

Privacy Policy

What is a Privacy Policy

A privacy policy is a document that states how an organisation will deal with the personal information it collects. This Privacy Policy covers how Hawthorne Clinic collects personal information, what the personal information is used for and how the personal information is stored and managed.

The privacy laws in Australia have recently changed. The Privacy Amendment (Enhancing Privacy Protection) Act 2012 made many significant changes to the Privacy Act 1988. These changes commenced on 12 March 2014. The Privacy Act includes thirteen Australian Privacy Principles (APPs). The APPs set out standards, rights and obligations for the handling, holding, accessing and correction of personal information (including sensitive information). The Privacy Policy of Hawthorne Clinic complies with the Privacy Act 1988 and the recent 2014 privacy amendments known as the Australian Privacy Principles (APPs).

What does this Privacy Policy cover?

- Why Hawthorne Clinic needs personal information and what types of information we collect
- Who can access your personal information
- How we protect your personal information
- How you can contact us to find out more about your personal information
- How you can access and correct your personal information
- What to do if you have concerns about your privacy.

The purpose of this policy

Hawthorne Clinic recognises the importance of protecting the privacy and the rights of all who visit our practice. Our principal concern is and always will be the health of our patients and the necessity for a high level of trust and confidentiality. We recognise that the information we collect is often of a highly sensitive nature and the practice ensures that it meets all its obligations to protect the personal information of the patients we serve.

All employees and contractors who work with and at Hawthorne Clinic are required to sign and comply with our comprehensive Confidentiality Agreement.

Why Hawthorne Clinic needs personal information and what types we collect:

- Personal information (including health information) is collected for the purpose of providing the best medical services and treatment to our patients and to enable patients to be attended to by any medical practitioner at our practice.
- Personal information is also collected for administrative and billing purposes.
- We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys.

What type of information we collect:

The personal information collected will include, but is not limited to:

- your name, address and telephone numbers
- your age or date of birth

- your Medicare, Veterans', Pension, Health Care Card number and details
- current drugs/medication or treatments used by you
- information relevant to your medical care, including but not limited to your previous and current medical history and your family medical history where clinically relevant
- your ethnic background
- your occupation
- the name of any health service provider or medical specialist to whom you are referred and copies of any letters of referrals and copies of any reports back
- any additional information relating to you that you provide to us directly through our representatives, medical or allied health professional providing services at our practice.

How we collect your personal information:

We collect your personal information directly from you unless it is unreasonable or impracticable to do so.

We also collect information:

- provided directly by you when you complete our patient information forms
- as disclosed by you during the course of a consultation at our practice or via phone calls or other methods of communication
- provided on your behalf and with your consent
- from a health service provider/medical specialists you have been referred to
- and from a health service provider who refers you to a medical or allied health practitioner at our practice
- from your employer or prospective employer and their insurers as in the case of a work related consultation or service
- or from third party bodies such as law enforcement agencies and other government entities

What happens if we can't collect your personal information:

If you do not provide us with personal information described above, we may not be able to provide the requested services to you either at the same standard or your diagnosis and treatment may be inaccurate or incomplete.

Use and disclosure of personal information:

Personal information collected by Hawthorne Clinic may be used or disclosed:

- for the purpose advised to you at the time of collection
- as required for the delivery of the health service to you
- as required for the ordinary operation of our services to you e.g. to refer you to a medical specialist or other health service provider such as public hospitals, pathology, radiology, physiotherapy etc.
- Hawthorne Clinic may use or disclose personal information for quality assurance such as Accreditation, training, billing, liaising with government offices regarding Medicare entitlements and payments and as may be required by the practice's medical defence organisations or insurers
- de-identified data for the purposes of data analysis, for proactive screenings such as 40-49 yr old health checks, >75 yr old health assessments, sending you reminders for e.g. vaccinations, blood pressure checks, blood tests, ATSI Health Assessments and for inclusion in a recall register for follow-up visits and results and any others your doctor may deem necessary

Hawthorne Clinic only uses your personal information for the purpose for which it was collected however exceptions to the above include where the use or disclosure is reasonable necessary:-

- where there is a serious and imminent threat to an individual's life, health, or safety (e.g. to assist in locating a missing person) or a serious threat to public health or public safety
- as required to establish, exercise or defend a legal claim

Hawthorne Clinic will not disclose personal information to any one outside Australia without need or without the patient's consent.

Can you remain anonymous or use a pseudonym when dealing with Hawthorne Clinic:

If you wish to remain anonymous or use a pseudonym when dealing with us we may be able to provide you only with a limited service.

Direct Communication Materials:

On occasion we may send you direct communications about our preventative health services that we consider may be of interest to you. For example we may send you an invitation to participate in our Respiratory Clinics, our Chronic Illness Care Plans, our co-ordinated Veterans' Care Program for eligible persons etc. We may send those communications by mail or phone. At any time, you may opt out of receiving these invitations from us by advising your doctor or our nurses.

Privacy and emails

Email communication with patients, other healthcare providers and third parties is undertaken with your signed consent. We use antivirus, anti-malware and anti-spyware on all our computers.

By providing us with your email address, you consent for us to contact you on this email and acknowledge that email is not a secure form of communication. As appropriate, our practice sends out pin protected documents via email. Passwords are set by the practice. Patients and other healthcare professionals are to call reception for those passwords to access the emailed document.

How does Hawthorne Clinic protect your personal information?

Whether your personal information is gathered through face to face interactions, via telephone, mail, fax, internet or any other method we take steps to store your information securely.

We take a number of steps to protect personal information from misuse, loss, unauthorised access, modification or improper disclosure. Information may be stored electronically or in hard copy form. All electronically stored files are password-protected on several levels and daily back-ups of data are performed. Personal information is destroyed or de-identified when no longer necessary. The exception to this is:

- if the personal information is contained in a Commonwealth record
- we are required by or under an Australian law or court/tribunal order to retain the information

All our employees are required to observe obligations of confidentiality in the course of their employment and all staff/contractors sign Confidentiality Agreements.

Accuracy of your information

Hawthorne Clinic endeavours to ensure accuracy of its information and we have processes in place to maintain that accuracy. If you believe that the personal information we hold about you is incorrect, incomplete or inaccurate please inform our staff when next you attend our practice or in writing to the Practice Manager, Hawthorne Clinic 3/171 Riding Rd Balmoral Qld 4171.

If, having regard to the purpose for which we hold the information we are satisfied that it needs correction, we will take reasonable steps to ensure that it is accurate, up-to-date, complete, relevant and not misleading. Our practice will notify other entities that have been provided with the personal information of any corrections if the individual requests that notification.

How you can access your personal information

You may request access to any personal information we hold about you at any time by contacting us and we will try to provide you with suitable means of accessing it. We may charge you a fee to cover our administrative and other reasonable costs in providing the information to you however there will be no charge for requesting the information.

There may be instances where we cannot grant you access to the personal information we hold, however this will be done in accordance with our obligations under the Privacy Act.

For example, we may need to refuse access if granting access would

- interfere with the privacy of others,
- or giving access would be unlawful,
- or where denying access is required or authorised by an Australian law or a court order
- or if it would result in a breach of confidentiality.

For example, access can be denied if letting a patient see their records would

- pose a serious threat to the patient's life or health,
- or the life or health of someone else such as a relative, the health provider, staff or other patients.

The threat may not need to be imminent but can occur sometime after access is granted.

How long are medical records kept?

Hawthorne Clinic keeps health information for a minimum of 7 years from the date of last entry in the patient records unless the patient is/was a child in which case the record is kept until the patient attains or would have attained 25 years of age.

Can I transfer my medical records to a new medical practitioner?

Patients have the right to attend the medical practitioner of their choice and are free to leave a practice and attend another if they wish.

How do I arrange this?

There is a professional obligation for a medical practitioner to provide a new treating medical practitioner with all of the information that they need to take over a patient's care.

This is usually done by the patient completing an "Authorisation for transfer of Medical Records" form. A summary or copy of the file is then sent to the new medical practitioner.

A patient may also arrange a transfer of medical information by asking their new medical practitioner to arrange the transfer. The patient will still have to sign an "Authority to Transfer Medical Records" with the new practitioner.
For medico-legal reasons, our practice retains the original record.

Can the doctor charge for the handing over of medical records?

A reasonable fee to cover administrative costs and postage may be charged for the transfer to the new practitioner especially if the patient's file is long and/or complex.

How can you contact us about privacy?

You can contact us to:

- seek more information about anything contained in this policy, or to request a copy of this policy
- update or correct your personal information
- opt out of receiving direct communication material
- ask about accessing or correcting the personal information we hold about you
- make a privacy -related complaint.

In one of the following ways:

- by phone tel. (07) 3399 5444, using 3 different identifiers (e.g. Name, Date of birth, address, Medicare No.)
- by fax. (07) 3395 6757, using 3 different identifiers (e.g. Name, Date of birth, address, Medicare No.)
- in person with ID
- by mail to Hawthorne Clinic, 3/171 Riding Rd Balmoral Qld 4171, using 3 different identifiers as above

What should I do if I have a complaint about my privacy?

If you have any questions about this privacy policy, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please contact us.

We will treat your requests or complaints confidentially. We will aim to address and ensure your complaint is resolved in a timely and appropriate manner.

To raise any concerns you might have in relation to privacy or this policy, please contact us via:

The Practice Manager/Privacy Officer
Hawthorne Clinic
3/171 Riding Rd Balmoral Qld 4171

We take privacy-related complaints very seriously and consider all complaints carefully as part of our commitment to being open, honest and fair in dealing with your concerns.

Changes to our privacy policy

We have the right to change the Privacy Policy at any time. It will be reviewed to take note of any changes to laws and technology or changes to any of our procedures and to make sure it remains appropriate to the changing environment.

You can contact us about obtaining a copy of this policy at any time. This policy was reviewed in 2024

For more information about the new Australian Privacy Principles contact:

The Office of the Australian Information Commissioner
Telephone 1300 363 992
Website: www.oaic.gov.au
Email: enquiries@oaic.gov.au
Mail: GPO Box 2999, Canberra, ACT 2601.