlining the type of information being requested, and in

what format the patient requests to receive the information. Completion of this request ensures correct processing is undertaken and appropriate consent is obtained, particularly where the patient is requesting their information be sent to them through an unsecure method (i.e. facsimile, mail, email).

An individual may authorise another person to be given access if they have the right (e.g. legal guardian) and if they have a signed authority.

The *Privacy Act 1988* defines a 'responsible person' for an individual as:

- A parent of the individual, or
- A child or sibling of the individual if the child or sibling is at least 18 years old, or
- A spouse or de facto partner of the individual, or
- A relative of the individual if the relative is:
  - At least 18 years old, and
  - A member of the individual's household, or
- A guardian of the individual, or
- A person exercising an enduring power of attorney granted by the individual that is exercisable in relation to decisions about the individual's health, or
- A person who has an intimate personal relationship with the individual, or
- A person nominated by the individual to be contacted in case of emergency.

Where a young person is capable of making their own decisions regarding their privacy, they should be allowed to do so. A parent will not necessarily have the right to their child's information.

Privacy protections that are in place for personal patient health information applies even after a person's death; however, in some situations these privacy interests may be reduced, or there may be other factors that outweigh the privacy interests which favour disclosure of the information. A request for access may be allowed for a deceased patient's legal representative if the patient has been deceased for 30 years or less and all other privacy law requirements have been met.

It must be noted that this surgery shares health information with bowel, breast and cervical cytology registers. If you wish to opt-out, you may notify the reception.

De-identified information is used to plan health care, for accreditation purposes, for health care improvement activities, and for self-improvement audits for the Doctors.

If the patient is asked to be in a research activity run through the surgery, he or she will be asked to sign a specific consent form pertaining to that activity.

Any questions regarding privacy can be sought through the Practice Manager.