

St Vincent's Private Hospitals Ltd Privacy Policy

Policy Title:	St Vincent's Private Hospitals Ltd, Private Hospitals Division (PteHD): Privacy Policy
Policy ID:	D/2020/97457
Version:	V3
Portfolio:	PteHD Executive Team
Policy Applicable to:	It is the responsibility of all St Vincent's Private Hospital Division personnel (including its employees and any healthcare provider who supplies services under contract to St Vincent's Private Hospitals Ltd and the Private Hospitals Division) to adhere to this Policy.
Status:	Revised
Review Officer / Author(s):	SVHA Group Legal Counsel National Health Information Manager (HIM) & Private Hospitals Division (PteHD) Privacy Officer Director of Clinical Quality, Safety and Risk, PteHD
First introduced:	December 2020
Last Review Date:	February 2021
Summary of Changes:	Minor updates including My Health Record inclusion and additional SVHA related entities, (most recent amendments are shaded)
Next Review Date:	February 2024
Approved By:	David Swan, Divisional CEO Private Hospitals
Approved Date:	22 nd March 2021

All SVHA policies must comply with the Code of Ethical Standards for Catholic Health and Aged Care Services in Australia, the Ethical Framework for Mary Aikenhead Ministries and the SVHA Ethics Policy.

St Vincent's Private Hospitals Ltd ("SVPH") conducts the following private hospitals:

- **St Vincent's Private Hospital Fitzroy**
- **St Vincent's Private Hospital East Melbourne**
- **St Vincent's Private Hospital Kew**
- **St Vincent's Private Hospital Werribee**
- **The Mater Hospital Sydney**
- **St Vincent's Private Community Hospital Griffith**
- **St Vincent's Private Hospital Northside**
- **St Vincent's Private Hospital Brisbane**
- **St Vincent's Private Hospital Toowoomba**
- **Nb. Refer to separate version for St Vincent's Private Hospital Sydney.**

References in this Policy to SVPH mean the relevant hospital as listed above, as the context requires.

St Vincent's Private Hospitals Ltd is a wholly owned subsidiary of St Vincent's Health Australia Ltd ("SVHA"). SVHA and its related entities listed in the Annexure ("SVHA Group") conduct public hospitals, private hospitals and aged care facilities and also provide community care services. SVHA is the parent company of the SVHA Group. Each member of the SVHA Group has its own privacy policy. This is the privacy policy for St Vincent's Private Hospitals Ltd, which applies to the hospitals listed above.

1 Policy statement

SVPH is committed to protecting the privacy of the personal information and sensitive information which it collects and holds.

SVPH must comply with the Australian Privacy Principles under the *Privacy Act 1988* (Cth), and other applicable state privacy laws which govern the way in which organisations (such as SVPH) 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 SVPH may collect about you and how that information is held;
- (b) how SVPH collects and holds personal information;
- (c) the purposes for which SVPH collects, holds, uses and discloses personal information;
- (d) how you can access the personal information SVPH holds about you and seek to correct such information; and
- (e) the way in which you can complain about how your personal information has been managed by SVPH and how SVPH will handle that complaint.

2 Definitions

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

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 (a sub-category of personal information) means:

- (c) 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
- (d) health information about an individual; or
- (e) genetic information about an individual that is not otherwise health information.

health information (a sub-category of sensitive information) is:

- (f) 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;
- (g) other personal information collected to provide, or in providing, a health service;
- (h) 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
- (i) 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.

3 Collection and use of personal information

3.1 Types of personal information collected by SVPH

SVPH will only collect information which is necessary to provide you with health care services or appropriately manage and conduct our business. This may include (as applicable):

- (a) Patients/residents/clients/research participants

SVPH 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, 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

SVPH collects information from you which is necessary to properly conduct, 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 and manage its business.

(c) Job applicants

SVPH collects information from you which is necessary to assess and engage job 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, SVPH collects information from you for the purposes of fundraising for SVPH including agreeing the terms of and managing any donations you agree to make. 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; or
- (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 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.

3.3 How SVPH uses your personal information

Pursuant to applicable privacy laws SVPH only uses your personal information for the purpose for which it was collected by SVPH (**primary purpose**), unless:

- (a) there is another purpose (**secondary purpose**) and that secondary purpose is directly related to the primary purpose, and you would reasonably expect, or SVPH 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) SVPH is required or authorised by law to use your personal information for a secondary purpose (including for research and quality improvements within SVPH).

For example, SVPH may use your personal information to:

- (d) provide health care services to you;
- (e) facilitate the provision of ongoing health related services to you;
- (f) appropriately manage and conduct our business, such as assessing insurance requirements, conducting audits, and undertaking accreditation processes;

- (g) assist us in running our hospital business, including quality assurance programs, billing, improving its services, implementing appropriate security measures, conducting research and training personnel;
- (h) where required, 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 may have the option to deal with SVPH 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

SVPH 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 SVPH will comply with all privacy legislation in respect of any such information.

4 Disclosing your personal information

4.1 Disclosures

SVPH 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, to help us manage and conduct our business, or for security reasons.

We may provide your personal information to:

- (a) third parties involved in your care, including healthcare professionals outside of SVPH, 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 general practitioners, physiotherapists and occupational therapists);
- (b) government agencies, such as Defence or Department of Veterans Affairs, where an individual is receiving services with SVPH under arrangements with those agencies;
- (c) government departments responsible for health, aged care and disability where SVPH is required to do so, including uploading documents to MHR;
- (d) relatives, close friends, guardians (such as Medical Treatment Decision Maker, Enduring Guardian or Enduring Power of Attorney) unless SVPH has been told otherwise;
- (e) third parties contracted to provide services to SVPH, such as entities contracted to assist in accreditation or survey processes;
- (f) chaplains associated with SVPH so that an individual may receive pastoral care during admission;
- (g) any of the related entities listed in the Annexure;

- (h) research institutions with which SVPH collaborates;
- (i) private health insurance providers and Medicare Australia;
- (j) your employer and workers compensation insurers where you have consented to us corresponding with them such as in relation to a workers compensation claim;
- (k) a motor accidents authority as required by law or where you have consented to us corresponding with them;
- (l) fundraising institutions associated with SVPH (where you have consented);
- (m) legal advisors, the Health Care Complaints Commission NSW (if applicable), Office of the Health Ombudsman (Qld) and the Health Services Commissioner Victoria (if applicable);
- (n) anyone authorised by you to receive your personal information (your consent may be express or implied);
- (o) anyone SVPH is required by law to disclose your personal information to.

4.2 Third party service providers

Where we engage third party service providers, we may disclose personal information to those service providers who may use, process and/or store that information overseas. For example SVPH's parent company, SVHA, has contracted with an Australian service provider for the provision of an electronic document portal to host papers for board and committee meetings of SVHA and SVPH. Board and committee meeting papers may occasionally include personal information. The service provider's computer servers are located in Canada.

5 Data storage, quality and security

5.1 Data quality

SVPH 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 held by SVPH is stored securely in either hard copy or electronic form, including cloud based systems. Some hard copy records are stored off site using an approved third party storage provider.

5.3 Data security

SVPH strives to ensure the security, integrity and privacy of personal information, and will take reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or disclosure. SVPH reviews and updates (where necessary) its security measures in light of current technologies, including cloud based systems.

5.4 Online transfer of information

While SVPH 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 SVPH 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) always using a strong password, and never disclosing your user name and password to third parties.

6 2017 Amendments to the *Privacy Act 1988*

- 6.1 The passage of the Commonwealth *Privacy Amendment (Notifiable Data Breaches) Act 2017* established a Notifiable Data Breaches (NDB) scheme in Australia. The NDB scheme requires organisations covered by the Australian Privacy Act 1988 (such as SVPH and the other related entities listed in the Annexure) to notify any individuals likely to be at risk of serious harm by a data breach. In some cases of a data breach the Office of the Australian Information Commissioner (OAIC) must also be notified. The *Privacy Amendment (Notifiable Data Breaches) Act* prescribes timelines for the notification process to the OAIC.
- 6.2 SVPH has established a Data Breach Response Plan that details how SVPH must deal with any instance where there has been a potential or actual breach of personal information held by an entity in either electronic or hard copy form. The Data Breach Response Plan includes information on the assessment and reporting of a data breach, the convening of a Data Breach Response Team and details on the communication processes to be undertaken following a breach.
- 6.3 All SVPH staff are required to familiarise themselves with the Data Breach Response Plan and its processes and ensure the plan is followed whenever a data breach is suspected or discovered.

7 Use of cookies

A 'cookie' is a small data file placed on your machine or device which lets SVPH identify and interact more effectively with your computer. While cookies allow a computer to be identified, they do not usually contain personal information about a specific individual.

Cookies are industry standard and are used by most websites, including those operated by SVPH. Cookies can facilitate a user's ongoing access to and use of a website. Cookies allow SVPH 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 the SVPH website.

8 Links to other sites

SVPH may provide links to third party websites. These linked sites may not be under our control and SVPH 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.

9 Accessing and amending your personal information

You have a right to request access to your personal information which SVPH 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. While SVPH aims to meet all requests for access to personal information, in a small number of cases and where permitted to do so by law, SVPH may not give access or may do so only under conditions.

You can also request an amendment to your personal information if you consider that it contains inaccurate information. SVPH will consider and formally respond to any such request.

Subject to applicable laws, SVPH may destroy records containing personal information when the record is no longer required by SVPH.

You can contact SVPH about any privacy issues as follows:

State	Hospital(s)	Contact Details
VIC	St Vincent's Private Hospital Melbourne (including Fitzroy, East Melbourne, Kew and Werribee) The Privacy Officer Health Information Services Department	75 Victoria Parade FITZROY VIC 3065 Phone: (03) 9411 7695 Fax: (03) 9231 6852 Email: HIS.General@svha.org.au
NSW	Mater Hospital, North Sydney The Privacy Officer Health Information Services Department	PO Box 958 NORTH SYDNEY NSW 2059 Phone: (02) 9900 7539 Fax: (02) 9957 7756 Email: Mater.MedicalRecords@svha.org.au
	St Vincent's Private Community Hospital Griffith The Privacy Officer Health Information Services Department	75 Victoria Parade FITZROY VIC 3065 Phone: (03) 9411 7695 Fax: (03) 9231 6852 Email: HIS.General@svha.org.au
QLD	St Vincent's Private Hospital Northside and St Vincent's Private Hospital Brisbane The Privacy Officer Health Information Services Department	627 Rode Road CHERMSIDE QLD 4032 Phone: (07) 3326 3656 Fax: (07) 3326 3535 Email: SVPHN.Privacy@svha.org.au
	St Vincent's Private Hospital Toowoomba The Privacy Officer Health Information Services Department	22 - 36 Scott Street TOOWOOMBA QLD 4350 Phone: (07) 4690 4000 Fax: (07) 4690 4289 Email: TOHIS@svha.org.au

10 Complaints

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

- (a) The Privacy Officer for the applicable hospital, using the contact details listed in clause 9 above; or
- (b) the Office of the Australian Information Commissioner (OAIC).

SVPH aims to deal 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 Hospital Sydney
- (e) St Vincent's Hospital Sydney Limited
- (f) St Vincent's Clinic.