

Purpose

The purpose of this policy is to document the Amicus procedure for the collection, maintenance and protection of the privacy of health and personal information of participants and employees.

The Victorian Health Records Act 2001 (Vic) establishes a framework for the collection, access, retention and protection of a person's health information which is held by a public or private employer. The Information Privacy Act 2000 (Vic) protects all other personal information collected by a public or private employer.

The Privacy and Data Protection Act 2014 (Vic) governs the responsible collection and handling of personal information, establishment of a protective data security regime and provides remedies for the interferences with the information privacy of an individual.

The Health Records Act 2001 (Vic) enables an individual to have certain rights to access, view, amend or make copies of their health and personal information that has been collected and reported by Amicus.

Authorisation

The Chief Executive Officer is responsible for endorsing this policy.

Policy

Amicus will comply with its obligations under the Health Records Act 2001 (Vic), the Information Privacy Act 2000 (Vic) and the Privacy and Data Protection Act 2014 (Vic) and will implement procedures that comply with the Health Privacy Principles.

These include the following:

- Collection of health and personal information
- Sensitive information collection and storage
- Use and disclosure
- Data quality
- Data security and retention
- Access to health records information
- Correction of records information
- Trans border and other agency data flows
- Complaints

Definitions

Access;

- Individuals have certain rights to access their health information maintained at an organisation. There are specific circumstances described under the Act which guides access and release of information.

Health Information;

- Refers to information or an opinion about the physical, mental, psychological health, disability, an individual's wishes, and a health service provided and other personal information collected to provide a health service.

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Health Privacy Principles;

- The Health Records Act 2001 (Vic) contains eleven principles in which organisations must incorporate into their policies and practices.

Health Service;

- Refers to a disability, palliative care, aged care, pharmaceutical dispensary services and health services that assess, diagnose, and treat an individual's illness or injury.

Personal Information;

- Is about an individual, whose identity can be reasonably ascertained from the information or opinion. Includes medical records, financial records, bank details, phone number, email address, photograph and video recording.

Secondary Purpose;

- De-identified information is used for Quality Improvement Audits, Staff Training, funding, management and planning activities.

Sensitive Information;

- Refers to information or an opinion about a person's racial or ethnic origin, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, political opinions, membership of a political association and membership of a trade union.

Related Documents

PCE 3.0 Feedback policy - v.3
PCE 3.3 How to provide feedback - v.3
PCE 3.4 How to manage feedback - v.2
PCE 3.5 Post feedback checklist - v.3
HR 5.3.1 Staff consent for data collection, photographs and video
PCE 3.6 Unhappy Feedback – Children and Young People (V1)
O2.15 Control of Documents and Records policy
O2.15.4 Participant and Administrative Record Retention Schedule
O 2.4 Privacy (V4)
SD5.14 Recording of Participant Outcomes policy
SD5.16.3 Consent Information Sheet
SD5.16.3.1 Consent to collect and share personal information
SD5.16.3.3 Consent to collect and share photos videos stories voice
SD 5.16.3.4 Participant consent forms
Amicus Brochure - Rights and Responsibility

External links

The Privacy and Data Protection Act 2014 (Vic)
<https://www.legislation.vic.gov.au/in-force/acts/privacy>

Victorian Health Records Act 2001
<https://www.legislation.vic.gov.au/in-force/acts/health>

The information Privacy Act 2000 (Vic)
<https://www.legislation.vic.gov.au/as-made>

Disability Act 2005 (Vic)
<https://www.legislation.vic.gov.au/in-force/acts/disability>

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NDIS Act 2013 (Cth)

<https://www.legislation.gov.au/Details>

NDIS (Protection and Disclosure of Information) Rules 2013

<https://www.legislation.gov.au/Details/F2013L01008>

NDIS Quality and Safeguarding Framework

<https://www.dss.gov.au/disability-and-carers>

Health Complaints Commissioner

1300 582 113

<https://hcc.vic.gov.au/>

Charter of Human Rights and Responsibilities Act 2006 (Vic)

<https://www.legislation.vic.gov.au/in-force/acts/charter>

DHHS, Service Information Kit 2019

<https://fac.dhhs.vic.gov.au/sites/dhhsfac/>

Public Records Act 1973 (Vic)

<https://www.legislation.vic.gov.au/in-force/acts/public>

Disability Services Commission

1800 677 342

<https://www.odsc.vic.gov.au/>

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