

South Pacific Private Privacy Policy

1 Policy statement

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

SPP 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 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 SPP may collect about you and how that information is held;
- (b) how SPP collects and holds personal information;
- (c) the purposes for which SPP collects, holds, uses and discloses personal information;
- (d) how you can access the personal information SPP 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 SPP and how SPP 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;

3 Collection and use of personal information

3.1 Types of personal information collected by SPP

SPP 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/clients/research participants

SPP 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

SPP 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

SPP 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.

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;

where:

- (d) you have consented to such collection;
- (e) such collection is necessary to enable us to provide you with appropriate health care services (such as in the case of emergency medical treatment);
- (f) 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
- (g) it is legally permissible for us to do.

3.3 How SPP uses your personal information

Pursuant to applicable privacy laws SPP only uses your personal information for the purpose for which it was collected by SPP (**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 SPP 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) SPP is required or authorised by law to use your personal information for a secondary purpose (including for research and quality improvements within SPP).

For example, SPP 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 our 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;

3.4 Complete and accurate details

Where possible and practicable, you may have the option to deal with SPP 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

SPP uses camera surveillance systems (commonly referred to as CCTV) for the purposes of maintaining safety and security of its clients, personnel, visitors and other attendees. Those CCTV systems may also collect and store personal information and SPP will comply with all privacy legislation in respect of any such information.

4 Disclosing your personal information

4.1 Disclosures

SPP 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 SPP, 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 SPP under arrangements with those agencies;
- (c) government departments responsible for health, where SPP is required to do so, including uploading documents to MHR, unless you have opted out;
- (d) third parties contracted to provide services to SPP, such as entities contracted to assist in accreditation or survey processes;
- (e) research institutions with which SPP collaborates;
- (f) private health insurance providers and Medicare Australia;
- (g) your employer and workers compensation insurers where you have consented to us corresponding with them such as in relation to a workers compensation claim;
- (h) a motor accidents authority as required by law or where you have consented to us corresponding with them;
- (i) legal advisors, the Health Care Complaints Commission NSW (if applicable);
- (j) anyone authorised by you to receive your personal information (your consent may be express or implied);
- (k) anyone SPP is required by law to disclose your personal information to.

5 Data storage, quality and security

5.1 Data quality

SPP 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 SPP 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

SPP 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. SPP reviews and updates (where necessary) its security measures in light of current technologies, including cloud based systems.

5.4 Online transfer of information

While SPP 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 SPP 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 SPP) 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 SPP has established a Data Breach Action Plan that details how SPP 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 Action 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 SPP executives are required to familiarise themselves with the Data Breach Action 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 SPP 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 SPP.

Cookies can facilitate a user's ongoing access to and use of a website. Cookies allow SPP 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 SPP website.

8 Links to other sites

SPP may provide links to third party websites. These linked sites may not be under our control and SPP 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 SPP 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 SPP aims to meet all requests for access to personal information, in a small number of cases and where permitted to do so by law, SPP 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. SPP will consider and formally respond to any such request.

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

You can contact SPP about any privacy issues as follows:

South Pacific Private - The Privacy Officer

Address: 24 Beach Street, Curl Curl. NSW 2096

Phone: (02) 9905 3667

Email: info@southpacificprivate.com.au

10 Complaints

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

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

SPP aims to deal with all complaints in a fair and efficient manner.