A logo for an occupational therapy

Description automatically generatedPrivacy Policy

1. **Purpose and context**
   1. Driving Well Occupational Therapy is committed to ensuring the privacy and confidentiality of all personal information affiliated with Driving Well Occupational Therapy business undertakings.
   2. Driving Well Occupational Therapy follows the terms and conditions of privacy and confidentiality in accordance to the Australian Privacy Principles (APPs) as per schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth), forming part of the Privacy Act 1988 (‘the Act’).
   3. The purpose of this Privacy Policy is to clearly communicate how Driving Well Occupational Therapy collects and manages personal information.
   4. The point of contact regarding any queries regarding this policy is Jennifer Gribbin**,** Owner, Driving Well Occupational Therapy phone: 0407 671 621 Email: [jenny@drivingwell.com.au](mailto:jenny@drivingwell.com.au)
2. **Australian Privacy Principles**
   1. As a private sector health service provider and under permitted health situations, Driving Well Occupational Therapy is required to comply with the APPs as prescribed under the Act.
   2. The APPs regulate how Driving Well Occupational Therapy may collect, use, disclose and store personal information and how individuals, including Driving Well Occupational Therapy’s patients may:

* address breaches of the APPs by Driving Well Occupational Therapy;
* access their own personal information; and,
* correct their own personal information.
  1. In order to provide patients with adequate health care services, Driving Well Occupational Therapy will need to collect and use personal information. It is important to be aware that if the patient provides incomplete or inaccurate information or the patient withholds personal health information Driving Well Occupational Therapy may not be able to provide the patient with the services they are requesting.
  2. In this Privacy Policy, common terms and definitions include:

1. "personal information" as defined by the Privacy Act 1988 (Cth). Meaning "information or an opinion including information or an opinion forming part of a database, whether true or not, and whether recorded in a material format or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion"; and,
2. "health information" as defined by the Privacy Act 1988 (Cth). This is a particular subset of "personal information" and means:
3. Information or opinion about the health or disability (at any time i.e. past, present or future) of an individual that can be classified as personal information;
4. Information or opinion about an individual’s expressed wishes about the future provision of health services that can be classified as personal information;
5. Information or opinion about health service provided, or to be provided, to an individual, that can be classified as personal information;
6. Other personal information collected to provide, or in providing, a health service;
7. Other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or
8. 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.
9. Personal information also includes 'sensitive information' which is information including, but not limited to a patient’s:
   1. race;
   2. religion;
   3. political opinions;
   4. sexual preferences; and/or,
   5. health information.

Information deemed 'sensitive information' attracts a higher privacy standard under the Act and is subject to additional mechanisms for the patient’s protection.

1. **Types of Personal Information**
   1. Driving Well Occupational Therapy collects information from each individual patient that is necessary to provide the patient with adequate [insert discipline] services.
   2. This may include collecting information about a patient’s health history, family history, ethnic background or current lifestyle to assist the [insert discipline] team in diagnosing and treating a patient’s condition.
2. **Collection & Retention**
   1. This information will in most circumstances be collected directly from the patient through but not limited to the following mediums:

* Driving Well Occupational Therapy patient consent form;
* medical treatment form; referrals and or,
* face to face consultation.
  1. In other instances, Driving Well Occupational Therapy may need to collect personal information about a patient from a third-party source. This may include:
* relatives; or,
* other health service providers.
  1. This will only be conducted if the patient has provided consent for Driving Well Occupational Therapy to collect his/her information from a third-party source; or, where it is not reasonable or practical for Driving Well Occupational Therapy to collect this information directly from the patient. This may include where:
* the patient’s health is potentially at risk and his/her personal information is needed to provide them with emergency medical treatment.
  1. Driving Well Occupational Therapy endeavours to store and retain a patient’s personal & health information in an electronic record system stored on our practice server – Nookal practice management software and online shared drive (MS office suite).

1. **Purpose of Collection, Use, and Disclosure**
   1. Driving Well Occupational Therapy only uses a patient’s personal information for the purpose(s) they have provided the information for unless one of the following applies:

* the patient has consented Driving Well Occupational Therapy to use his/her information for an alternative or additional purpose;
* the disclosure of the patient’s information by Driving Well Occupational Therapy is reasonably necessary for the enforcement of criminal law or a law imposing a penalty or sanction, or for the protection of public revenue;
* the disclosure of the patient’s information by Driving Well Occupational Therapy will prevent or lessen a serious and imminent threat to somebody's life or health; or,
* Driving Well Occupational Therapy is required or authorised by law to disclose the patient’s information for another purpose.
  1. Health Professionals to provide treatment

During the patient’s treatment at Driving Well Occupational Therapy he/she may be referred to alternative medical treatment/services (i.e. pathology or radiology) where Driving Well Occupational Therapy’s staff may consult with senior medical experts when determining a patient’s diagnosis or treatment.

Driving Well Occupational Therapy staff may also refer the patient to other health and service providers for further treatment during and following the patient’s admission. These services include, but are not limited to:

1. Physiotherapy;
2. Occupational therapy;
3. Speech therapy;
4. Surgeons; or,
5. Outpatient or community health services.
6. Transport and Main Roads
7. NDIA, support coordinators, plan managers
8. Vehicle modifiers – sharing of relevant information required for completion of modifications
9. Driving instructors

These health professionals will be designated health service providers appointed to use the patient’s health information as part of the process of providing treatment. Please note that this process will be conducted whilst maintaining the confidentiality and privacy of the patient’s personal information.

* 1. Alternative Health Services

At any point a patient wishes to be treated by an alternative medical practitioner or health care service that requires access to his/her personal/health information Driving Well Occupational Therapy requires written authorisation. This written authorisation is to state that the patient will be utilising alternative health services and that these health services have consented for a transfer of personal/health information.

* 1. Other Third Parties

Driving Well Occupational Therapy may provide the patient’s personal information regarding a patient’s treatment or condition to additional third parties. These third parties may include:

* parent(s);
* child/ren;
* other relatives;
* close personal friends;
* guardians; or,
* a person exercising a patient’s power of attorney under an enduring power of attorney.

Where information is relevant or reasonable to be provided to third parties, written consent from the patient is required.

Additionally, the patient may at any time wish to disclose that no third parties as stated are to access or be informed about his/her personal information or circumstances.

* 1. Other Uses of Personal Information

In order to provide the best possible environment to treat patients, Driving Well Occupational Therapy may also use personal/health information where necessary for:

* activities such as quality assurance processes, accreditation, audits, risk and claims management, patient satisfaction surveys and staff education and training;
* invoicing, billing and account management;
* to liaise with a patient’s health fund, Medicare or the NDIS, as necessary; and,
* the purpose of complying with any applicable laws – i.e. in response to a subpoena or compulsory reporting to State or Federal authorities.

If at any point or for any of the aforementioned reasons Driving Well Occupational Therapy uses or discloses personal/ health information in accordance with the APPs, Driving Well Occupational Therapy will provide written notice for the patient’s consent for the use and/or disclosure.

1. **Access and Changes to Personal Information**
   1. If an individual patient reasonably requests access to their personal information for the purposes of changing the information he/she must engage with the relevant practice manager.
   2. The point of contact for patient access to personal information is:

**Jennifer Gribbin**

**Director Driving Well**

**0407 671 621**

**jenny@drivingwell/com.au**

* 1. Once an individual patient requests access to his/her personal information Driving Well Occupational Therapy will respond within a reasonable period of time to provide the information.
  2. All personal information will be updated in accordance to any changes to a patient’s personal circumstances brought to Driving Well Occupational Therapy’s attention. All changes to personal information will be subject to patient’s consent and acknowledgement.
  3. If an individual requests access to his/her personal information Driving Well Occupational Therapy will charge [insert fee]. Please note that this fee is associated with administrative costs only.

1. **Complaints Handling**
   1. Patients who would like to make a complaint about a perceived breach of the Australian Privacy Principles through Driving Well Occupational Therapy, can do so by contacting the Director at Driving Well Occupational Therapy (see 6.1 above).
   2. [insert practice name] is dedicated to ensuring your information is secure. In the event that a breach of your information is identified, affected clients will be notified by [insert practice name] and informed of our processes for handling any breaches. If at any stage a client identifies a breach of their privacy, they are requested to speak to the practice manager about lodging their concerns formally.
2. **Personal Information and Overseas Recipients** 
   1. Use of Overseas Parties: Driving Well Occupational Therapy does engage with overseas entities, with which personal or health information would be transferred, appointed or disclosed. These overseas entities include:

* Mailchimp: to send newsletters; name and email address only recorded.
* Zoom: to conduct occasional telehealth appointments – zoom links sent to client email address only.

The aforementioned entities engaged overseas are subject to the legislative requirements as stipulated by the APPs.

1. **Disposal of Personal/Health Information**
   1. If Driving Well Occupational Therapy receives any unsolicited personal information that is not deemed appropriate for the permitted health situation, Driving Well Occupational Therapy will reasonably de-identify and dispose of the information accordingly.
   2. If Driving Well Occupational Therapy holds any personal or health information that is no longer deemed relevant or appropriate for the permitted health situation, Driving Well Occupational Therapy will reasonably de-identify and dispose of the information accordingly.
2. **Access to Policy** 
   1. Driving Well Occupational Therapy provides free copies of this Privacy Policy for patients and staff to access, which can be located on the website (footer of home page).
3. **Review of Policy** 
   1. Driving Well Occupational Therapy in accordance with any legislative change will review the terms and conditions of this policy to ensure all content is both accurate and up to date.
   2. Notification of any additional review(s) or alteration(s) to this policy will be provided to patients and staff within 2 weeks’ notice. If a change occurs patients are required by Driving Well Occupational Therapy to review this Privacy policy. Staff are required to sign once they have reviewed the Privacy policy.

## Variations

Driving Well Occupational Therapy reserves the right to vary, replace or terminate this policy from time to time.

## Policy version and revision information

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