



Privacy Policy 0.21

ACHA Health
ACN 144 840 639
(Company)
April 2021

1. Privacy Policy

1.1 Overview

Adelaide Community Healthcare Alliance Incorporated (ABN 99 367 793 956) (**ACHA, we, us or our**) is committed to protecting the privacy of your personal information in accordance with the *Privacy Act 1988 (Cth)* (**Privacy Act**) and the *Australian Privacy Principles* contained in the Privacy Act.

ACHA is the largest private hospital group in South Australia [and incorporates Ashford Hospital, Flinders Private Hospital and The Memorial Hospital]. Operating within its proud community-based and not-for-profit tradition, it provides a wide range of high quality healthcare services through its various acute medical, rehabilitation, surgical and obstetric hospitals, including those hospitals which are managed and operated by third parties on its behalf. We believe in the provision of quality healthcare for our patients, which includes handling your personal information in a lawful and safe way.

This privacy policy (**Policy**):

- (a) describes how we handle your personal information;
- (b) explains how we collect, use, disclose, store and protect your personal information;
- (c) describes how you can access or correct the personal information we hold about you; and
- (d) provides details of how you can make a complaint about how we have handled your personal information.

The personal information ACHA collects, and the ways in which ACHA uses and discloses that personal information, depends on the manner in which you engage with us (i.e. this will vary, depending on whether, for example, we are engaging with patients job applicants, our service providers, carers or emergency contacts of a patient).

1.2 Key terms which are used in this Policy

A number of key terms are used throughout this Policy, including:

Personal information, being information or an opinion about an individual that is identified, or could reasonably be identified, regardless of whether the information or opinion:

- (a) is true or not; and
- (b) recorded in a material form or not.

Sensitive information, being a subset of personal information that is:

- (a) information or an opinion (that is also personal information) about an individual's:
 - (i) racial or ethnic origin;
 - (ii) political opinions;
 - (iii) membership of a political association;
 - (iv) religious beliefs or affiliations;
 - (v) philosophical beliefs;
 - (vi) membership of a professional or trade association;

- (vii) membership of a trade union;
- (viii) sexual orientation or practices; or
- (ix) criminal record;
- (b) health information about an individual;
- (c) genetic information (that is not otherwise health information);
- (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- (e) biometric templates.

Health information, being a subset of sensitive information which includes:

- (a) information or an opinion, that is also personal information, about:
 - (i) an individual's health or their disability (at any time);
 - (ii) an individual's expressed wishes about the future provision of health services to them; or
 - (iii) a health service provided, or to be provided, to an individual;
- (b) other personal information which is collected to provide, or whilst providing, a health service;
- (c) other personal information about an individual collected in connection with their actual or intended donation of body parts, organs or body substances; or
- (d) genetic information about an individual in a form that is, or could be, predictive of their health or the health of a genetic relative of the individual.

1.3 Can you deal with us anonymously or use a pseudonym?

Where it is lawful and practicable to do so, you can deal with us anonymously or by using a pseudonym (for example, if you are enquiring about our services generally). However, in certain circumstances, it will be impracticable for us to deal with you if you have not identified yourself. For example, if you are a patient, it is not always practicable for you to be treated on an anonymous basis or for you to use a pseudonym, because this would prevent us from being able to treat you appropriately, and/or ensure you receive Medicare benefits or private health insurance benefits for the services you receive.

1.4 Summary of Policy

If you would like to read a summarised version of how we handle your personal information, please read the summary of our privacy policy which is available at www.acha.org.au.

2. What kinds of personal information does ACHA collect and hold?

We will only collect the information needed for you to engage or deal with us.

The personal information we collect from you will depend on the way in which you are engaging with ACHA. For example:

- (a) if you are a patient, we will collect your personal information so that we can provide health services and other services to you. This could include your:
 - (i) name, address (postal and email) and telephone numbers;
 - (ii) date of birth and place of birth;
 - (iii) medical history and other health information;
 - (iv) gender;
 - (v) marital status;
 - (vi) occupation;
 - (vii) next of kin;
 - (viii) payment information (e.g. credit card details);
 - (ix) health insurance or health fund details;
 - (x) Medicare or concession card details;
 - (xi) workers' compensation or other insurance claim details;
 - (xii) your religion (if any);
 - (xiii) if you identify as an Aboriginal or Torres Strait Islander person; and / or
 - (xiv) other information necessary for our functions and activities; and
- (b) if you are applying for a position at ACHA, or applying to provide services or conduct a work / clinical placement, we will collect personal information to determine if you are the right person for the position. We may collect sensitive information from you in these circumstances. For example, if you are a job applicant, contractor, student or service provider, we may collect details from a police check, working with children check or health information, depending on how you are engaging with us;
- (c) you are not required to disclose your personal information to us. However, if you do not provide the information requested:
 - (i) if you are a patient, we may not be able to provide you with appropriate services or treatment, or provide you with relevant information regarding our services; or
 - (ii) if you are another person engaging with us, we may not be able to work or transact with you.

3. How do we collect and hold your personal information?

3.1 Collection directly from you

We will collect personal information directly from you when it is practical to do so. For example, this might be via a face to face discussion, telephone conversation, registration form or online form.

3.2 Collection from a third party

Sometimes we may need to collect personal information about you from someone else. We will only do this with your consent, or where it is unreasonable or impracticable to obtain this information directly from you and the collection of that information from a third-party is otherwise permitted by the Privacy Act.

For example:

- (a) if you are applying for a position with ACHA, we may contact your referee and collect personal information about you from them; and
- (b) if you are a patient, we may need to collect your information from your GP, other health service providers, or a family member, where there is a serious threat to your life / safety and you cannot provide consent. Some examples of third parties from whom we may collect your personal information are provided below.

To provide care and services, sometimes we need to collect your personal information from:

- (a) a responsible person or representative (e.g. guardian, authorised representative or legal advisor);
- (b) your other health service providers (including hospital operators, other hospitals and specialist clinics);
- (c) your GP or another health professional who has treated you;
- (d) your insurer;
- (e) your family; or
- (f) other sources, where this is required to provide our services (e.g. pathology labs or other diagnostic centres).

Unless you have opted out of the My Health Record system, we may also collect your personal information from this system. We will only collect your personal information from this system according to the access controls you have set. You can change the access controls in the My Health Record system if you do not want us to access your personal information from the system.

Other groups of people we collect personal information from include:

- (a) emergency contacts;
- (b) job applicants;
- (c) referees for job applicants;
- (d) health service providers;
- (e) other service providers;
- (f) contractors; and / or
- (g) students.

3.3 Notifying you about the collection

When we collect your personal information, we will take reasonable steps to notify you of the details of the collection (including notifying you through this Policy), such as:

- (a) the purposes for which the information was collected;
- (b) the organisations (if any) to which the information will be disclosed; and
- (c) our contact details for you to access or correct your information, or raise any complaints.

3.4 ACHA's website

You can generally interact with us via our website anonymously.

Our servers will collect the following details:

- (a) the date and time you visited our website;
- (b) our pages and/or documents that you visited;
- (c) your computer address;
- (d) your top-level domain name (e.g. .au or .com etc.); and
- (e) the browser you are using.

Personal information will not be collected through our website without your consent. If you provide your personal information through our website, for example through filling out an online form or applying for a position, this Policy will apply to the handling of your personal information.

We use cookies. Cookies are small data files which are stored on your device's browser. They allow us to interact more effectively with your device. Cookies will not identify you, but they do identify your ISP (internet service provider) and browser type. We do not collect personal information through cookies. You can choose whether to allow cookies through your browser settings. However, some functions on our website may not work if you disable cookies.

If we provide links to other organisations' websites, we are not responsible for the content, privacy practices or privacy policy of the other organisations.

3.5 Holding personal information

We store personal information in both paper and electronic form.

The security of personal information is important to us. We take reasonable steps to protect this information from misuse, interference and loss, and from unauthorised access, modification or disclosure.

Some of the ways we do this include:

- (a) requiring our staff to maintain confidentiality;
- (b) implementing document storage security;
- (c) imposing security measures for access to our computer systems;
- (d) providing a discreet environment for confidential discussions;
- (e) using secure third-party storage providers for physical records; and

- (f) requiring that people meet our identification requirements before they can access their personal and health information.

We keep your personal information for the time periods required by law. After this time, we securely de-identify or dispose of the information.

4. Why does ACHA collect, hold, use and disclose your personal information?

4.1 Purpose of collection and holding

We may collect personal information from you so that we can provide services to you (if you are a patient) or to manage our relationship with you (if you are a person other than a patient), or where this is otherwise necessary for our functions or activities.

In particular, if you are a patient, we may collect and hold your personal information:

- (a) to provide you with health services and other services;
- (b) to provide you with information regarding our services;
- (c) to arrange billing for our services; or
- (d) to obtain your consent to the above services and activities.

4.2 Purpose of use

We will generally only use your personal information for the main purposes for which you have provided it to us.

If you have consented to the use of your personal information for a different purpose, we will use your information for that purpose.

We may also use your personal information for purposes which are directly related to the main purpose for which we collected your information, in circumstances where you would reasonably expect us to use your information for these purposes.

How we use your personal information will depend on why you are dealing or engaging with ACHA, and in what capacity. For example:

- (a) if you are a patient, we will generally only use your personal information to provide the following services to you:
 - (i) care purposes:
 - (A) to understand and assess your health and other needs;
 - (B) to obtain, analyse and discuss test results from diagnostic and pathology laboratories;
 - (C) to communicate with you in relation to the health service being provided to you;
 - (D) to provide you with health services and other services; and / or
 - (E) to provide you with ongoing treatment options;

- (ii) feedback and improvement purposes:
 - (A) to request your participation in patient experience surveys to assess and improve our services to you, and to undertake those surveys where you do participate;
 - (B) to respond to your questions;
 - (C) to respond to feedback; and / or
 - (D) to address a complaint;
- (iii) financial, legal and regulatory purposes:
 - (A) to charge, bill, or process [Medicare or] health insurance claims, and enable health insurance funding;
 - (B) to collect debts;
 - (C) to comply with quality assurance or clinical audit activities;
 - (D) to undertake accreditation activities; and / or
 - (E) to enable our hospitals, other facilities and our service providers to comply with their legal and regulatory obligations;
- (iv) My Health Record purposes:
 - (A) the Australian Government's My Health Record system provides an online summary of a person's health information. We may access and use your My Health Record information, in accordance with the access controls that you have set for the system, so that we can provide you with health services (note, you may opt out of the My Health Record system. If you have not opted out of the My Health Record system, and you do not want us to access your My Health Record, you must modify the access controls you have set; and / or
- (v) other purposes:
 - (A) to communicate with you about our services, events, offers and the various options available from our hospitals and other facilities;
 - (B) to ensure the health and safety of our staff and people who use our services or attend our facilities;
 - (C) to verify your identity; and / or
 - (D) for research, including clinical trials, where you have consented or this is otherwise permitted by privacy laws (including the Privacy Act and APPs); and
- (vi) if you are a person other than a patient (such as a service provider), we may use your personal information to manage our relationship with you. For example to:
 - (A) contact you to respond to your enquiries;
 - (B) communicate with you about our services, events, offers and the options available from our hospitals and other facilities;

- (C) manage our relationship with you and/or transact with you (for example, if you are a service provider);
- (D) verify your identity;
- (E) ensure the health and safety of our staff, patients and people who use our services or attend our facilities;
- (F) respond to feedback;
- (G) enable us and our other service providers to comply with their legal and regulatory obligations; and / or
- (H) undertake research, where you have consented or this is otherwise permitted by the privacy laws.

We may also use your personal information if we are required or authorised by law to do so, including:

- (a) for funding, management, planning, monitoring improvement or evaluation of health services, or the training of staff, where we take all reasonable steps to de-identify that information; or
- (b) where it is unreasonable or impracticable to obtain your consent and the use of your personal information is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety.

4.3 Purpose of disclosure

We will generally only disclose your personal information to other persons for the main purposes for which you have provided it to us.

For example:

- (a) if you are a patient, we will generally only disclose your personal information to other health professionals and health service providers for the continuation of your healthcare. Examples of people to whom a patient's personal information might be disclosed includes:
 - (i) health professionals, health service providers, hospitals, treatment centres, diagnostic centres, pharmacies, and other organisations who are involved in your care, treatment or diagnosis, but only to the extent this is necessary for them to provide you with your care, treatment or diagnosis (if you tell us you do not wish for your personal information to be disclosed to a particular health professional or organisation, we will not do so without your consent);
 - (ii) a responsible person (e.g. parent, guardian, spouse), if you do not have capacity or cannot communicate. Sometimes we need to tell a responsible person about your health so they can consent to treatment on your behalf;
 - (iii) your close family. Unless you have told us not to, we may give your close family some general information about your health. For example, about your recovery after surgery or treatment;
 - (iv) insurers, including your private health insurers or our insurer. Some insurers may be located interstate or overseas;

- (v) government and regulatory bodies such as Medicare, the Office of the Australian Information Commissioner (for example, if you make a privacy complaint) or State or Territory statutory health bodies, as necessary;
 - (vi) our legal representatives, for example, in connection with any legal claim or complaint which relates to you;
 - (vii) researchers, academic institutions and government agencies, for research purposes, including clinical trials, but only with your consent or where otherwise permitted by privacy laws, including the Privacy Act and APPs;
 - (viii) the Australian Government's My Health Record system. Unless you have opted out of the My Health Record system, we may upload your personal information to this system; and / or
 - (ix) providers of goods, services or facilities we have engaged with from time to time, in connection with our health services. For example, pathology services or a company that makes and supplies medical devices. Some of these providers and facilities are located interstate or overseas; and
- (b) if you are a person other than a patient (such as a service provider), we may disclose your personal information to manage our relationship with you. Depending on how you are dealing with us, we may need to disclose your personal information to third parties, including:
- (i) our insurers and legal representatives;
 - (ii) ACHA's related bodies corporate; or
 - (iii) other third parties relevant to the service relationship.

We may otherwise disclose your personal information:

- (a) for other purposes for which you have provided consent;
- (b) for purposes which are directly related to the primary purposes for which the information was collected, in circumstances where you would reasonably expect us to disclose your information for these purposes; and / or
- (c) where we are required or authorised by law to do so, for example:
 - (i) where disclosure is necessary to comply with our legal obligations, such as mandatory notification of communicable diseases or other mandatory reporting to relevant authorities under applicable laws; or
 - (ii) where it is unreasonable or impracticable to obtain your consent and we reasonably believe that disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety.

4.4 Marketing

We will only disclose your personal and health information to third parties for the purposes of marketing and promotional activities, with your consent.

5. How can you access the personal information that ACHA holds about you and / or seek the correction of that information?

5.1 How can you access your personal information?

You can request access to the personal information that we hold about you, by contacting us on our contact details provided below.

If you request access to your personal information, we will need to confirm your identity. We may ask you to complete a request for access form.

We will generally respond to your request within 30 days. If we grant access to your personal information, we will try to provide it in the form that you have requested. If that is not possible, we will provide a different means to access the information or discuss how access can be given through alternative means.

We may charge a fee for collating and providing access to personal information in accordance with applicable laws.

If you have provided us with authority, we can give your authorised representative or lawyer access to your personal information.

In certain circumstances, we may refuse to allow you access to your personal information where this is authorised by the law. For example, where providing access would have an unreasonable impact on the privacy of other individuals, providing access would pose a serious threat to the life or health of any person or to public health or safety, or giving access would be unlawful.

If we refuse your request for access, we will advise you in writing of our reasons for the refusal. We will also explain how you can complain if you are not satisfied with our reasons.

5.2 Correcting your personal information

We take all reasonable steps to ensure that the personal information we handle is accurate, complete, up-to-date, relevant and not misleading. These steps include undertaking audit processes for the health information we hold.

You have a right to request the correction of personal information we hold about you.

You can request correction at any time by contacting us on our contact details provided below.

We will take reasonable steps to correct the personal information we hold if we are satisfied it is inaccurate, incomplete, out of date, irrelevant or misleading.

The accuracy of information we hold also depends on the quality of the personal information provided to us. To help us ensure the accuracy of your personal information, we ask that you please:

- (a) let us know if there are any errors in your personal information; and
- (b) update us with changes to your personal information (e.g. name and address).

You can do this by contacting us by mail or email using our contact details provided below.

Sometimes we may refuse a request for correction. If this happens, we will let you know in writing of our reasons for the refusal. We will also explain how you can complain if you are not satisfied with our reasons.

6. How can you contact us?

6.1 Contact information and complaints

If you:

- (a) have any questions about privacy, this Policy or the way we manage your personal information;
- (b) believe that we have breached your privacy rights and wish to make a complaint or raise a concern; or
- (c) wish to correct or seek access to your personal information, please contact us on any of the following details :

Email: privacy.officer@acha.org.au

Phone: 08 8275 3333

In writing at:

CEO

Adelaide Community Healthcare Alliance Incorporated
1 Flinders Drive, Bedford Park SA 5042

6.2 How does ACHA deal with complaints?

A complaint should first be made in writing to ACHA.

Following ACHA being given a reasonable period of time to consider the complaint and respond, ACHA will respond to your complaint.

If, following receipt of ACHA's response, you are dissatisfied with ACHA's response to your complaint, you may:

- (a) escalate the complaint to the ACHA Executive Office by contacting them on 08 8275 3587; and / or
- (b) you can contact the Office of the Australian Information Commissioner via:

Website: www.oaic.gov.au

Phone: 1300 363 992

In writing:

Office of the Australian Information Commissioner
GPO Box 5218, Sydney NSW

6.3 Do we disclose your personal information interstate or overseas?

We operate and communicate with organisations throughout Australia and overseas. Therefore, some disclosures may occur outside the State or Territory in which an individual is resident, and in some circumstances, outside Australia.

For example:

- (a) it may be necessary to disclose your personal information to persons or organisations interstate or overseas to provide you with ongoing care and treatment (for example, where a referral is made to a health professional located interstate); and / or
- (b) some insurers may be located interstate or overseas.

[We will only disclose your personal information interstate or overseas if:

- (a) you have provided your prior consent, and the receiving person or organisation is subject to a law, binding scheme or binding contract that provides substantially similar protection to the APPs which you can access and enforce; or
- (b) if the disclosure is otherwise required or authorised by law.

If your personal information is disclosed overseas, we will take reasonable steps to ensure that interstate and overseas recipients of personal information do not breach the APPs. These steps may include ensuring the receiving person or organisation is subject to a law, binding scheme or binding contract that provides substantially similar protection to the APPs which you can access and enforce and requiring that the recipient has appropriate information security protections in place.]

6.4 Changes to this Policy

ACHA regularly reviews and updates this Policy to ensure that it reflects our information handling practices. We will make available, free of charge, the current version of this Policy on our website at www.acha.org.au. Printouts of the Policy are able to be made available, on reasonable request. Any changes to our Policy will take effect at the time of publishing. You should review this Policy regularly and remain familiar with its terms.

Last updated: April 2021