



Sexual Health & Family Planning ACT

Privacy Policy Summary Statement

This Statement is a summary statement of SHFPACT's obligations, commitments and practices in collecting, using, storing, and destroying personal information kept about individuals who use SHFPACT's services. SHFPACT's full *Privacy Policy* contains additional explanatory and procedural information intended to help SHFPACT staff implement this Policy. You can access the full Policy in the following ways:

- on the SHFPACT website www.shfpact.org.au
- by emailing shfpact@shfpact.org.au
- by telephone SHFPACT Reception on (02) 6247 3077
- by faxing SHFPACT on (02) 6257 5710

If you:

- a) have a specific query
- b) wish to view or review the information held about you by SHFPACT
- c) wish to request a correction of your personal information
- d) wish to provide feedback or suggest improvements for this Policy or SHFPACT's management of personal information, or
- e) want to make a complaint about SHFPACT's handling of your personal information

please contact:

Executive Director
Sexual Health and Family Planning ACT (SHFPACT)

POSTAL ADDRESS
GPO Box 1317
CANBERRA ACT 2601

STREET ADDRESS
Level 1, 28 University Ave
CANBERRA ACT 2601

Tel: (02) 6247 3077
Fax: (02) 6257 5710
Email: ed@shfpact.org.au

Collection of personal information

SHFPACT will collect necessary personal information by lawful, open and fair means. This information will be collected directly from you (the individual client/service user, member of the Association, or member of the public) wherever possible. SHFPACT will take reasonable steps to inform you if personal information about you is collected from someone else.

SHFPACT will only intentionally collect information in the course of providing health services, education and training services, membership services, or fundraising activities. SHFPACT and its employees will also clearly identify that information is being collected, the purpose of that collection, as appropriate to the circumstances of the collection, and the kind of information being collected to ensure informed consent at all times.

Where it is lawful and practicable to do so, SHFPACT will provide you with the option of not identifying yourself or using a pseudonym in your interactions with us. Some services, such as bulk-billed medical consultations or registration for certain professional training programs, can only be provided if information personally identifying you is collected. You may decline to provide information identifying you, and this will be respected, but the service you receive may vary or not meet your individual needs as a result.

SHFPACT will take all reasonable steps to ensure that personal information collected is:

- a) accurate and up-to-date
- b) relevant and necessary
- c) free of offensive or irrelevant comment
- d) able to be used to communicate with those people, with their permission.

You are encouraged to ask SHFPACT staff, or otherwise provide feedback, if you are uncertain why information is being collected, or do not understand how it is relevant to the provision of services or your interaction with SHFPACT. You are entitled to receive a clear answer to this question.

Collection of personal health information

In order to provide high quality health care, SHFPACT needs to collect some information about your past and current health status and other identifying information. This information is stored in an electronic health record. Prior to 2008, this information was stored in a physical medical record, and continues to be if you have not use SHFPACT's services since 2008.

SHFPACT staff will only collect personal health information that is relevant to your care. This may sometimes include information about sexual or gender identity and orientation, a diagnosis of disability, cultural, linguistic or ethnic background or origin, religious beliefs or affiliations, information about current, recent or previous sexual activity, and other information that is considered 'sensitive' in privacy laws.

This information will be asked for, collected and recorded where it is important in identifying relevant factors affecting health care services, or to determine your eligibility for service. SHFPACT treats such information with great respect and sensitivity, and limits who is authorised to access information contained in a medical record held by the organisation.

Where it is lawful and practicable to do so, SHFPACT will provide you with the option of not identifying yourself or using a pseudonym in your interactions with us. Some services, such as free or bulk-billed medical consultations, can only be provided if information identifying you is collected. You may decline to provide information identifying you, and this will be respected, but the service you receive may vary or not meet your individual needs as a result.

SHFPACT will take all reasonable steps to ensure that your personal health information in medical records is:

- a) accurate and up-to-date
- b) relevant and necessary to the provision of a health service

- c) comprehensive enough to permit appropriate and high quality care and follow up by doctors, nurses, counsellors and other allied health professionals;
- d) free of offensive or irrelevant comment
- e) able to be used to communicate with you about your follow up care.

You are encouraged to ask your health care provider, receptionist or other SHFPACT employee if you are uncertain why information is being collected, or do not understand how it is relevant to your care. You are entitled to receive a clear answer to this question.

Use of your personal information

SHFPACT will use your personal information for the following purposes, unless you have consented otherwise:

1. to provide high quality health care services relating to sexual and reproductive health
2. to provide education programs to groups and individuals
3. to provide professional development training programs and activities, including those accredited by professional bodies or delivered by SHFPACT as a Registered Training Organisation
4. to provide information and referral services
5. to provide membership services
6. to communicate and process financial transactions relevant to fundraising activities
7. to seek feedback about satisfaction with services received and to seek suggestions for improvement related to any of the activities above.

Disclosure of your personal health information

“Personal health information” means any information or opinion about your health or disability, your wishes relating to your future health care, and any information about your current, previous or future use of a health service.

SHFPACT will not disclose your personal health information to a third party unless:

- a) **you have requested us to** (*e.g. a copy of your medical record or transfer of medical record to another healthcare provider*)
- b) **you have consented to the disclosure** (*e.g. you have given permission for us to talk to another person outside SHFPACT involved in your care, or for a legal proceeding, or you have given your consent to participate in a research project.*)
- c) **the disclosure is necessary because you are at risk of harm without treatment and are unable to give consent** (*e.g. you are unconscious and require medical intervention, or you are subject to a guardianship order and your guardian needs information in order to consent to your treatment*)
- d) **the disclosure is necessary to meet obligations to SHFPACT’s insurers or funding bodies to notify adverse circumstances** (see below)
- e) **the disclosure is otherwise required by law** (SHFPACT will endeavour to inform you as soon as practicable if this occurs, and where doing so does not compromise safety or breach another law.)

If you have arranged for someone else to meet you after an appointment or act on your behalf, you will need to advise SHFPACT accordingly. SHFPACT will not disclose information about your use of our clinical services, including attendance, to partners, parents/guardians (unless a guardianship order is in place relating to your use of health services), friends or others without your consent, provided in writing, or if provided verbally, when appropriately recorded in your health record. If this consent is unclear, ambiguous or not current, the information will not be disclosed. You are invited to advise SHFPACT staff providing services about any relevant circumstances where the disclosure of information would be especially detrimental so that an appropriate note can be made in your health record, but there is no requirement for you to do so.

Use and disclosure of your personal information

“Personal information” means any information we collect and store that can identify you readily to others, including your name, address and contact details, date of birth, your relationship to SHFPACT or another organisation, and so on.

SHFPACT may use and disclose personal information to third parties in certain circumstances, as listed below.

- a) SHFPACT staff may review health records and other information kept about individuals for the purposes of responding to a complaint about treatment or a service provided by SHFPACT, or to process a request to access a record held by SHFPACT. This may include management or administrative staff, but only to the extent that is necessary, and only of the information relevant to the complaint. Staff not otherwise involved in the provision of the service (especially staff not involved as part of the health care team) will not be authorised to access the relevant record or other parts of the record.
- b) SHFPACT may be required to disclose some personal information and personal health information to insurers where a complaint or claim is made against the organisation or one of its employees. Where a claim is made against an individual medical practitioner, SHFPACT may be required to disclose relevant personal and personal health information to the individual medical practitioner's insurer.
- c) SHFPACT will use and disclose personal information to third parties for the purposes of billing services appropriately, such as Medicare bulk-billing eligible clinical consultations.

SHFPACT will also use information about the provision of its services for the following purposes:

- a) SHFPACT is required by government agencies that fund certain types or parts of SHFPACT's services, projects and activities to report information about the services/activities provided with those funds. This may include de-identified information about the number and type of activities, number and relevant demographic information about participants or recipients of services. SHFPACT will ensure that such reports do not include information that would make specific occasions of service to individual people identifiable, and will exclude information from reports where this cannot be ensured.
- b) SHFPACT reviews information about provision of services to determine patterns of service use and demand for services, the kinds of services provided, and the demographic characteristics of people using services. This information is used to review and improve the quality of its services internally. This information is not released outside the organisation, and generally excludes identifiable information about individuals. A Code of Conduct also binds SHFPACT staff and volunteers regarding the privacy and confidentiality of information obtained in the course of their employment. Staff and volunteers can be subject to disciplinary action if these requirements are breached.

Cross-border disclosure of personal information

SHFPACT will not knowingly disclose your personal information to an individual person or entity overseas, unless required to by law or a court order. If it is necessary for any other reason, SHFPACT will take reasonable steps to advise you, and ascertain that the recipient of the information will not breach the Australian Privacy Principles in relation to the information disclosed to them.

Security of personal information

SHFPACT will store your personal information to avoid its misuse, loss, and unauthorised access, modification or disclosure. We will keep health and training records for the timeframes required by law or regulation. Only certain SHFPACT staff have access to health records. When the personal information we hold is no longer required for the purpose we collected it, it will be securely destroyed or de-identified.

Example 1: you may provide and authorise use of your credit card number to pay for a service or make a donation. Once the transaction is processed, and there is no reasonable expectation of the need to use the information again as authorised in the near future, the details will be destroyed or sufficiently de-identified to minimise any risk of accidental, inadvertent or fraudulent disclosure or use.

Example 2: In accordance with statutory timeframes and rules, SHFPACT periodically redacts and destroys the medical or health record of clients who have not used its services for a period of years, are known to have deceased, or have indicated they have moved away and won't be using services again in the future.

Access to your personal information

If you believe or know that SHFPACT holds personal information about you, you are entitled to request access to the information, which will generally be granted by SHFPACT. You will receive a response to your request within 30 days. You can request access by contacting SHFPACT (the relevant contact information is provided above). You will not be charged for making the request. You may be charged a fee for providing access to a medical or training record. You can also ask for access to the personal information SHFPACT holds about you in a manner that is accessible for you. Additional costs for making the information available in alternative formats or other manner may be charged to you. SHFPACT may refuse your request, or only give partial access to the personal information it holds about it, in situations where:

- a) the health, safety and wellbeing of any person might be affected
- b) someone else's privacy might be affected
- c) it would be unlawful for us to provide the information to you.

There are other circumstances outlined in the full Privacy Policy where access may be refused. If SHFPACT refuses your request for access to your personal information, you will be advised in writing of the reason, and provided with information about making a complaint or appeal of this decision.

Correction of your personal information

If you believe that personal information held by SHFPACT is incorrect or inaccurate, we will take all reasonable steps to amend or correct the information. The accuracy of our records depends to a large extent on the information provided to SHFPACT, so it is important to keep SHFPACT updated about any changes to your personal information that might affect how we provide services or otherwise interact with you. You will not be charged for requesting access to personal information or for correcting personal information held about you. You may be charged a fee to access the information in a particular form or manner.

Unsolicited personal information

SHFPACT may receive personal information about you from a third party in the course of providing its services, or may collect personal information from you that is incidental to the provision of our services. We will identify if collecting the information was otherwise consistent with SHFPACT's Privacy Policy, and then treat the information accordingly. If the information is not consistent with SHFPACT's Policy, and not otherwise required by law to be retained, the information will be securely destroyed or de-identified.

Direct marketing

SHFPACT will never use your personal health or other sensitive information (information that relates to your health care or is particularly sensitive) about you for direct marketing or advertising without your consent. SHFPACT will use your personal information (such as name and contact details) to communicate with you about your use of our services, and occasionally to inform you about other services or activities of the organisation, unless you request us not to, or request us to do so only in a particular manner. SHFPACT will never provide your personal information to others (third parties) for direct marketing purposes unless we have your specific consent to do so. SHFPACT may, when we think it is reasonable, appropriate, and of possible benefit to you, forward direct marketing information to you on behalf of a third party. We would expect this to be rare.

Use of government identifiers

SHFPACT may collect, use and disclose a government-related identifier when necessary to provide you with a service, including use of your Medicare number, healthcare card number, or a training identifier allocated to you by a government or other training provider. SHFPACT will not exclusively use this identifier when you use our services. SHFPACT will not otherwise collect, use, store or disclose an identifier number issued to you by a government agency.

Appeals and complaints

If you believe SHFPACT has breached your privacy rights, you can make a complaint or provide feedback directly to SHFPACT:

Executive Director
Sexual Health and Family Planning ACT (SHFPACT)

POSTAL ADDRESS	STREET ADDRESS
GPO Box 1317 CANBERRA ACT 2601	Level 1, 28 University Ave CANBERRA ACT 2601

Tel: (02) 6247 3077
Fax: (02) 6257 5710
Email: ed@shfpact.org.au

SHFPACT will respond to complaints within 30 days. Alternatively, if more time is required to provide a considered response, SHFPACT will contact you within 30 days to explain the delay and let you know when you can expect a response.

If you are not satisfied that SHFPACT has dealt with your privacy complaint appropriately, you can contact the Federal Privacy Commissioner, using the details below.

Telephone: 1300 363 992
Email: privacy@privacy.gov.au

Or write to: Privacy Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001

If you have a complaint or feedback about the service you have received from SHFPACT, please contact the organisation and a staff member will assist you.