



Adelaide Paediatrics Privacy Policy

1. Purpose

- 1.1 The purpose of the Adelaide Paediatrics Privacy Policy (hereinafter referred to as “the Privacy Policy”) is to explain to you how Adelaide Paediatrics Pty Ltd (ACN 147 988 556) (hereinafter referred to as “Adelaide Paediatrics”) uses, collects and manages all personal information, including but not limited to your health information from our patients and the circumstances in which Adelaide Paediatrics may share such information with third parties.
- 1.2 The Privacy Act was significantly amended in 2014 by the Privacy Amendment (Enhancing Privacy Protection) Act 2012 and with effect from 22 February 2018, further amendments require Adelaide Paediatrics to report eligible data breaches that are likely to cause serious harm.
- 1.3 Adelaide Paediatrics is a health service provider and we are required to comply and abide with The Australian Privacy Principles (hereinafter referred to as “APP”) which has been enacted in accordance with the Privacy Act 1988 (hereinafter referred to as the “Privacy Act”).
- 1.4 The APP regulates how Adelaide Paediatrics may collect, use, disclose, divulge and store your personal and health information which we retain with regards to our patients.

2. Important Defined Terms

- 2.1 In this Privacy Policy, Adelaide Paediatrics adopts the definitions in Section 6 of the Privacy Act, as amended from time to time, of the terms which we set out below;

Personal Information means all information and opinion including but not limited to personal and health information about an identified individual, or an individual who is reasonably identifiable:

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

Health Information means all information and opinion about:

- the health and disability (at any time) of an individual; or

- an individual's expressed wishes about the future provisions of health services to him or her; or
- a health service provided or to be provided to an individual that is also personal information; or
- other personal information collected to provide, or in providing, a health service.

Sensitive Information would include information or an opinion about an individual's:

- racial or ethnic origin; or
- political opinions; or
- membership of a political association; or
- religious beliefs or affiliations; or
- philosophical beliefs; or
- membership of a professional or trade association; or
- membership of a trade union; or
- sexual orientation or practices; or
- criminal record

that shall be deemed also as personal information; or

- health information about an individual; or
- genetic information about an individual that is not otherwise health information; or
- biometric information that is to be used for the purposes of automated biometric verification or biometric identification; or
- biometric templates.

2.2 For the avoidance of any doubt, reference in this Privacy Policy to personal and health information is a collective reference to Personal Information and Health Information as herein defined in clause 2 above.

3. Patient Anonymity and Pseudonymity

3.1 Where it is lawful and practicable to do so by virtue of any rules, regulations or laws our patients may deal with Adelaide Paediatrics anonymously or by using a pseudonym. An example of this, would be when you make a general inquiry about the

services Adelaide Paediatrics provides or offers to its patients without providing us with your personal or health information.

4. Why we collect, use, hold and share information and opinion about you

4.1 Adelaide Paediatrics only collects and holds personal and health information about our patients that is deemed reasonably fit and necessary for us to:

- provide our patients with health care services and, in particular, to best attend to and treat the presenting health concerns and conditions; or
- contact our patients to provide advice or information in relation to the why in which the service will be provided; or
- administer and manage those services including charging, billing and collecting debts; and
- as required by Australian legislation.

5. Types of information we collect and store about you

5.1 We may collect personal and health information from third parties including, but not limited to:

- our patient's parent, guardian, legal advisor or other authorised representative; or
- other health service providers that our patient has attended; or
- other health professionals that have treated our patient; or
- a patient's family member; or
- other persons or organisations that possess personal and health information reasonably required by Adelaide Paediatrics to assist us in providing health services to our patients.

5.2 The type of information that we collect about our patients include, but is not limited, to the following;

- names;
- date of birth;
- gender;
- residential address;

- emails;
- occupation;
- telephone numbers;
- health fund details;
- medicare details;
- medical referrer details (for example; referring Obstetrician, General Practitioners, Dentists and Medical Practitioners); and
- any other personal and health information that is reasonably deemed fit and necessary for the provision of paediatric health services to you.

5.3 Adelaide Paediatrics will not collect Sensitive Information about a patient unless;

- prior consent to the collection of that type of information and that information is reasonably necessary for the provision of paediatric health services; and/or
- if we are required or authorised to do so pursuant to any Australian law, rules or regulations.

6. How we hold your information

6.1 Adelaide Paediatrics stores your personal and health information in hard copy and electronic form including but not limited in its practice database software known as GENIE and no matter in which form your personal and health information is stored, the terms of this Privacy Policy will be applicable to that information.

7. How do we use your information

7.1 Adelaide Paediatrics only uses your personal and health information for the purposes you have given that information to us unless disclosure of your personal and health information is required for the purposes of:

- continuity of care with other health service providers involved in our patient's treatment or diagnostic services; or
- providing a patient with further information about treatment options; or
- conveying information to a responsible person including a parent, guardian or spouse when a patient is incapable or cannot communicate, unless the patient has requested otherwise;
- conveying information to close family members in accordance with the recognised customs of medical practice; or

- management, funding, service monitoring, planning, evaluation and compliant handlings; or
- legislative and regulatory compliance; or
- quality assurance or clinical audit activities; or
- accreditation activities; or
- health insurance funding; or
- billing and debt recovery; or
- addressing liability indemnity arrangements including reporting to our insurers and legal representatives;
- preparing the defence for anticipated or existing legal proceedings; or
- research or the compilation or analysis of statistics relevant to public health and safety; and
- activities directly related to the provision of health services to an individual where the individual would reasonably expect disclosure.

Independent Contractors

- 7.2 Adelaide Paediatrics may outsource our services or hire contractors to perform professional services within our practice and if we do so we require all contractors to comply with the Privacy Act and our Privacy Policy.

Direct Marketing and Research

- 7.3 Adelaide Paediatrics may also use your information for other purposes such as including you on a marketing mail list, fundraising or research but only if you provide us with your prior consent to do so.

8. Access to and correction of your information

- 8.1 All patient files that include personal and health information are the property of Adelaide Paediatrics.
- 8.2 You have the right to have access to the personal and health information that we hold in your health record subject to certain legal exceptions, as set out in the APP 12 in relation to Access to Personal Information being;
- Adelaide Paediatrics reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or

- giving access would have an unreasonable impact on the privacy of other individuals; or
 - the request for access is considered or deemed frivolous or vexatious; or
 - the information relates to existing or anticipated legal proceedings between Adelaide Paediatrics and the individual, and would not be accessible by the process of discovery in those proceedings; or
 - giving access would reveal the intentions of Adelaide Paediatrics in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
 - giving access would be unlawful; or
 - denying access is required or authorised by or under an Australian law or a Court or Tribunal Order; or
 - Adelaide Paediatrics has reasons to suspect that unlawful activity, or misconduct of a serious nature, that relates to Adelaide Paediatrics' functions or activities has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
 - giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
 - giving access would reveal evaluative information generated within the organisation in connection with a commercially sensitive decision-making process.
- 8.3 Adelaide Paediatrics may, on your written and signed request, disclose your personal and health information to your legal representative or other authorised representative.
- 8.4 You can also request an amendment to your personal and health information if you believe that information is inaccurate, out of date, incomplete or misleading.
- 8.5 Adelaide Paediatrics will allow access or make the requested changes unless there is a reason under the Privacy Act or other relevant law to refuse such access or refuse to make the requested changes.
- 8.6 If Adelaide Paediatrics does not agree to change your personal and health information in accordance with your request, we will permit you to make a written statement of the requested changes and file a copy of that statement on your medical record.
- 8.7 Should you wish to obtain access to or request changes to your health record you can ask our Privacy Officer (details as stated herein below in clause 14), who can

give you more detailed information about Adelaide Paediatrics' access and correction procedure.

- 8.8 Adelaide Paediatrics may charge you a reasonable fee associated with supplying a copy of your personal and health information to you.

9. Data Quality

- 9.1 Adelaide Paediatrics will take reasonable steps to ensure that your personal and health information that we collect are accurate, up to date and complete.
- 9.2 Adelaide Paediatrics will take reasonable steps to ensure that your personal and health information that we use or disclose, having regard to the purpose of that use or disclosure, is accurate, up to date, complete and relevant.

10. Data Security

- 10.1 Adelaide Paediatrics will take reasonable steps to protect your personal and health information from misuse, interference, loss, unauthorised access, modification or disclosure.
- 10.2 If Adelaide Paediatrics holds personal and health information about you and we no longer need that information for any purpose for which that information may be used or disclosed, that information is not contained in a Commonwealth record and we are not required by or under an Australian law, or a Court or Tribunal Order, to retain that information, we will take such steps as are reasonable in the circumstances to destroy that personal and health information or to ensure that information is de-identified.

11. Identifiers

- 11.1 Adelaide Paediatrics assigns its own identifiers, being a unique number within our practice database system GENIE to identify patients and/or a patient's parent/guardian and, where appropriate, Adelaide Paediatrics collects government identifiers such as Medicare, Health care/Pension Card numbers, Private Health fund membership number etc.

12. International Disclosure

- 12.1 Adelaide Paediatrics may communicate with organisations outside of Australia and it may be necessary to make disclosure of a patient's personal and health information to an organisation outside of Australia.
- 12.2 If Adelaide Paediatrics makes disclosures of a patient's personal and health information to an organisation outside Australia it will only do so if it is reasonably satisfied that the country has a substantially similar privacy regime to Australia.

13. Complaints

- 13.1 Adelaide Paediatrics takes complaints and concerns regarding privacy seriously.

13.2 In the event:

- you have questions or comments about this Public Policy; or
- Adelaide Paediatrics does not agree to provide you with access to your personal and health information; or
- you have a complaint about our information handling procedures,

You can lodge a complaint with or contact our Privacy Officer by using the contact details as stated herein below in Clause 14.

13.3 You also have the legal right to lodge a complaint in writing to the Office of the Australian Information Commissioner (OAIC) by visiting www.oaic.gov.au and using the online Complaint Form or in writing and posted to:

Office of the Australian Information Commissioner

GPO Box 5218

Sydney NSW 2001

For further information kindly visit www.oaic.gov.au or call the OAIC on 1300 363 992.

14. Contact us

14.1 Privacy Officer

14.2 By Letter: 4-6 Goodwood Rd, WAYVILLE SA 5034

14.3 By Email: reception@adelaidepaediatrics.com.au

14.4 By Telephone: (08) 7123 0820

14.5 By Facsimile: (08) 8271 1598

15. Privacy Policy Version

15.1 This Privacy Policy was last updated on 20th February 2018 and may change from time to time in accordance with changes to the Privacy laws.

15.2 This Policy will be reviewed regularly to ensure that it is in accordance with any changes that may occur by virtue of any amendment to the Privacy laws.

15.3 The updated Policy can be found in the Adelaide Paediatrics website or you could contact Adelaide Paediatrics to ensure that you have the latest version of this Privacy Policy.

16. Data breaches

- 16.1 Data breach occurs when there is an unauthorised access or disclosure, or loss of personal information held in our practice. This could be an email sent to the wrong person, a loss of laptop containing patients' personal and health information or our database being hacked. The practice has an IT consulting company that oversees the security of our database.
- 16.2 Effective from 22 February 2018, Adelaide Paediatrics is required to investigate a data breach or suspected/alleged data breach and decide if it is likely to result in serious harm to one or more individuals. Adelaide Paediatrics may be able to remedy the negative impact of the breach by retrieving an email sent incorrectly or by having good security in place depending on the type of data breach. In the absence of a remedy, Adelaide Paediatrics has the legal obligation to notify the affected patient/(s) and the OAIC accordingly.