

# Appendix 5 – Pro Forma Privacy Leaflet for Patients

(Reference: Section 7.4)

The pro forma Privacy Leaflet for Patients is to be used by health services for distribution to patients. The leaflet content may be updated from time to time. For the latest version, and for details on how to obtain copies, contact the Privacy Contact Officer for your health service. Contact details are available via the NSW Health privacy webpage at: [www.health.nsw.gov.au/patients/privacy/Pages/default.aspx](http://www.health.nsw.gov.au/patients/privacy/Pages/default.aspx)

## Pro forma Privacy Leaflet for Patients

### Our obligations

We are committed to treating your personal information in accordance with privacy law.

This leaflet explains how and why we collect personal information about you, how you can access your information and how your information may be used within the NSW public health service or disclosed to other parties.

### Collection of your personal information

We collect information directly from you wherever possible. If this is not possible, or in an emergency, we may also need to collect information from a family member, friend, carer or other person who can help us to provide you with appropriate health care.

### Security of information collected

Your information may be held in a variety of ways within the NSW public health service. Most commonly, your information may be held as a paper health record, and/ or an electronic health record forming part of a secure computerised database. Some information may also be held in the form of an image including x-ray or photograph, or as an audio or video recording.

We follow strict rules and policies regarding the secure storage of personal information in all formats in order to protect your information from unauthorised access, loss or other misuse.

### Use or disclosure of information

Your personal health information held either in paper or electronic format may be used by the NSW public health service, or disclosed outside the health service, to enable appropriate care and treatment to be provided to you. For example, your information may be used or disclosed as follows:

- to other treating health services, hospitals or medical specialists involved in your care and treatment
- to your nominated GP, including information provided with your discharge referral documents
- to contact you at home regarding follow-up appointments
- to your carer to assist them with your care
- to the Ambulance Service of NSW
- to process pathology tests, x-rays, and so on
- to contact you for feedback on the services you have received from us to help us evaluate and improve our services
- for billing and debt recovery
- to pastoral care workers, including hospital chaplains, providing spiritual and pastoral care
- to students and other staff for training purposes
- to other health services and authorised third parties to help prevent a serious and imminent threat to someone's life, health or welfare, such as in an emergency

- to claims managers and associated persons for the purpose of managing a complaint, legal action, or claim brought against the health service or a treating health professional
- for purposes relating to the operation of the NSW health service and treatment of our patients, including funding, planning, safety and quality improvement activities

**If you do not wish for us to collect, use or disclose certain information about you, you will need to tell us and we will discuss with you any consequences this may have for your health care.**

The law also allows or requires for your personal health information to be disclosed to other third parties, for example:

- to State and Commonwealth government agencies for statutory reporting purposes, such as to report notifiable diseases, for example, cancer and infectious diseases, to report births and deaths, and to provide Medicare details.
- to researchers for public interest research projects as approved by a Human Research Ethics Committee
- to other health services or law enforcement agencies, such as the police, if you provide us with information relating to a serious crime, including assault, domestic violence, child abuse, and so on
- to other agencies where the information relates to the safety, welfare or wellbeing of a child or young person
- to comply with a subpoena or search warrant if your personal information is required as evidence in court

### **Personally Controlled Electronic Health Record (PCEHR)**

Participation in the National e-Health Record, the PCEHR, is optional. If you wish to participate, you will have to provide your express written consent. NSW Health will not share your health information with the PCEHR program without your consent. For further information, go to: [www.ehealth.gov.au](http://www.ehealth.gov.au)

### **Access to your information**

You are entitled to request access to all personal information including your health record held by health services in NSW. Normally you will be asked to apply for access in writing and provide identification. You may be charged a fee if you request copies of your personal information or health record. Requests for access to information will be responded to as soon as possible, or in most cases no later than 28 days.

Access to your personal information may be declined in special circumstances, such as where giving access would put you or another person at risk of mental or physical harm.

If you believe the information we hold about you is incorrect or an error has been made, please let us know and we will correct it or add a notation to your health record.

Requests for access to your health record should be addressed either to the Health Information Service or to the manager of the health service facility you attended.

### **Contact us**

If you have questions or a complaint about the privacy of your personal information, please contact:

#### **The Privacy Contact Officer**

[Name of Health Service, address and telephone number]