



**Heidelberg  
Endoscopy**  
& Day Surgery Centre

**Policy Number: P010020**

**Name: Privacy Policy**

**Facility: Heidelberg Endoscopy**

## 1. POLICY STATEMENT

The Heidelberg Endoscopy and Day Surgery Centre adheres to the Information Privacy Act 2002 (Vic) and the Health Records Act (Vic) 2002 and supports the Victoria Health commitment to protecting the privacy of personal information in accordance with the Information Privacy Act 2002. It also **ensures that requirements of the Privacy Act are complied with and to manage any grievances or breaches in relation privacy.** Only authorised staff has access to personal information which remains confidential and is only used as appropriate.

Privacy covers all personal information held by Victorian Health and includes information that has been collected from consumers/patients over the telephone, through mail, email, personal contact or over the Internet.

## 2. EXPECTED OUTCOME AND COMPLIANCE

No incidents regarding breach of Privacy Principles

## 3. RISK RATING LOW

## 4. PROCEDURE

The following are the main principles related to Privacy.

### COLLECTION OF INFORMATION

Health information if necessary for the performance of a function or activity and should be collect with consent (or if it falls within HPP1). Individuals are to be informed about what you do with the information and how they can gain access to it.

### DISCLOSURE

Use and disclosure of personal information should only be used only for the primary purpose for which it was collected. Use of information for secondary purposes of disclosure should have the consent of the person.

Personal Information may be disclosed in a number of circumstances including the following:

- third parties where an individual consents to the use or disclosure; and
- where required or authorised by law
- Patients information will not be disclosed to external agencies without written permission
- When collecting data ensure that the information is accurate, complete, relevant and current.
- Individuals are to advise the service at the earliest opportunity of any changes to their Personal Information, so that records can be updated.
- Documents will be stored and disposed of in line with Public Record Office Standards published by the Public Records Office Victoria.

#### **DATA AND SECURITY RETENTION**

Health Information must be secure, protected against misuse, loss and unauthorised access. Destruction of health information must be in line with relevant standards:

- Documents, personal and personnel information must be stored and disposed of in line with Public Record Office Standards published by the Public Records Office Victoria.
- All personal and personnel information will be stored securely.
- Access to personal and personnel information will have secure access
- Online information must be stored securely or password protected and have appropriate backup systems

#### **OPENNESS / ACCESS TO INFORMATION**

Ensure that Health Information policies reflect clearly the management of personal information and are accessible on request. National Privacy Principle's provides individuals with the right to access the Personal Information we hold about them and to update and/or correct it, subject to certain exceptions. If an individual wishes to access their Personal Information they should do so in writing.

#### **ACCESS TO CORRECTION**

Individuals have the right to seek access to their personal information and make corrections. Access and correction will be handled mainly under the Victorian of Freedom of Information Act.

#### **UNIQUE IDENTIFIER**

A unique identifier is usually a number assigned to an individual in order to identify the person for the purposes of the organisation's operations. Unique identifiers facilitate data matching and reduce duplication.



## **ANONYMINITY**

Relates to giving the individuals the option of not identifying themselves when entering transactions with organisations. This would only occur under specific circumstances and would need to be lawful and practicable.

## **TRANSBORDER DATA FLOWS**

Transfer of health information outside Victoria is subject to relevant laws and the transfer of personal information outside Victoria is restricted. Personal information may be transferred only if the recipient protects privacy under standards similar to Victoria's Information Privacy Principle's (IPPs).

## **SENSITIVE INFORMATION**

The law restricts certain collection of sensitive information like an individual's political views, religious beliefs, sexual preferences, membership of groups or criminal record. Sensitive information is a special category of personal information. It is defined as information or an opinion about an individual's racial or ethnic origin, impairment or disability, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices or criminal record.

## **INFORMATION AVAILABLE TO ANOTHER HEALTH SERVICE PROVIDER**

As a health service provider, can be undertaken with the required consent. Health information relating to an individual available to another health service provider can be given if requested by the individual.

## **PERSONAL INFORMATION**

Personal information is any information or an opinion (including information or an opinion forming part of a database) that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

## **THIRD PARTIES**

Where reasonable and practicable Personal Information will be collected from individuals directly. However, in some circumstances it may be provided with information by third parties. In such cases we will take all reasonable steps to ensure that the individual is made aware of the information provided to us by such third party.

## **PRIVACY BREACH**

A privacy breach occurs when there is a failure to comply with one or more of the IPP's. Some of the most common privacy breaches happen when personal information is stolen, lost or mistakenly disclosed (e.g. a computer containing personal information is stolen, files are lost, USB sticks or computer disks are misplaced or personal information is mistakenly emailed to the wrong people). A privacy breach may also be a consequence of faulty business procedure or operational breakdown.

The four key steps for responding to a breach or suspected breach are:

1. Breach containment and preliminary assessment
2. Evaluation of the risks associated with the breach
3. Notification to the CEO
4. Identification of actions for prevention and improvement Staff training, policy review or development, improved security measures, audit of information handling.

## **GRIEVANCE PROCEDURE**

- Complaints must be made in writing.
- Assessment and investigation of the complaint will occur in consultation with the Chief Executive Officer.
- A written response will be sent to the individual within 7 days of a complaint being received.
- If the response is found to be unacceptable to the individual, conciliation or arbitration may be suggested.
- If the individual makes a formal complaint to the Privacy Commissioner, the Chief Executive Officer is the respondent on behalf of Victoria Health

## **KEY STEPS IN RESPONDING TO PRIVACY BREACHES**

### **Incident Reporting**

All incidents are to be reported through the Incident monitoring system

## **5. LOCATION OF ADDITIONAL INFORMATION**

## **6. REFERENCES / RELEVANT ACTS**

HEALTH RECORDS AND INFORMATION PRIVACY ACT 2002

[www.austlii.edu.au/au/legis/nsw/consol\\_act/hraipa2002370/](http://www.austlii.edu.au/au/legis/nsw/consol_act/hraipa2002370/)

Privacy Victoria Policy [http://www.privacy.vic.gov.au/privacy/web2.nsf/files/privacy-policy/\\$file/privacy\\_policy\\_2011.pdf](http://www.privacy.vic.gov.au/privacy/web2.nsf/files/privacy-policy/$file/privacy_policy_2011.pdf)

HEALTH RECORDS AND INFORMATION PRIVACY ACT 2002. - As at 1 January 2014 - Act 71 of 2002 TABLE OF PROVISIONS Long Title PART 1

Health and Information Privacy Principles - Department of Health –  
[www.dhs.vic.gov.au](http://www.dhs.vic.gov.au) › ... › Policies, Guidelines & Legislation- Feb 28, 2013

FREEDOM OF INFORMATION ACT 1982  
[www.austlii.edu.au/au/legis/cth/consol\\_act/foia1982222/](http://www.austlii.edu.au/au/legis/cth/consol_act/foia1982222/)

Health Records Act - Department HealthVictoria,  
[Australiahealth.vic.gov.au/healthrecords/](http://Australiahealth.vic.gov.au/healthrecords/)

Jan 16, 2014 –

The 2007 revised National Statement on Ethical Conduct in Human Research ... on Ethical Conduct in Research Involving Humans ('the Statement') ... the NHMRC Statement on Human Experimentation and Supplementary Feb 22, 2012

Authorised by the Chief Parliamentary Counsel i. Authorised Version No. 133. Health Services Act 1988. No. 49 of 1988. Authorised - Version Jul 1, 2012 –

- Hospital Circular 06/1999 - General Disposal Schedule for Public Health Services Patient Records. June 1999

Office of the Victorian Privacy Commissioner: Responding to Privacy Breaches – Checklist, (January 2008), Vict. Govt. Melbourne

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