

Peter Yorke Building, Level 3  
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## Privacy Policy and Health Information Policy

The Royal Australian College of General Practitioners (RACGP) Standards for General Practice 5<sup>th</sup> Edition states:

C6.3A: Our patients are informed of how our practice manages confidentiality and their personal health information.

C1.1A: Our patients can access up-to-date information about the practice.

C6.3B: Our patients are informed of how they can gain access to their health information that we hold.

## Purpose

The Know You Co (TKYC) is committed to protecting the privacy and confidentiality of personal information of our patients, in accordance with the Australian Privacy Principles (APPs) as outlined in the Privacy Act 1988. This policy and procedure also provides information as to how TKYC handles personal information of our patients and individuals associated with the Practice.

## Scope

This policy applies to all staff of The Know You Co (TKYC) and all patients.

## Why does TKYC collect, use, hold, and share a patient's personal information?

TKYC needs to collect personal information in order to provide healthcare services to the patient. This is the main purpose for collecting, using, holding, and sharing a patient's personal information. The Practice may use this information for directly related business activities – such as financial claims to Medicare, collecting payments from third parties, practice audits, Accreditation cycles, and for other business processes (such as staff training).

## Why and when Patient Consent is Necessary

TKYC requires informed patient consent when a New Patient registers with TKYC. In providing their consent, they allow their Practitioner(s) and Practice staff to access and use their personal information, so that TKYC can provide them with the best possible healthcare experience. Only staff that need to see the patient's personal information has access to it. If a situation arises in which the patient's information is needed for anything other than the main purpose of collecting, using,

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holding, and sharing (as listed above), the Practice team will always seek explicit and informed consent from the patient.

## Types of Personal Information TKYC Collects

TKYC collects personal information from patients to maintain accurate records. The following information is collected:

- The patient's name (legal and preferred), date of birth, address(es), and contact details including phone numbers and email addresses.
- The patient's Medicare number(s) and Healthcare identifiers for identification and claiming purposes.
- Medical information, including medical history, medications, allergies, adverse events, immunisations, social history, family history, risk factors, and other information as provided by the patient.

We may also collect personal information of individuals associated with patients, such as emergency contacts or authorised representatives, to facilitate communication and manage patient care effectively. The name and/or role of individuals accompanying patients into consultations will also be recorded, as referenced in TKYC's [Third Party in Consultation](#) policy and procedure.

## How does TKYC collect personal information?

TKYC may collect a patient's personal information in several different ways:

- When the patient first makes an appointment, staff will collect basic patient demographic information from the patient. Upon registering as a New Patient (completing the New Patient Form), further personal information is collected. By submitting the signed form to the Practice, the patient is giving the Practice consent to collect this information, and use it to treat the patient to the best of the Practice's abilities.
- During the course of providing medical services, the practice may collect further personal information. This may include, but is not limited to, medical records transferred with the patient's consent from other Practitioners (GPs and specialists), allied health practitioners, hospitals, lawyers, insurance companies, and other stakeholders.
- The Practice may also collect patients' personal information when a patient contacts the Practice via telephone, SMS, email, or in-person.
- In some circumstances, personal information may also be collected from other sources. Often, this is because it is not practical or reasonable to collect it from the patient directly. This may include information from:
  - The patient's guardian or responsible person, if the patient is under the medical age of consent (14 years old), or unable to provide the information themselves and has provided explicit and informed consent.

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- Other involved healthcare providers, allied health professionals, hospitals, community health services and pathology/diagnostic imaging services.
- Medicare or the Department of Veteran's Affairs, as necessary.

## When, why, and with whom does the Practice share a patient's personal information?

Sometimes, the Practice may share the patient's personal information:

- With third parties who work for the Practice for business purposes to provide healthcare services, such as Accreditation Agencies or Information Technology providers. These third parties are required to comply with Practice standards, confidentiality agreements, this policy, and other Privacy Principles / Laws as required by the ACT and Australia.
- With other healthcare providers that are involved in care of the patient,
- When it is required or authorised by law (e.g. court subpoenas),
- When it is necessary to lessen or prevent a serious threat to a patient's life, health or safety, or public health or safety, or it is impractical to obtain the patient's consent.
- To assist in locating a missing person,
- To establish, exercise, or defend an equitable claim,
- For the purposes of confidential dispute resolution process(es),
- When there is a statutory requirement to share personal information (e.g. some diseases require mandatory notification).
- In other cases as instructed by the patient.

## How TKYC Uses Personal Information

TKYC may use personal information to communicate with patients and relevant individuals regarding appointments, test results, follow-up care, and other health-related matters. This communication may be over email, phone, SMS, or in-person.

TKYC uses patient information, including Medicare details, to process billing and claims for healthcare services rendered at The Know You Co.

Aggregated and de-identified data may be used for internal quality improvement initiatives. This information will never be passed on to an external party.

## How does the Practice store and protect patient information?

A patient's personal information is stored through hard-copy and/or digital format. All virtual, cloud-based, and physical servers and workstations are protected by hardware and software devices,

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including but not limited to: firewalls, virus protection, anti-spyware, and are supported by a professional IT Service, with regular back-ups.

The Know You Co stores all personal information securely. Key IT infrastructures are located out of public areas and are locked at all times. Secure individual passwords are required to access patient data. All staff and third party professionals (IT companies, etc) have signed privacy and confidentiality agreements designed to prevent unauthorised entry to the clinical computer system, or the improper use of any data. Breaches of patient or practice privacy by staff members or third parties associated with TKYC are addressed with the utmost importance, resulting in formal disciplinary action, including possible termination of employment or associated services.

## Incident Response

In the event of a data breach or security incident, TKYC has established protocols to respond promptly, mitigate harm, and notify affected individuals and regulatory authorities as required by law. TKYC's Practice Manager is the employee responsible for notifying regulatory authorities, and follows approved frameworks (*RACGP – Managing Notifiable Data Breach in General Practice*) for determining when a breach requires notification.

## How can a patient access and correct personal information stored at the Practice?

In the Australian Capital Territory, the Health Records (Privacy and Access) 1997 guarantees that all patients in this jurisdiction have the right to access to, and correct, their personal information. TKYC acknowledges that patients may request access to their medical records. Patients are asked to put this request in writing, and the Practice will respond as soon as possible, but no longer than 30 days. The Practice will take reasonable steps to correct patients' personal information, where information is not accurate or up-to-date. From time to time, the Practice will ask patients to verify their personal information held by the Practice to ensure it is current and correct. Patients may request that information is corrected or updated at any time, via requesting this of their treating Practitioner, the Practice Manager, or the administration team.

## Sending Medical Records

If a patient would like to transfer a copy of their medical records to another Practice, or have a copy for themselves, they are required to complete a Transfer of Medical Records Form. As it is usual for requests of this nature to be sent electronically, patients are to understand that although TKYC takes reasonable care to send documents securely (including password protection), the Practice takes no responsibility for the improper use of a patient's personal health information by other parties in relation to this matter.

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## How can a patient lodge a privacy-related complaint, and how will the complaint be handled at the Practice?

TKYC takes complaints and concerns regarding privacy and confidentiality with the utmost seriousness. Patients should express any privacy or confidentiality concerns that they have in writing, or by contacting the Practice Manager. The Practice will attempt to resolve this concern in accordance with its resolution procedure. Please see the Practice's *Complaints Policy* for more information.

If the matter remains unresolved, the patient may also contact the OAIC via [www.oaic.gov.au](http://www.oaic.gov.au) or 1300 363 992. Depending on the nature of the complaint, it may be appropriate to lodge the complaint with the ACT Health Services Commissioner.

## Dealing with the Practice Anonymously

Patients have the right to deal with the Practice anonymously, or under a pseudonym, unless it is impractical for the Practice to address the concerns anonymously, or unless the Practice is required or authorised by law to deal with identified individuals.

## Privacy and TKYC Website

TKYC has one online website: [www.theknowyouco.com.au](http://www.theknowyouco.com.au). This website may collect technical data, such as IP addresses, browser information, or communication history for analytics and security purposes. TKYC does not have access to any of this information.

Patients are to be advised that limited personal information is provided to the Practice via the New Patient Self-Referral Form. Any information provided is optionally provided by the patient. Medical records, nor clinical details can be accessed via the website. No financial transactions can be processed via the website. Bookings and associated patient health information are conducted off-site using a third party plugin, and are covered by the booking provider's Privacy and Confidentiality policy.

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## Policy Compliance

All staff members are required to comply with this policy and adhere to the procedures contained herein. Failure to comply may result in disciplinary action, up to and including, termination of employment.

## Amendment and Review

The Know You Co reserves the right to amend, modify, or revoke this policy at any time, in whole or in part. Regular reviews will be conducted to ensure the policy continues to align with RACGP standards, and keeps up-to-date with current relevance and effectiveness.