

PRIVACY POLICY D/2010/15687[v4]

Policy Owner: Health Information Manager

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Policy Statement

St Vincents & Mater Health Sydney Limited (**Mater Hospital Sydney**) is committed to protecting the privacy of the personal information and sensitive information which it collects and holds.

Mater Hospital Sydney must comply with the Australian Privacy Principles under the *Privacy Act 1988* (Cth), and other privacy laws (including the *Health Records and Information Privacy Act 2002* (NSW)) which govern the way in which organisations (such as Mater Hospital Sydney) hold, use and disclose personal information (including your sensitive information).

The purpose of this Privacy Policy is to explain:

- a) the kinds of information that Mater Hospital Sydney may collect about you and how that information is held;
- b) how Mater Hospital Sydney collects and holds personal information;
- c) the purposes for which Mater Hospital Sydney collects, holds, uses and discloses personal information;
- d) how you can access the personal information Mater Hospital Sydney holds about you and seek to correct such information; and
- e) the way in which you can complain about a breach of your privacy and how Mater Hospital Sydney will handle that complaint.

Definitions

In this Privacy Policy the following terms have the following meanings:

health information is:

- a) personal information or an opinion about:
 - i. an individual's physical or mental health or disability (at any time);
 - ii. an individual's express wishes about the future provision of health services for themselves; or
 - iii. a health service provided, or to be provided, to an individual;
- (b) other personal information collected to provide, or in providing, a health service;
- (c) 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

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- (d) 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.

personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
(b) whether the information or opinion is recorded in a material form or not;

sensitive information means:

- a) personal information or opinion about an individual's:
- i. racial or ethnic origins;
 - ii. political opinions or political associations;
 - iii. philosophical beliefs or religious beliefs or affiliations;
 - iv. sexual preferences or practices; or
 - v. criminal record; or
- b) health information about an individual; or
c) genetic information about an individual that is not otherwise health information.

3 Collection and use of personal information

3.1 Types of personal information collected by Mater Hospital Sydney

- (a) Mater Hospital Sydney patients/residents/clients/research participants

Mater Hospital Sydney collects information from you which is necessary to provide you with health care services or to enable you to participate in research studies. This includes collecting personal information such as your name, address, your health history, family history, past and current treatments lifestyle factors, and any other information which is necessary to assist the health care team in providing appropriate care, or our research team in conducting its research.

- (b) VMOs, students, contractors and volunteers

Mater Hospital Sydney collects information from you which is necessary to properly manage and operate its business. This includes collecting personal information such as your name, address, professional experience, qualifications and past employers, and any other information which may be necessary to appropriately conduct its business.

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(c) Job applicants

Mater Hospital Sydney collects information from you which is necessary to assess and engage applicants. This includes collecting personal information such as your name, address, professional experience, qualifications, references and past employers, and any other information which is necessary to process your job application.

(d) Donors

Where you have consented, Mater Hospital Sydney collects information from you for the purposes of fundraising and managing donations. This includes collecting personal information such as your name and address.

3.2 How we collect personal information

We will usually collect your personal information directly from you, however sometimes we may need to collect information about you from third parties, such as:

- (a) relatives;
- (b) another health service provider;
- (c) past employers and referees;
- (d) related entities (being those listed in the annexure).

We will only collect information from third parties where:

- (e) you have consented to such collection;
- (f) such collection is necessary to enable us to provide you with appropriate health care services (such as in the case of a emergency medical treatment);
- (g) such collection is reasonably necessary to enable us to appropriately manage and conduct our business (such as in assessing applications for accreditation from VMOs); or
- (h) it is legally permissible for us to do.

Mater Hospital Sydney will only collect information which is necessary to provide you with health care services or appropriately manage and conduct our business.

3.3 How Mater Hospital Sydney uses your personal information

Mater Hospital Sydney only uses your personal information for the purpose for which it was collected by Mater Hospital Sydney (**primary purpose**), unless:

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- (a) there is another purpose (**secondary purpose**) and that secondary purpose is directly related to the primary purpose, and you would reasonably expect, or Mater Hospital Sydney has informed you, that your information will be used for that secondary purpose;
- (b) you have given your consent for your personal information to be used for a secondary purpose; or
- (c) Mater Hospital Sydney is required or authorised by law to use your personal information for a secondary purpose (including for research and quality improvements within Mater Hospital Sydney).

For example, Mater Hospital Sydney may use your personal information to:

- (d) provide health care services to you;
- (e) provide any ongoing health related services to you;
- (f) appropriately manage our business, such as assessing insurance requirements, conducting audits, and undertaking accreditation processes;
- (g) assist it in running our hospital business, including quality assurance programs, billing, improving its services, implementing appropriate security measures, conducting research and training personnel; and
- (h) effectively communicate with third parties, including Medicare Australia, private health insurers and Department of Veterans' Affairs; and
- (i) carry out fundraising activities (where you have consented).

3.4 Complete and accurate details

Where possible and practicable, you will have the option to deal with Mater Hospital Sydney on an anonymous basis or by using a pseudonym. However, if the personal information you provide us is incomplete or inaccurate, or you withhold personal information, we may not be able to provide the services or support you are seeking, or deal with you effectively.

3.5 CCTV

Mater Hospital Sydney uses camera surveillance systems (commonly referred to as CCTV) for the purposes of maintaining safety and security of its patients, personnel, visitors and other attendees. Those CCTV systems may also collect and store personal information and Mater Hospital Sydney will comply with all privacy legislation in respect of any such information.

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4 Disclosing your personal information

Mater Hospital Sydney will confine its disclosure of your personal information to the primary purpose for which that information has been collected, or for a related secondary purpose. This includes when disclosure is necessary to provide services to you, assist us in running our organisation, or for security reasons.

We may provide your personal information to:

- (a) third parties involved in your care, such as:
 - i. pathologists and radiologists who have been asked to undertake diagnostic testing;
 - ii. senior medical experts and specialists who have been asked to assist in diagnosis or treatment;
 - iii. other health professionals involved in an individual's further treatment (such as physiotherapists and occupational therapists);
- (b) general practitioners (for example, by providing discharge summaries);
- (c) government agencies, such as Defence or Department of Veterans Affairs, where an individual is receiving services with Mater Hospital Sydney under arrangements with those agencies;
- (d) government departments responsible for health, aged care and disability where Mater Hospital Sydney has a legal or contractual obligation to do so;
- (e) relatives, close friends, guardians (unless Mater Hospital Sydney have been told otherwise);
- (f) third parties contracted to provide services to Mater Hospital Sydney, such as entities contracted to assist in accreditation or survey processes;
- (g) chaplains associated with Mater Hospital Sydney so that an individual may receive pastoral care during admission;
- (h) any of the related entities listed in the annexure;
- (i) research institutions and sponsors with which Mater Hospital Sydney collaborates;
- (j) private health insurance providers and Medicare Australia
- (k) your employer and workers compensation insurers where you have consented to us corresponding with them such as in relation to a workers compensation claim;

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- (l) the motor accidents authority as required by law or where you have consented;
- (m) fundraising institutions associated with Mater Hospital Sydney where you have consented to your information being disclosed for fundraising purposes;
- (n) legal advisors and the Health Care Complaints Commission;
- (o) anyone authorised by you to receive your personal information (your consent may be express or implied);
- (p) anyone Mater Hospital Sydney is required by law to disclose your personal information to.

5 Data storage, quality and security

5.1 Data quality

Mater Hospital Sydney will take reasonable steps to ensure that your personal information which is collected, used or disclosed is accurate, complete and up to date.

5.2 Storage

All your personal information is stored by Mater Hospital Sydney securely in either hard copy or electronic form. Mater Hospital Sydney uses the services of a third party storage provider who also comply with the Australian Privacy Principles under the Privacy Act 1988 (Commonwealth).

If personal information is disclosed to an overseas third party, Mater Hospital Sydney should take reasonable steps to ensure that the third party does not breach the APPs (other than APP 1), unless:

- (a) that third party is subject to appropriate overseas privacy legislation and there is a mechanism for individuals to enforce the protection of their personal information;
- (b) the individual consents to their personal information being held by the overseas entity;
- (c) there is a permitted general situation allowing the disclosure (i.e. there is a serious threat to life, health or safety, there is a threat of unlawful activity, the disclosure is needed to locate a missing person, etc.).

5.3 Data security

Mater Hospital Sydney strives to ensure the security, integrity and privacy of personal information, and will take reasonable steps to protect your personal information from

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misuse, interference, loss, unauthorised access, modification or disclosure. Mater Hospital Sydney reviews and updates (where necessary) its security measures in light of current technologies.

5.4 Online transfer of information

While Mater Hospital Sydney does all it can to protect the privacy of your personal information, no data transfer over the internet is 100% secure. When you share your personal information with Mater Hospital Sydney via an online process, it is at your own risk.

There are ways you can help maintain the privacy of your personal information, including:

- (a) always closing your browser when you have finished your user session;
- (b) always ensuring others cannot access your personal information and emails if you use a public computer; and
- (c) never disclosing your user name and password to third parties.

6 Use of cookies

A 'cookie' is a small data file placed on your machine or device which lets Mater Hospital Sydney identify and interact more effectively with your computer.

Cookies which are industry standard and are used by most websites, including those operated by Mater Hospital Sydney, can facilitate a user's ongoing access to and use of a site. They allow the Mater Hospital Sydney to customise our website to the needs of our users. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to deny or accept the cookie feature. However, cookies may be necessary to provide you with some features of our on-line services via Mater Hospital Sydney website.

7 Links to other sites

Mater Hospital Sydney may provide links to third party websites. These linked sites may not be under our control and Mater Hospital Sydney is not responsible for the content or privacy practices employed by those websites. Before disclosing your personal information on any other website, we recommend that you carefully read the terms and conditions of use and privacy statement of the relevant website.

8 Accessing and amending your personal information

You have a right to access your personal information which Mater Hospital Sydney holds about you. If you make a request to access your personal information, we will ask you to verify your identity and specify the information you require.

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You can also request an amendment to any of your personal information if you consider that it contains inaccurate information.

You can contact Mater Hospital Sydney about any privacy issues as follows:

Privacy Officer
Health Information Services
Mater Hospital Sydney
PO Box 958
North Sydney NSW 2059
Phone No: 9900 7539

While Mater Hospital Sydney aims to meet all requests to access and amendments to personal information, there may be some instances where Mater Hospital Sydney is unable to do this where it may adversely affect your health and safety or the safety of others.

Subject to applicable laws, Mater Hospital Sydney may destroy records containing personal information when the record is no longer required.

9 Complaints

If you have a complaint about Mater Hospital Sydney's information handling practices or consider we have breached your privacy, you can lodge a complaint with:

- (a) the Privacy Officer, on the contact details listed above; or
- (b) the Office of Australian Information Commissioner.

Mater Hospital Sydney deals with all complaints in a fair and efficient manner.

Annexure – related entities

- a) St Vincent's Health Australia Ltd
- b) St Vincent's Care Services Ltd
- c) St Vincent's Hospital (Melbourne) Limited
- d) St Vincent's Private Hospitals Ltd
- e) St Vincent's Private Hospital Sydney
- f) St Vincent's Hospital Sydney Limited
- g) St Vincent's Clinic
- h) Trustees of Mary Aikenhead Ministries

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Evaluation

Investigate and resolve all breaches of privacy and provide ongoing audits of medico-legal requests.

National Safety & Quality Health Services (NSQHS) Standards

Standard 1 – Clinical Governance

References

Privacy Act 1988 (Commonwealth)
Health Records and Information Privacy Act 2002 (NSW)

Revision History

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