

## Privacy Policy

### 1. Policy Statement

High Street Medical Clinic (HSMC) complies with the Privacy Act 1988 (Cth) and other applicable privacy and health records laws in relation to the management of personal information.

HSMC is committed to protecting all personal information. Our privacy policy and our practices and procedures are reviewed on a regular basis to ensure compliance.

This privacy policy ("policy") explains:

- what personal and sensitive information we collect;
- how we collect personal and sensitive information and why;
- how we use and disclose personal and sensitive information;
- how we handle our website and internet links;
- the security measures that we take; and
- the processes available to request access to or correction of your personal information or raise enquiries, concerns and make complaints.
- the process of beach notification

This policy applies to the services and products provided by HSMC and binds all our employees and health professionals. HSMC employees are required to sign an agreement that includes a confidentiality clause on commencement of employment. HSMC also expects its service providers to have a similar privacy policy in place.

A hard copy of this policy can be obtained by contacting our Practice Manager at [manager@hsmc.com.au](mailto:manager@hsmc.com.au)

### 2. What personal and sensitive information we collect

#### 2.1 What is personal information?

Personal information is any information or opinion (recorded in any form) about someone we can identify or who we can reasonably identify from the information we have, whether it is true or not and whether it is recorded or not. It includes 'sensitive information' such as information about your health (including information in your health or medical record) as well as information about your racial or ethnic origin, political opinions, membership of political,

professional or trade associations, or trade unions, religious beliefs, sexual preferences or practices and criminal history and biometric data.

## 2.2 The kinds of personal information we collect

The personal information we collect about you depends on who you are and your interaction with us. As a provider of health services, HSMC may collect the following types of personal and sensitive information about you:

- Name, age and contact details;
- financial and payment information;
- health information including your medical history;
- employment history and qualifications;
- health insurance information and Medicare details;
- details of your insurance claim or policy;

## 3. How we collect personal and sensitive information

We collect personal and sensitive information in many ways including when you:

- visit our High Street Medical Clinic or seek a consultation with our health professional there;
- call our Clinic or office or send HSMC an email;
- contact us as part of a health assessment;
- contact us to receive medical consultancy;
- are contacted and agree to a tele-interview or tele-medicine;
- consent to a third party, including other medical service providers and insurers providing HSMC with your information;
- log in to and use the HSMC website or submit an enquiry;
- apply for employment at HSMC;
- provide services on our behalf.

## 4. Why we collect personal and sensitive information

HSMC collects your personal and sensitive information to provide our services to you and/or provide information and services to Medicare or your insurer. HSMC will only collect information that is necessary for these purposes.

## 5. Who we collect personal and sensitive information from?

Where practicable, we will collect your personal information directly from you.

However, we may also need to collect information about you from others such as companies employing you, insurance companies, private medical insurers, other medical or health service providers including pathology and radiology providers and other similar organisations that are permitted to share your personal information with us for the purposes of providing our services.

If we collect information about you from someone else we will, whenever possible, make you aware of this.

## 6. How we use and disclose personal and sensitive information

### 6.1 Uses of personal information

HSMC will use your personal and sensitive information to provide you with services and products that:

- you purchase;
- are purchased by your employer or your relative's employer;
- are purchased by your health insurer or are part of a service provided through your health insurer;
- are part of a service provided through an insurance company, insurance broker or financial planner; or
- are part of your employment (e.g.: training or medical assessments)

HSMC will also use your personal and sensitive information:

- to respond to complaints, access and correction requests;
- for purposes related to the primary purpose for which we collected the information that you would reasonably expect;
- to comply with an Australian court/tribunal order or where required or authorised by law.<sup>2</sup>

### 6.2 Disclosures of personal information

HSMC will disclose your personal and sensitive information to third parties where:

- you consented to the disclosure e.g. for a pre-employment medical assessment or fitness for duties assessment or for the purpose of purchasing a risk insurance policy or making a claim; or
- the disclosure is necessary because you are at risk of harm without treatment and you are unable to give consent (eg. you might be unconscious after an accident); or

- your health service provider is legally obliged to disclose the information (e.g. notification of certain infectious diseases or suspected child abuse, or a subpoena or court order); or
- the information is necessary to obtain Medicare payments or other health insurance rebates; or
- otherwise required or authorised by or under an Australian law or court/tribunal order.

### 6.3 Overseas disclosures of personal information

HSMC will disclose your personal and sensitive information overseas only if required for the purposes of providing you with the services and products that:

- you purchase;
- are purchased by your employer or your relative's employer;
- are purchased by your health insurer or are part of a service provided through your health insurer;
- are part of a service provided through an insurance company, insurance broker or financial planner; or
- are part of your employment (eg: training or medical assessments).

### 6.4 HSMC medical practitioners

In conducting the services at HSMC, HSMC makes its premises available to independent health service providers and supplies non-health services to those health service providers. The health service providers are not partners and are not employed by HSMC and are not agents or servants of HSMC.

All patient records at HSMC are the property of HSMC. All health service providers at HSMC have access to all patient medical records. If you are a patient of the Clinic and have any concerns about other health service providers at HSMC being able to see your records, you should discuss this with the HSMC Practice Manager.

HSMC has agreements with the health service providers and policies and procedures in place to ensure that the medical records of HSMC are kept accurate, complete up to date and secure.

## 7. Your online activity

The HSMC website may contain links to other websites. These are provided as a convenience to you and not as an endorsement by HSMC of the contents of other websites.

The HSMC website uses cookies to identify a user session and collect information about activity on the website. A cookie is a piece of data stored on your hard drive containing information about you. HSMC does not make any attempt to identify you from the cookie data collected.

Most browsers are initially set up to accept cookies. Though most cookies expire after a certain period of time, you can choose to delete a cookie file at any time. You can do so by resetting your browser to refuse all cookies or to indicate when a cookie is sent. However, some HSMC features or services may not function properly without Please provide as much detail as possible regarding what information you require access to, including the person to whom the information has been provided, and when.

- HSMC will attempt to acknowledge your request within 14 days and providing HSMC has the personal information requested, access should usually be granted within 14 days. HSMC will inform you if this timeframe is not achievable in the particular circumstances.
- You will be asked to verify your identity.
- A reasonable administrative fee may be charged to cover HSMC's reasonable costs of providing access in the event that the request is onerous or time consuming.
- We will endeavour to provide you with access in the manner requested, however in some circumstances the nature of the information or the record it is contained in may mean that we can only provide you with access in a particular manner. Depending on the circumstances, this may be by mail, email, or you may personally be given access to inspect the information.

### 7.1.1 Can my request be refused?

In some circumstances, HSMC may not be in a position to provide you access.

If access is refused to some or all of the information, our reasons will be provided to you in writing with details of the complaint mechanisms available to you if you are not satisfied with our decision.

If HSMC has collected your personal information on behalf of a third party, we recommend that you approach the third party directly for access to your information.

## 8. Data Security

HSMC takes reasonable steps to protect your information from misuse, interference and loss, and from unauthorised access, modification or disclosure. Your information may be stored in hard copy documents or electronically on HSMC servers or archived on CDs.

To prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information, including the information we collect online. Examples include using password to control and restrict access and locking idle computers.

Only relevant personnel are able to view information supplied to us by a third party.

## Health records

In the case of information that forms part of a health or medical record, your information will be held for at least seven years from the last time a health service was provided, in accordance with the Health Records Act. If someone under the age of 18 used the health service, the information will be held at least until that person has turned 25

## 9. How to access, update and correct your personal information

### 9.1 Access

You are entitled to access the personal information HSMC holds about you.

#### 9.1.1 Procedure

The procedure for requesting access is as follows:

- A written request must be made by email or post to the Practice Manager at the details below.

### Correction

If your details change, or you believe that your personal information is inaccurate, out-of-date, incomplete, irrelevant or misleading, you can request correction by contacting the Practice Manager on the details below.

If HSMC is satisfied that your information needs correcting or if you make a request, HSMC will take reasonable steps to amend that information. HSMC will need to verify your identity first.

### Can my request be refused?

If we refuse to correct all or part of your information, reasons will be provided in writing with details of the complaint mechanisms available to you if you are not satisfied with our decision.

If HSMC does not make the correction and, if you request, HSMC will take reasonable steps to associate with the record of that personal information a

statement that you believe the information is inaccurate, out -of-date, incomplete, irrelevant or misleading, as applicable.

## 10. How we manage a Privacy Breach

As required by the Privacy Amendment (Notifiable Data Breaches) Act 2017, HSMC has developed a data breach response plan that sets out the steps that HSMC will follow when it becomes aware or suspects that a data breach has occurred. The HSMC Practice Manager must be notified of the breach or potential in the first instance. Where it is considered that a data breach is likely to result in serious harm to any of the individuals whose information is involved we will notify those individuals who are at risk of serious harm and will prepare a statement for the Privacy Commissioner in an appropriate form.

### 10.1 What is a Data Breach?

A data breach is when personal information held by HSMC is lost or subjected to unauthorised access, modification, disclosure or other misuse or interference.

## 11. Complaints Resolution

HSMC's designated Privacy Officer is the Practice Manager. If at any time you have a privacy related issue or wish to make a complaint, please contact our Practice Manager on the details below.

### 11.1 The complaints procedure

You should put any complaint you have in writing and give as much detail as you can about the nature of your complaint and the information affected.

The Practice Manager will manage the investigation of your complaint or concern and communicate with relevant parties. HSMC will respond to you within a reasonable period, which will generally be within 30 days of receiving your complaint.

### 11.2 External review

If you are not satisfied with our resolution of your complaint, you can contact the Privacy Commissioner's Office on 1300 363 992 or go to their website at [www.oaic.gov.au](http://www.oaic.gov.au) to enquire about your privacy rights or to lodge a complaint about how we have handled your personal information. The Privacy Commissioner has the power to investigate the matter and make a determination.

## 12. HSMC Contact Details

For all privacy related inquiries and complaints and for access and information requests, please contact the Privacy Officer on the following details:

**Address:** 139 High St Prahran, VIC 3181

**Telephone:** (03) 9510 5500

**Email:** [manager@hsmc.com.au](mailto:manager@hsmc.com.au)

## 13. Changes to this policy

HSMC may amend and update this policy from time to time to reflect changes to our practices and procedures, systems, or obligations. Any amendments to this policy will be notified by posting an amended version on our website, and the changes will take effect at that time.

This policy was last updated on March 2021