

## **PRIVACY POLICY**

### **Introduction**

This privacy policy is to provide information to you, our patient, on how your personal information (which includes your health information) is collected and used within our practice, and the circumstances in which we may share it with third parties.

### **Why and when your consent is necessary?**

When you register as a patient of our practice, you provide consent for our GPs and practice staff to access and use your personal information so they can provide you with the best possible healthcare. Only staff that need to see your personal information will have access to it. If we need to use your information for anything else, we will seek additional consent from you to do this.

The Bright Side Clinic recognises the importance of protecting the privacy and the rights of individuals and patients in relation to their personal information and health. This document is The Bright Side Clinic's privacy policy and it tells you how we collect and manage your personal information.

Our Practice is governed by a number of state specific privacy laws. We respect your right to privacy and have a legal obligation to abide by the Privacy Act 1988. The rules and regulations under the Privacy Act are known as the Australian Privacy Principles or the APP.

### **What is a patient health record?**

Medical records, whether electronic or not, are a collection of information about a patient's healthcare that are essential for his or her present and future care (WHO 2001) and are covered by s.3 of the Health Records Act 2001 (AustLII 2012).

As such, the medical record must contain sufficient information to identify the patient to whom it relates, as well as information relevant to the patient's treatment during current and future episodes of care, for example:

- the patient's medical history
- the orders and results of any physical examination or tests
- information relating to allergies.
- other factors that may need special consideration.

Secure and guaranteed access to complete information collected in the medical record is essential to ensure that healthcare professionals have the right information available



Part of National Skin Cancer Centres

Located in The Bright Side Clinic  
9/20 Bayshore Drive, Byron Bay NSW 2481  
Phone: 02 6680 7788  
Mon - Fri: 8.00am - 5.00am  
brightside@sinamed.com.au

when and where they need it. This maximises the quality and efficiency of the treatments they can provide to their patients at the point of care.

### **What is personal information?**

Your personal information is any information that we can use to personally identify you. This includes but is not limited to your name, date of birth, address, telephone number, email address and profession or occupation. If you are reasonably identified from the information collected by us, the information is considered personal information. Our privacy policy covers all patients and anyone who uses our services.

### **What is sensitive information?**

Sensitive information is any information that is necessary for us to collect in regards to your healthcare. This information may include family, social or medical history, genetic information and emergency contact. In this policy both personal and sensitive information are referred to as "personal information"

### **What personal information do we collect and hold?**

The Bright Side Clinic collects and stores personal information such as:

- Your name, address, and telephone number.
- Your age or date of birth.
- Your Medicare number, Veterans' Affairs number, Health Care Card number, health fund details or pension number.
- Current and past medications and or treatments.
- Information relevant to your medical care, including but not limited to your previous and current medical history and your family medical history (where clinically relevant).
- Your ethnicity.
- Occupation or job title.
- The name of any health service provider or medical specialist to whom you are referred, copies of any letters of referrals and copies of any reports back; and
- Any additional information relating to you that you provide to us directly through our representatives, medical or allied health professionals providing services at or from our Centres, Clinics or Call Centres, or otherwise.

We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys.

### **How do we collect your personal information?**

We collect your personal information directly from you unless it is unreasonable or impracticable to do so. When collecting personal information from you, we may collect it in ways including:

- By you completing one of our patient registrations forms;
- Or disclosed by you during a consultation with your GP, one of our Registered Nurses or Allied Health Professionals 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 you directly. This may include information from:
  - o your guardian or responsible person
  - o other involved healthcare providers, such as specialists, allied health professionals, hospitals, community health services and pathology and diagnostic imaging services your health fund, Medicare, or the Department of Veterans' Affairs (as necessary).
- We may also collect your personal information when you telephone us or make an online appointment.

### **Dealing with us anonymously**

You have the right to deal with us anonymously or under a pseudonym unless it is impracticable for us to do so or unless we are required or authorised by law to only deal with identified individuals.

What happens if we can't collect your personal information?

If you do not provide us with the personal information required:

- We may not be able to provide the requested services to you, either to the same standard or at all; or
- your diagnosis and treatment may be inaccurate or incomplete.
- there may be risks to your health outcome.

### **Why do we collect, use, hold and share your personal information?**

Our practice will need to collect your personal information to provide healthcare services to you. Our main purpose for collecting, using, holding, and sharing your personal information is to manage your health.

We also use it for directly related business activities, such as financial claims and payments, practice audits and accreditation, and business processes (eg staff training).

- to deliver medical services and treatment to you, and to enable you to be attended by medical practitioners, registered nurses and other allied health professionals at The Bright Side Clinic.

- for organizational, administrative and billing

purposes;

- to keep your contact details up to date;
- to process and respond in the event that a complaint is made by you;
- to comply with any law, rule, regulation, decision, or direction of a regulator, or in cooperation with any governmental authority
- for the purposes of data research and analysis including conducting clinical trials and proactive screenings and for the purpose of sending you direct marketing communications in relation to these
- for inclusion in a recall and reminder system to be advised of follow up visits and health promotion
- to answer enquiries and provide information or advice about existing services and all matters relevant to the services we provide to you.
- to meet requirements of notification to our medical defence organisations or insurers.

Your personal information is not shared, sold, rented, or disclosed other than as described in this Privacy Policy or as permitted under the Act.

### **Telehealth**

The Bright Side Clinic does not conduct audio/visual recorded telehealth. When/if the practice conducts telehealth consults onsite or remotely they will only use telephone consultations. Doctors will acquire verbal patient consent for entering a record of your consultation in your patient chart. The patient record will be notated accordingly.

### **How do we store and protect your personal information?**

Your personal information is stored electronically.

Our practice is considered paperless and has systems in place to protect the privacy, security, quality and integrity of the personal health information held electronically. Appropriate staff members are trained in computer security policies and procedures.

All personal information including patient health records, visual records (X-rays, CT scans, videos and photos), and audio recordings are stored electronically.

Our practice ensures that our practice computers and servers comply with the RACGP computer security checklist and that:

- computers are only accessible via individual password access to those in the practice team who have appropriate levels of authorisation.
- computers have screensavers or other automated privacy protection devices are enabled to prevent unauthorised access to computers.

- servers are backed up and checked at frequent intervals, consistent with a documented business continuity plan.
- back up information is stored in a secure off-site environment.
- computers are protected by antivirus software that is installed and updated regularly
- computers connected to the internet are protected by appropriate hardware/software firewalls.
- we have a business continuity plan that has been developed, tested and documented.
- The quality of the personal information we hold.
- All staff and contractors must sign confidentiality agreements prior to commencing work with our practice.

It is most important that we have up to date personal information on your file. Please ensure that any changes to your personal information are updated promptly with our reception staff. Out of date or incorrect information could lead to adverse health outcomes.

### **When, why and with who do we share your personal information?**

Sometimes we are required to share your personal information:

- with third parties who work with our practice for business purposes, such as accreditation agencies or information technology providers – these third parties are required to comply with APPs and this policy
- with other healthcare providers
- when it is required or authorised by law (eg 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 purpose of confidential dispute resolution process
- when there is a statutory requirement to share certain personal information (eg some diseases require mandatory notification)
- during the course of providing medical services, through eTP, My Health Record (eg via Shared Health Summary, Event Summary).

Only people who need to access your information will be able to do so. All referral templates including those that utilise document automation technology are regularly reviewed to ensure only relevant medical information is included and released to a third party.



Part of National Skin Cancer Centres

Located in The Bright Side Clinic  
9/20 Bayshore Drive, Byron Bay NSW 2481  
Phone: 02 6680 7788  
Mon - Fri: 8.00am - 5.00am  
brightside@sinamed.com.au

Other than in the course of providing medical services or as otherwise described in this policy, our practice will not share personal information with any third party without your consent.

### **Direct marketing materials**

We may send you information about services that we consider may be of interest to you. This information may be sent via SMS, email or post in accordance with all marketing laws such as the Spam Act 2003. You can opt out of receiving such material from us at any time. Please inform our reception staff if you do not wish to receive this information from us.

### **How can you access and correct your personal information at our practice?**

You have the right to request access to, and correction of, your personal information.

Our practice acknowledges patients may request access to their medical records. We require you to put this request in writing to the Practice Manager, The Bright Side Clinic, 9/20 Bayshore Drive, Byron Bay, NSW 2481.

Our practice will respond to your request for access within 30 days. There may be a fee for access to information. This fee covers any administrative costs associated with access. The fee for access to records is \$50.00 plus gst and is to be paid in full prior to access.

There may be instances where we cannot grant you access to the personal information we hold; however, we will only do so in accordance with our rights and obligations under the Act. For example, we may need to refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal.

Our practice will take reasonable steps to correct your personal information where the information is not accurate or up to date. From time to time, we will ask you to verify that your personal information held by our practice is correct and current. You may also request that we correct or update your information, and you should make such requests in writing to The Practice Manager, The Bright Side Clinic, 9/20 Bayshore Drive, Byron Bay, NSW 2481. Our practice will respond to your request within 30 days.

### **How can you lodge a privacy-related complaint, and how will the complaint be handled at our practice?**

We take complaints and concerns regarding privacy seriously.

You should express any privacy concerns you may have in writing. We will then attempt to resolve it in accordance with our resolution procedure. Such requests should be made in



Part of National Skin Cancer Centres

Located in The Bright Side Clinic  
9/20 Bayshore Drive, Byron Bay NSW 2481  
Phone: 02 6680 7788  
Mon - Fri: 8.00am - 5.00am  
brightside@sinamed.com.au

writing and addressed to the Practice Manager, The Bright Side Clinic, 9/20 Bayshore Drive, Byron Bay 2481. Our practice will respond to your request within 30 days.

You may also contact the OAIC. Generally, the OAIC will require you to give them time to respond before they will investigate. For further information visit [www.oaic.gov.au](http://www.oaic.gov.au) or call the OAIC on 1300 363 992.

If you believe that your privacy has been breached, please contact us in accordance with the arrangements set out below and provide details of the incident so that we can investigate it.

### **Do we disclose your personal information to anyone outside Australia?**

We do not disclose your personal information to overseas recipients. In the event that we are required to do so, we will obtain your consent.

### **Security**

We take all reasonable steps to ensure your personal information is protected from misuse and loss and from unauthorised access, modification or disclosure. We hold your information electronically. Personal information is destroyed or de-identified when no longer needed.

### **Contacting us**

If you have any questions about this privacy policy, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please contact The Bright Side Clinic, in writing at the details below.

We will treat your requests or complaints confidentially. We will aim to ensure that your concern is resolved in a timely and appropriate manner.

The Practice Manager  
The Bright Side Clinic  
9/20 Bayshore Drive, BYRON BAY NSW 2481.

### **Reviews and Updates of our privacy policy**

This policy is reviewed and updated annually. Updated versions of this privacy policy will be available on our website and from reception.

This privacy policy was last updated on 26 Feb 2025