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# FOUNDATIONAL CARE PRIVACY STATEMENT & POLICY

## Summary

Part of Foundational Care and our commitment to providing a high level of care for clients includes ensuring a high level of protection for any personal information we have on our records. We view the privacy of clients as an important part of our duty of care and seek to comply with all elements of the *Australian Privacy Principles*.

This privacy policy explains how we at Foundational Care handle your personal information, including the collection, storage, use and disclosure of your personal information, as well as how you can access and change your information, provide us with feedback or make a complaint. Your personal information is readily available should you require to make any amendments.

## Client Consent

When you come for a session you will be asked to sign a consent form, which includes notices about privacy and requests your consent. The information on the consent form and on the Information Sheet that is handed to you for extra reading specifies how any information about you may be used and disclosed.

When you complete a consent form you consent to Foundational Care collecting, maintaining, using and disclosing personal information about you and provided by you or by another person in accordance with the privacy statements in the form and this privacy policy, as amended from time to time.

We take seriously the trust you place in us and at all times we will make every effort to ensure that your personal information is secure, protected from interference, misuse, loss and unauthorised access, modification and disclosure.

We value your comments and opinions. If you have questions or require further information about our privacy policy, please do not hesitate to ask or contact Kellie on 0418 858 940

## Collection of Your Personal Information

### **Personal and sensitive information**

*Personal Information* refers to information or an opinion, 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.

*Sensitive Information* is a subset of personal information and includes your health information as well as information pertaining to racial or ethnic origin, political opinions or membership of a political organisation, religious belief or affiliations, membership of a professional or trade association, sexual preferences or a criminal record. Sensitive information attracts additional privacy protections compared with other types of personal information.

### **Consent forms and consultation records**

On your first visit for a session you will be asked to sign a *Client Consent* form and to provide certain personal information including:

1. Your name, address, phone number and email contact details;
2. Your date of birth and marital status;
3. Contact details for your emergency contact and your doctor;
4. Information about your health and any medication you may be taking.

You will also be asked to consent to specific treatments and whether you are agreeable to your personal information being shared with other practitioners or medical professionals where this may enhance your treatment.

At the end of your treatment your Counsellor will make notes about any symptoms you may have exhibited and the treatment given. If you have a subsequent visit, these notes will be used by your Counsellor for review and support of your condition. [Should you have a further session with a different practitioner they will make separate notes during your consultation]. Practitioners will not share your consultation notes or personal information without your written consent.

Children and other persons who are not able to give informed consent may come for a session with the consent of both parents or a guardian. In such cases, personal information will be collected and used as described above.

## Other people

We will try to collect your personal information directly from you. However, there may be instances where we will need to collect your information from other persons or entities. Whenever possible we will request this other person to have your signed consent or email giving your permission for them to provide us with your personal information. Exceptions may be if you suddenly take ill and are incapable of providing certain information which may be important for your treatment, such as if you have had a recent operation, illness or an implant e.g. a pacemaker, and what medication you are taking.

If you have provided us with information about another person, then you will need to tell that person that you have done so, that they have a right to access their information and that they can refer to this policy for information on how we will handle their personal information.

## Research

If you have consented to your personal information being shared for research purposes, your information will be de-identified before being made available to the research team unless you have consented to your personal information remaining identified.

## Storage of your personal information

We will take **all** reasonable steps to ensure that your personal information is stored securely and is protected from misuse and loss from unauthorized access, modification or disclosure.

We will keep your personal information for as long as it is required to provide you with the services you requested and to comply with legal requirements.

If we no longer require your personal information for any purpose, including legal purposes, we will take reasonable steps to securely destroy or de-identify your personal information.

It is your responsibility to advise us should either your health situation or your personal details change so that your record is kept up to date.

## Use of your personal information

Personal information is used to:

1. Contact you about your appointment or any other matter in relation to the service provided to you;
2. Contact your Emergency Contact or GP in an emergency;
3. Better understand your health history and thus ensure your treatment is of the highest quality;

4. Discuss your case with other practitioners and / or medical professionals if you have consented to this;
5. Research purposes if you have consented to this, in which case your personal information will be 'de-identified' that is anonymous, unless you advise us otherwise;
6. Allow you to purchase products and services;
7. Answer your enquiries and resolve complaints;

Credit card information is used only for payment processing and fraud prevention. This information is not used for other purposes and not retained by us.

Anonymous data may be aggregated for reporting client statistics and to improve our customer support. If you complete a questionnaire, you may do this anonymously and you will have an option to provide your name if you have questions or are seeking further information.

### Sharing your personal information

We take seriously the trust you place in us and on no account will we share your personal information with any third party without your written permission unless required by law enforcement action or subpoena. For example, we may be required to provide your personal information to the appointed case managers of insurance companies managing your worker's compensation case or third-party case in the treatment of your injury or illness.

Personal information may be disclosed to anyone to whom you have given written and signed consent to have access to this information (e.g. a solicitor, accountant or a person who has authority to act as your attorney). This could also include referees, any financial institution nominated by you (for example in a direct debit) or anyone else you request.

### Accessing your personal information

If you have completed a consent form at this clinic you can request access to your personal information at any time. By law it is necessary to make the request in writing and send it to:

**Attention:** Kellie Ward at Foundational Care

Upon receiving your request we will discuss your access options. A copy will be supplied to you within ten working days depending on the nature of the request. We will endeavor to make your file available earlier if possible.

If you believe that any information is incorrect or outdated, you may ask for a correction to be made. There is no fee for requesting access to your information.

In a very few cases we may be unable to give you access to certain information for example where:

1. We no longer hold or use the information;
2. Providing access would pose a serious threat to the physical or mental health of any individual;
3. Providing access would have an unreasonable impact on the privacy of others;
4. The request is vexatious;
5. Providing access would be unlawful;
6. The information relates to existing or anticipated legal proceedings;
7. Providing access would prejudice or be likely to prejudice the prevention, detection, investigation and prosecution of unlawful activity;
8. Disclosure would pose a threat to the life or health of any individual.

If your request is refused, we will tell you the reason why. If we are not required to provide you with access to the information requested, we will consider, if reasonable, whether the use of a mutually agreed intermediary would allow sufficient access to meet our mutual needs.

### Correcting your personal information

We strive to keep your personal information accurate, however, it is your responsibility to notify Foundational Care when your details change. If you believe any information held about you is inaccurate, incomplete or out-of-date, you may ask to be provided with a copy of your information to view and following your authorisation your information will be corrected.

To protect your privacy and security, you may be asked to verify your identity before being granted access to your data. In some cases you may be asked to put your request in writing.

### Making a Complaint

You can ask at any time if you have any questions or concerns about this policy or about how your personal information has been handled.

We value your comments and opinions and will try to answer any questions, correct any errors or resolve any complaint that you may have about how your information is handled.

Once you have contacted us in relation to your concerns, if you are not happy with our response, or if you do not feel your complaint has been resolved, you are able to seek

advice from the **Office of the Australian Information Commissioner by calling 1300 363 992.**

Further information about making complaints regarding health care services or providers for each state and territory in Australia is available at the following websites [accessed 7/11/17].

NSW: <http://www.hccc.nsw.gov.au/Complaints/How-to-make-a-complaint/Default>

QLD: <http://www.oho.qld.gov.au/make-a-complaint/>

VIC: <https://hcc.vic.gov.au/make-complaint>

SA: <http://www.hcsc.sa.gov.au/raise-a-complaint-with-hcsc/>

TAS: [http://www.healthcomplaints.tas.gov.au/making\\_a\\_complaint/how\\_to\\_make\\_a\\_complaint](http://www.healthcomplaints.tas.gov.au/making_a_complaint/how_to_make_a_complaint)

WA: <https://www.hadsco.wa.gov.au/complaints/>

ACT: <http://hrc.act.gov.au/health/health-service-complaints/>

NT: <http://www.hcsc.nt.gov.au/complaints/>