

# UNIVERSITY HEALTH SERVICES DATA PROTECTION AND PRIVACY COLLECTION STATEMENT

## 1. Who does this Data Protection and Privacy Collection Statement apply to and what does it cover?

Monash University Health Services ('Monash UHS') values the privacy of every individual and is committed to the protection of personal data. This Monash UHS Data Protection and Privacy Collection Statement ('Collection Statement') applies to you as a patient of Monash UHS and outlines how Monash UHS and our clinicians ('us', 'our' or 'we'):

- process your personal information (which includes health and sensitive information and is collectively referred to as 'personal data' throughout this Collection Statement) in carrying out our main function of providing healthcare services to you; and
- comply with applicable privacy laws, including the Privacy and Data Protection Act 2014 (Vic) (which covers the Information Privacy Principles) and the Health Records Act 2001 (Vic) (which covers the Health Information Principles).

This Collection Statement supports the principle of responsible and transparent handling of personal data by explaining what personal data we process, the reasons why we need to process and use it, who we share it with and how you can exercise your rights in relation to the personal data that we hold about you.

## 2. What types of personal data will be processed by Monash UHS?

We will only collect personal data that is reasonably necessary for the delivery of our healthcare services to you.

The personal data processed by us when you attend Monash UHS will include details such as:

- names, date of birth, addresses, contact details;
- medical information, including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors;
- Medicare number (where available) for identification and claiming purposes;
- healthcare identifiers; and
- health fund and/or overseas insurance details.

We process personal data directly from you through a variety of forms, including:

- when you make your first appointment and register with Monash UHS;
- during the course of providing healthcare services to you; and
- when you visit our website, send us an email or SMS, telephone us, or make appointments.

In some circumstances, personal data may be processed about you from other sources. This may include personal data about you from:

- your guardian or responsible person;
- other involved healthcare providers, such as specialists, allied health professionals, hospitals, community health services and pathology and diagnostic imaging services;
- when you sign up to make an appointment with Monash UHS through HotDoc;
- your health fund and/or overseas insurance; and

- government agencies (such as Medicare, the Department of Veteran's Affairs (as necessary) or the Australian Digital Health Agency for My Health Record).

Where you provide Monash UHS with the personal data of others (e.g. your emergency contact details) you are encouraged to inform them that you are disclosing that information to Monash UHS.

### 3. Why do we need your personal data, what is our legal basis for processing it, and how will we use it?

The personal data processed by us, or processed on our behalf, is needed for the main purpose of providing healthcare services to you as a patient of Monash UHS and to manage your health.

We will obtain your consent to process your personal data when you first register as a patient of Monash UHS, including consent for our clinicians and practice staff to process your personal data so they can provide you with the best possible healthcare and for the purpose of effective care and clinical management. Only our clinicians and practice staff who need to see your personal data will have access to it.

Your personal data is created, stored and transmitted securely in a variety of paper and electronic formats. We are committed to the integrity and safeguarding of personal data and take all reasonable steps to ensure that the personal data we process is accurate, complete and up to date and protected from misuse, loss, unauthorised access, modification or disclosure.

We will obtain your consent for specific use of your personal data not covered by this Collection Statement at the appropriate time.

You can withdraw your consent to our use of your personal data at any time. Withdrawal of consent must be made in writing to [uhs-director@monash.edu](mailto:uhs-director@monash.edu).

In addition to our main purpose, our specific processing purposes of your personal data as a patient of Monash UHS and how we use it may include:

- to correspond with you;
- to attend to various day to day administrative matters directly associated with our services to you (e.g. billing, record-keeping, claims processing, referrals, compliance with Medicare Australia and Health Insurance Commission requirements, practice audits and accreditation, and complaint-handling);
- to seek feedback of your experience as a patient of Monash UHS;
- for benchmarking, analyses, quality assurance, staff training and education, and planning purposes (in these instances, we will only use aggregate, non-identifiable data); and
- to use the information as otherwise permitted by the law.

You have the right to deal with Monash UHS 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. If you choose not to provide your personal data or refuse to provide certain health information, it may not be possible for Monash UHS to provide healthcare services to you and there may be the possibility of detrimental outcomes if certain information is not processed.

### 4. Who will Monash UHS share my personal data with?

We may share your personal data with a range of third parties, including the following:

- third parties who work with Monash UHS for business purposes, such as accreditation agencies, or third parties who perform services on our behalf (e.g. IT software providers) or during the course of providing our healthcare services (e.g. My Health Record, Electronic Transfer of Prescriptions);
- other healthcare providers involved in your health care (including treating doctors and specialists outside Monash UHS and pathology and diagnostic service providers – this may occur through referrals to other doctors, or for medical tests and in the reports or results returned to us following the referrals);
- Medicare and your private health insurer, including overseas insurance providers where applicable;
- where it is required or authorised by law (e.g. court subpoenas) or there is a statutory requirement to share certain personal data (e.g. mandatory reporting purposes regarding notifiable diseases or child abuse);
- when it is necessary to lessen or prevent a serious threat to your life, health or safety or public health or safety;
- to assist in locating you if you are identified as a missing person;

- your parent/s or guardians where deemed necessary or under applicable laws to enable appropriate care or treatment;
- in the event of an emergency, to police, medical or hospital personnel, civil emergency services, your legal representative or nominated emergency contact person, or other persons (which may include other areas of the University) assessed as necessary to respond to the emergency; and
- for the purpose of a confidential dispute resolution process; to medical defence organisations to report adverse incidents or for the defence of legal proceedings.

On occasion, the above types of sharing may involve the transfer of your personal data outside Victoria or Australia (e.g. to overseas healthcare fund providers). Such transfers are carried out with appropriate safeguards in place to ensure the privacy and security of your personal data and we take all reasonable steps to comply with the relevant Information Privacy Principle relating to trans-border data flows (IPP9). Such reasonable steps may include seeking your consent prior to transferring the personal data, requiring the recipients of the personal data to handle information in accordance with the Information Privacy Principles and Health Privacy Principles or as is otherwise permitted by law.

Other than in the course of providing healthcare services or as otherwise described in this Collection Statement, we will not share your personal data with any third party without your consent. Where personal data is disclosed to third parties, it will be done so only to the extent necessary to fulfil the purpose of such disclosure.

We may provide aggregate, non-identifiable data to government agencies for funding and statistical purposes and to ethics committee approved research.

#### 5. What are my individual rights?

You have the right to request access to, and correction of, your personal data, which includes access to your medical record.

All requests for access to, and correction of, your personal data must be made in writing to the Director of UHS at [uhs-director@monash.edu](mailto:uhs-director@monash.edu). We will respond within a reasonable time (and in most cases within 30 days). You will be advised if your request for access to your personal data needs to be made under the Freedom of Information Act 1982 (Vic).

We are not required to provide access if we reasonably believe:

- it would unreasonably impact the privacy of another;
- it may threaten the life, health or safety of another or the public.

Other exceptions to providing access may also apply.

Any refusal to grant access will be made in writing with reasons and the process for lodging a complaint.

We will take reasonable steps to correct your personal data where the information is not accurate or up-to-date. You may also request that we correct or update your personal data, and you should make such requests in writing to the Director of UHS (contact details are set out below).

#### 7. Who can I contact if I have any questions about how my personal data is being used, how I can exercise my rights or how I can lodge a complaint?

If you have any questions about how your personal data is being used, or you wish to exercise any of your individual rights that are available to you, or make a complaint, please contact the Director of UHS at [uhs-director@monash.edu](mailto:uhs-director@monash.edu).

If you are unhappy with the way that we are using your personal data, or if you are not satisfied with our response to a complaint, you may lodge a complaint with the Health Complaints Commissioner.