
		TITLE: Privacy Policy	
Document Type:	Policy	Approved by:	Board of Directors
Department:	Chief Executive (Office of)	Section:	No Department - Policy
Author/Prepared by:	Cathy Dooling	Position:	Manager, Information Services

POLICY STATEMENT:

1. GV Health is committed to the protection of personal privacy of its patients, staff and other customers/consumers.
2. The Privacy Principles as detailed in the Health Records Act 2001 (Vic) and the Information Privacy Act 2000 (Vic) direct the management of all information in this organisation.
3. GV Health is aware of both the legal and moral obligation to maintain the confidentiality of information relating to patients, clients, residents, staff employees, visitors and volunteers. The hospital maintains the privacy of personal information through the privacy framework outlined in this policy.
4. Privacy refers to a person’s right to keep certain information confidential. Privacy legislation requires that any person working in the health sector and entrusted with information as part of their professional duties treat personal information, such as patient records and employee files in accordance with the Health Records Act 2001 (Vic) and the Information Privacy Act 2000 (Vic).
5. Information shall only be released according to the appropriate legislative requirements.

PRINCIPLES:

1. Information privacy incorporates safeguards for all personal information recording and handling activities including the collection, storage, access, transmissions, disclosure, use and disposal of personal information in any form or medium.
2. The Information Privacy Principles (IPPs) and Health Privacy Principles (HPPs) set out principles which guide the way in which personal and health information must be gathered, used and stored. The principles cover:
 - **Collection:** An agency must not collect health or personal information unless it is necessary.
 - **Use and Disclosure:** An agency must not use or disclose personal or health information for a purpose other than the primary purpose.
 - **Data Quality:** Agencies must take reasonable steps to ensure that the personal or health information it collects, uses or discloses is accurate, complete and up to date.
 - **Data Security:** Agencies must take reasonable steps to protect the information it holds from misuse, loss, unauthorised access, modification or disclosure.
 - **Openness:** Agencies must set out in a document clearly expressed policies on its management of personal or health information, which should be available to anyone who asks for it.
 - **Access and Correction:** An agency that holds personal or health information must provide individuals with access to their information. This may be via a Freedom of Information request.
 - **Unique Identifiers:** Agencies should not apply unique identifiers to individuals unless it is reasonably necessary to enable to agency to perform its duties.
 - **Anonymity:** Wherever lawful and practicable, individuals must have the option of not identifying themselves.
 - **Transborder data flows:** If personal or health information leaves Victoria, the same privacy protections are owed by the agency to the individual/s.

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- **Personal Information only-** Sensitive Information: Organisations must not collect sensitive information unless under certain circumstances (e.g. with consent, as required by law, to prevent harm).
- **Health Records only-** Transfer or Closure of Practice of Health Service Provider: Agencies have specific information management requirements in this circumstance.
- **Health Records only -** Making Information Available to Another Health Service Provider: Health Service Providers must share health information with other Health Service Providers upon individual's request

DEFINITIONS:

Collection	Refers to gathering information from an individual either verbally or written (via forms) for a particular purpose.
Consent	Refers to the voluntary agreement of the individual or the individual's authorised representative regarding a proposed action. It can be either express or implied.
Disclosure	Refers to release or passing on of an individual's information to an organisation outside of GV Health.
Expressed consent	Is provided explicitly, either orally or in writing. It is unequivocal and does not require any inference on the part of the organisation seeking consent.
Implied consent	Arises where consent may be reasonably inferred from the action or inaction of the individual. An individual could be a staff member, patient, visitor or contractor.
Personal information	Is factual data or opinion about an individual who may be identified, directly or indirectly, by the material. It can be in any medium including electronic or paper records, video or audio recordings, clinical photography, x-rays, pathology samples, etc.
Primary Purpose	Is the main reason the individual would expect their information to be used. For patients, that is attending hospital and being treated for a particular condition or health service. It would be understood that the collection of information is to be used for this purpose.
Secondary Purpose	is the use of the information that may or may not be apparent to the individual at the time of collection. For example, using patient records to conduct a research project or using a patient's clinical photograph to promote a new treatment option. These secondary purposes are not necessary for providing the original care and treatment of the patient.

OBJECTIVES:

1. The Privacy Policy and related procedures incorporate safeguards for all personal information recording and handling activities including the collection, storage, access, transmission, disclosure, use and disposal of personal information in any form or medium.
2. GV Health will fulfil its legislative obligations under the Health Records Act, The Information Privacy Act and the Freedom of Information Act and others.

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3. GV Health staff are educated in their responsibilities for privacy of information collected by this organisation.

KEY ALIGNED DOCUMENTS:

GV Health Policies:

- [Knowledge and Information Management](#)
- [Clinical Record Management](#)

GV Health Procedure:

- [Corporate Records](#)

KEY LEGISLATION, ACTS & STANDARDS:

- Health Records Act 2001
- Adoption Act 1984
- Privacy and Data Protection Act 2014
- Children, Youth and Families Act 2005
- Public Records Act 1973
- Disability Act 2006.

REFERENCES:

DHHS – Privacy and information security guideline for funded agency staff – Sept 2017

Barwon Health – Privacy Policy

Contributors to the document

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Committee/s	Information & Systems Advisory Committee – 38 February 2020 Board of Directors - 26 May 2020		