



PRIVACY POLICY

INTRODUCTION

From time to time The Dental Surgery, Newstead ("Practice") is required to collect, hold, use and/or disclose personal information relating to individuals (including, but not limited to, its patients, contractors, suppliers and employees) in the performance of its business activities.

This document sets out the Practice's policy in relation to the protection of personal information, as under the Privacy Act 1988 (Cth) the ("Act") and the Australian Privacy Principles ("APP").

The APPs regulate the handling of personal information.

WHAT IS PERSONAL INFORMATION?

Personal information means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

EMPLOYEE RECORDS

This policy does not apply to the collection, holding, use or disclosure of personal information that is an employee record.

An employee record is a record of personal information relating to the employment of an employee. Examples of personal information relating to the employment of the employee include, but are not limited to, health information and information about the engagement, training, disciplining, resignation, termination, terms and conditions of employment of the employee. Please see the Act for further examples of employee records.

KINDS OF INFORMATION THAT THE PRACTICE COLLECTS AND HOLDS

The Practice collects personal information that is reasonably necessary for one or more of its functions or activities.

The type of information that the Practice collects and holds may depend on your relationship with the Practice. For example:

- i. Candidate: if you are a candidate seeking employment with the Practice, the Practice may collect and hold information including your name, address, email address, contact telephone number,

gender, age, employment history, references, resume, medical history, emergency contact, taxation details, qualifications and payment details.

- ii. Patient: if you are a patient of the Practice, the Practice may collect and hold information including your name, address, email address, contact telephone number, gender and age.
- iii. Supplier: if you are a supplier of the Practice, the Practice may collect and hold information including your name, address, email address, contact telephone number, business records, billing information, information about goods and services supplied by you.
- iv. Referee: if you are a referee of a candidate being considered for employment by the Practice, the Practice may collect and hold information including your name, contact details, current employment information and professional opinion of candidate.
- v. Sensitive information: the Practice will only collect sensitive information where you consent to the collection of the information and the information is reasonably necessary for one or more of the Practice's functions or activities. Sensitive information includes, but is not limited to, information or an opinion about racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs, membership of a trade union, sexual preferences, criminal record, health information or genetic information.

HOW THE PRACTICE COLLECTS AND HOLDS PERSONAL INFORMATION

The Practice must collect personal information only by lawful and fair means. The Practice will collect personal information directly from you if it is reasonable or practicable to do so. Your personal health information may be accessed by all staff members of the Practice as part of your treatment.

The Practice may collect personal information in a number of ways, including without limitation:

- i. through application forms;
- ii. by email or other written mechanisms;
- iii. over a telephone call;
- iv. in person;
- v. through transactions;
- vi. through our website;

vii. through surveillance camera;

viii. by technology that is used to support communications between us;

- a) through publicly available information sources (which may include telephone directories, the internet and social media sites);
- b) direct marketing database providers;

When the Practice collects personal information about you through publicly available information sources, it will manage such information in accordance with the APPs.

Unsolicited personal information is personal information that the Practice receives which it did not solicit. Unless the Practice determines that it could have collected the personal information in line with the APPs or the information is contained within a Commonwealth record, it must destroy the information to ensure it is de-identified.

PURPOSES FOR WHICH THE PRACTICE COLLECTS, HOLDS, USES AND/OR DISCLOSES PERSONAL INFORMATION

The Practice will collect personal information if it is reasonably necessary for one or more of its functions or activities.

The main purposes for which the Practice may collect, hold, use and/or disclose personal information may include but are not limited to:

- i. recruitment functions;
- ii. patient service management;
- iii. training and events;
- iv. surveys and general research; and
- v. business relationship management.

The Practice may also collect, hold, use and/or disclose personal information if you consent or if required or authorised under law.

The Practice only uses *health information* for the following purposes:

- It is essential for your Dentist to have a current and accurate overview of your health situation. This will influence the treatment you receive and aims to maximise your oral health taking into account all other medical and health conditions that you may have.

- Personal information included on the form such as name, address, contact details and health fund information are used for confirming appointments, making recall appointments, processing payments, collecting unpaid invoices via an external collection agency and contacting you about our services and any issues affecting your healthcare. On some occasions it may be necessary to leave a message with a family member or at your workplace.
- At times it is necessary to exchange your health information with other health care professionals. This is completed only when necessary in relation to your optimal treatment, and any exchange of personal information is kept to a minimum.
- Your patient information may be used in a research context, such as in study groups for the purpose of professional development and to help benefit other patients. In this event, your identity is kept completely confidential unless you provide consent for your details to be disclosed.

We will not use your personal or health information for any other purpose unless one of the following applies:

1. You have consented;
2. The other purpose is directly related to providing you with health services and you would reasonably expect that your information may be used for that purpose.
3. The use of your health information is required or authorised by law.

DIRECT MARKETING

The Practice may use or disclose personal information (other than sensitive information) about you for the purpose of direct marketing (for example, advising you of new goods and/or services being offered by the Practice).

The Practice may use or disclose sensitive information about you for the purpose of direct marketing if you have consented to the use or disclosure of the information for that purpose.

You can opt out of receiving direct marketing communications from the Practice by contacting the Practice.

ACCESS TO PERSONAL INFORMATION

If the Practice holds personal information about you, you may request access to that information by putting the request in writing and sending it to the Practice. The Practice will respond to any request within a reasonable period, and a charge may apply for giving access to the personal information.

There are certain circumstances in which the Practice may refuse to grant you access to the personal information. In such situations the Practice will give you written notice that sets out:

- i. the reasons for the refusal; and
- ii. the mechanisms available to you to make a complaint.

CORRECTION OF PERSONAL INFORMATION

If the Practice holds personal information that is inaccurate, out-of-date, incomplete, irrelevant or misleading, it must take steps as are reasonable to correct the information.

If the Practice holds personal information and you make a request in writing addressed to the Privacy Officer to correct the information, the Practice must take steps as are reasonable to correct the information and the Practice will respond to any request within a reasonable period.

There are certain circumstances in which the Practice may refuse to correct the personal information. In such situations the Practice will give you written notice that sets out:

- i. the reasons for the refusal; and
- ii. the mechanisms available to you to make a complaint.

If the Practice correct personal information that it has previously supplied to a third party and you request us to notify the third party of the correction, the Practice will take such steps as are reasonable to give that notification unless impracticable or unlawful to do so.

INTEGRITY AND SECURITY OF PERSONAL INFORMATION

The Practice will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that it:

- i. collects is accurate, up-to-date and complete; and\
- ii. uses or discloses is, having regard to the purpose of the use or disclose, accurate, up-to-date and complete.

The Practice will take steps as are reasonable in the circumstances to protect the personal information from misuse, interference, loss and from unauthorised access, modification or disclosure.

If the Practice holds personal information, it no longer needs the information for any purpose for which the information may be used or disclosed, the information is not contained in any Commonwealth record and the Practice is not required by law to retain the information, it will take such steps as are reasonable in

the circumstances to destroy the information or to ensure it is de-identified.

SENDING INFORMATION OVERSEAS

As part of maintaining your records, the practice may use off-site electronic data storage providers or other third party service entities. The providers may be located offshore.

Where practicable, we will inform you about where your information is sent; however, at all times the practice will take reasonable steps to ensure compliance with the Australian Privacy Principles in relation to any off-shore transfer of your information.

ANONYMITY AND PSEUDONYMITY

You have the option of not identifying yourself, or using a pseudonym, when dealing with the Practice in relation to a particular matter. This does not apply:

- i. where the Practice is required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves; or
- ii. where it is impracticable for the Practice to deal with individuals who have not identified themselves or who have used a pseudonym.

However, in some cases if you do not provide the Practice with your personal information when requested, the Practice may not be able to respond to your request or provide you with the goods or services that you are requesting.

NON-DISCLOSURE OF INFORMATION

Although we respect your right to privacy, if you choose not to provide us with information relevant to your care, we may not be able to provide a service to you or the service we are asked to provide may not be appropriate for your needs.

Importantly, you could suffer harm or other adverse outcome if you do not provide information relevant to your care.

COMPLAINTS

You have a right to complain about the Practice's handling of your personal information if you believe the Practice has breached the APPs.

If you wish to make such a complaint to the Practice, you should first contact the Privacy Officer in

writing. Your complaint will be dealt with in accordance with the Practice's complaints procedure and the Practice will provide a response within a reasonable period.

If you are unhappy with the Practice's response to your complaint, you may refer your complaint to the Office of the Australian Information Commissioner.

PRIVACY OFFICER CONTACT DETAILS

The Practice's Privacy Officer can be contacted in the following ways:

- i. Telephone number: (03) 6331 1473
- ii. Email address: greer@thedentalsurgery.com.au
- iii. Postal address: 11 Penquite, Road, Newstead, 7250

BREACH OF THIS POLICY

Any employee who is found to have breached this policy may be subject to disciplinary action, up to and including termination of employment.

VARIATIONS

This policy does not form part of any Employee's contract of employment. The Practice may vary, replace or terminate this policy from time to time.

DOCUMENT DETAILS

Responsible person: Dr Christopher Sanzaro

Review cycle: Yearly

Date of last review: 25th April 2020