

# NORTHERN QUEENSLAND PRIMARY HEALTH NETWORK

## *Integrated Management System*



### Privacy Policy

Document No.: **CORP-PLY03**

Revision	Date	Comment	Owner	Checked by	Approved by
1	November 2017	New Policy	Chief Financial Officer	Nomination Committee	Board

## 1 PURPOSE

The purpose of this policy is to ensure that Northern Queensland Primary Health Network (NQPHN) collects, uses, discloses, and administers personal and health information in accordance with the *Commonwealth Privacy Act 1988* (Privacy Act) and associated Australian Privacy Principles (APPs).

This policy, including Appendix A, is designed to comply with the specific requirements of the Privacy Act.

## 2 TERMS AND DEFINITIONS

Term	Definition
<b>Australian Privacy Principles</b>	Legally binding principles which are the cornerstone of the privacy protection framework in the Privacy Act. As contained in schedule 1 to the Privacy Act 1988.
<b>Personal information</b>	Any information or an opinion about an identified individual, or an individual who is reasonably identifiable whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not. As defined by section 6 of the Privacy Act 1988.
<b>Sensitive information</b>	A subset of personal information, and includes information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record, health information (see definition), genetic or biometric information, or biometric templates. As defined by section 6 of the Privacy Act 1988.
<b>Health information</b>	A subset of sensitive information, and includes information or an opinion about the health or a disability of an individual, an individual's expressed wishes about the future provision of health services to him/her, a health service provided, or to be provided, to an individual, personal information collected to provide, or in providing, a health service, other personal information about an individual collected in connection with the donation, or intended donation, by the individual of their body parts, organs or body substances or 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. As defined by section 6FA of the Privacy Act 1988.

## 3 SCOPE

Uncontrolled when in print form.

This Privacy Policy applies to all NQPHN workers, extending to board members, the executive, and contractors.

## 4 POLICY

NQPHN makes the commitment to undertake reasonable steps to implement the practices, procedures, and systems described in this policy that will ensure NQPHN complies with the Privacy Act and protect the privacy of personal and health information which the organisation collects, uses, discloses, and administers. NQPHN will implement practices based on the principles of openness and transparency when assisting individuals understand how their personal and health information is managed.

NQPHN recognises the rights of individuals to have their personal and health information administered in such a way as to make it secure and protected, and accessible to them upon request.

### 4.1 THE CHIEF EXECUTIVE OFFICER WILL:

- )] Ensure that there are sufficient resources applied to manage the privacy of personal information; and
- )] Ensure that privacy practices, policies, procedures, and systems comply with legislation and best practice, and are reviewed, communicated, relevant and appropriate to NQPHN.

### 4.2 NQPHN WILL:

- )] Ensure individuals are aware of NQPHN's Privacy Policy and its purposes;
- )] Where it is lawful and practicable to do so, allow individuals to provide information anonymously or using a pseudonym;
- )] Only collect personal information by lawful and fair means and if it is reasonably necessary for or related to one of NQPHN's functions or activities as defined in 6.1 of this policy;
- )] Only collect sensitive information, including health information if it is reasonably necessary for or related to one of NQPHN's functions or activities and with the consent of the individual;
- )] Provide individuals with a Privacy Collection Notice with information about why their personal or health information is being collected, how it will be used or disclosed, and how they can access it;
- )] Use or disclose information only for the primary purpose for which it was collected or a directly related secondary purpose if the individual would reasonably expect disclosure of information for this secondary purpose or where disclosure is authorised by law. For other uses NQPHN will obtain consent from the affected person;
- )] Take all reasonable steps to ensure the information that NQPHN collects is accurate, complete, up-to-date, and relevant for one of NQPHN's functions or activities;
- )] Take all reasonable steps to safeguard the information NQPHN collects and stores against misuse, loss, unauthorised access, and modification including the steps outlined in paragraph 6.5 of this policy;

- ) Ensure individuals are aware of their right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or out of date;
- ) Where information is no longer needed or required to be retained, to destroy records in accordance with legislative requirements;
- ) Only release personal information about a person with that person's expressed written permission, except where authorised or required by law; and
- ) Only release information of an individual to third parties where requested by the individual concerned.

## 5 ADHERENCE

All workers are responsible for complying with this policy. There is a range of consequences for breaches of this policy, and the appropriate disciplinary action will be taken in accordance with the *HR-PR08 Managing Unsatisfactory Performance Procedure*.

## 6 APPENDIX A: PRIVACY POLICY STATEMENT

### 6.1 PURPOSE FOR COLLECTING PERSONAL INFORMATION

NQPHN collects only the personal or health information necessary to allow the organisation to provide products and services and maintain relationships with clients whose information they hold. NQPHN's primary function is to assess and understand the health needs of the local region, and to engage service providers to provide health services within the local region.

We use personal information to:

- ) comply with legislative, regulatory and/or funding requirements;
- ) conduct quality assurance, improvement, clinical audit, and research activities in respect of the medical and allied health industry;
- ) engage service providers to provide health services;
- ) perform risk and probity checks in respect of contract management;
- ) oversee and undertake performance management of service providers;
- ) provide information about NQPHN products and services;
- ) perform administrative operations, including accounting, payroll, risk management, record keeping, archiving, systems development and testing;
- ) conduct marketing or client satisfaction research;
- ) develop, establish, and administer alliances and other arrangements with other organisations in relation to the promotion and use of related products and services;
- ) develop and identify products and services that may interest clients and staff; and
- ) tell clients about products and services that may be of interest to them.

### 6.2 TYPE OF PERSONAL INFORMATION COLLECTED

The type of personal information that NQPHN collects includes names, addresses, email addresses, phone numbers, position title and other identifying information. Health information may be collected by NQPHN directly or indirectly from service providers engaged by NQPHN to provide health services, during contract management.

NQPHN also collects data to provide broad advice to the government and industry. Data is combined and general statistics are generated. NQPHN produces several publications and will also collect data to monitor the use of these publications.

### 6.3 HOW PERSONAL INFORMATION IS COLLECTED

The main way that NQPHN collects personal information is when it is provided directly to us by an individual, or if it is given to us by a service provider.

NQPHN will record e-mail addresses only after direct receipt of a message or if collected directly from the individual. E-mail addresses will not be added to a mailing list, unless they have been provided specifically to subscribe to NQPHN's mailing list. Where individuals subscribe to NQPHN publications, their details are added to the NQPHN contact database.

Personal information collected by e-mail or electronic forms will be used only for the purpose for which it was provided and will not be disclosed without consent, except where authorised or required by law.

#### 6.4 ANONYMITY

Where it is lawful and practicable to do so, NQPHN will allow individuals to provide information anonymously.

An individual who chooses to access the services of NQPHN anonymously will be advised of any potential consequences resulting from their decision.

NQPHN will not preclude an individual from participating in the activities of the organisation, because they request anonymity.

#### 6.5 MANAGEMENT OF PERSONAL INFORMATION

NQPHN will take reasonable steps to ensure that its web environment, internal network, and databases are protected from unauthorised access using current technologies. This includes:

- )] Undertaking regular assessments of security measures, and assessing the risk of misuse, interference, loss and unauthorised access, modification, or disclosure of that information;
- )] Implementing appropriate steps to minimise any risks to security that have been identified;
- )] Conducting regular reviews to ensure these steps have been implemented appropriately.

NQPHN will store personal and health information on secure servers that are protected in controlled facilities.

#### 6.6 USE AND DISCLOSURE OF PERSONAL INFORMATION

NQPHN may, from time to time, use and disclose personal information to related companies, agents or contractors who provide products and services to NQPHN or on behalf of NQPHN. In dealing with these agents or contractors, NQPHN ensures that the information provided is disclosed only for the purpose for which it was collected.

Subject to law, the types of third parties NQPHN may disclose personal information to include:

- )] NQPHN's agents, contractors, and external advisers;
- )] other organisations with whom NQPHN has alliances or arrangements for the purpose of promoting respective products and services, provided that such use would be expected by the individual concerned and provided there is an easy way for an individual to opt out of receiving further information from the third party;
- )] Commonwealth and State government agencies and other funders; and
- )] external payment systems operators.

Health information will not be used for a secondary purpose unless the use or disclosure is required or authorised under law, a person has consented to the use or disclosure of their health information for the secondary purpose, for the use of research (de-identified data) or the use or disclosure is otherwise permitted by the Privacy Act.

## 6.7 TRANSBORDER DATA FLOWS

NQPHN will only transfer personal information about an individual to someone who is in another State or foreign country if:

- ) the individual consents to the transfer;
- ) the recipient is bound by legislation that is substantially similar to the Privacy Act; or
- ) NQPHN is reasonably sure that the information will not be held, used or disclosed inconsistently with the privacy principles set out in the Privacy Act.

## 6.8 ACCESS TO INFORMATION

Individuals may request access or corrections to their own personal or health information held by NQPHN by writing to the Privacy Officer at NQPHN, PO Box 7812, Cairns City, QLD, 4870. Alternatively, you can call 1300 PRIMARY.

## 6.9 COMPLAINTS HANDLING

Any complaints in relation to NQPHN's handling of personal information should be directed to [hello@primaryhealth.com.au](mailto:hello@primaryhealth.com.au), or NQPHN, PO Box 7812, Cairns City, QLD, 4870. Alternatively, you can call 1300 PRIMARY.

Unless a complaint can be dealt with immediately to the satisfaction of both parties, NQPHN will provide a response to the complainant within 14 days of the complaint being received.

If an individual believes the complaint has not been appropriately handled by NQPHN, they should contact the Office of the Australian Information Commissioner using their online Privacy Complaint Form at <https://www.oaic.gov.au>.