



DR STEPHEN KEMP
Shoulder, Elbow & Hand Surgeon

DR BENJAMIN EAST
Orthopaedic Surgeon, Shoulder & Elbow Specialist

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Shoulder, Elbow & Hand Surgeon

DR DAVID RODD
Shoulder Physician

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PRIVACY POLICY

Newcastle Shoulder, Elbow & Hand Surgery, as a NSW health provider in the private sector, is bound by the *Health Records and Information Privacy Act 2002* (NSW) and the *Privacy Act 1988* (Cth) which includes both the Australian Privacy Principles and the NSW Health Privacy Principles. These Principles set the standards by which we (collect, hold, use and disclose) handle personal information collected from our patients. A copy of both sets of Principles is available for inspection at our reception desk.

Newcastle Shoulder, Elbow & Hand Surgery is committed to providing quality health care for its patients. As a fundamental part of this commitment, both principals and staff of this practice recognise the importance of ensuring that our patients are fully informed and involved in their health care.

INFORMATION WE COLLECT

As a part of our commitment to providing quality health care, it is necessary for us to collect certain personal information from you and maintain a file pertaining to your health. Your file contains the following types of information:

- Personal details such as your name, address, date of birth, contact details, Medicare number and health fund details;
- Your medical history;
- Notes made during the course of medical consultations;
- Referrals to and from other health service providers;
- Results and reports received from other health service providers.

HOW THIS INFORMATION IS COLLECTED

The information we collect and hold about you is provided by you or arises as a consequence of information provided by you.

In certain circumstances or in an emergency, we may collect personal information from third parties such as your employer, other health service providers, family members, friends or carers, your insurance company or solicitor.

With your consent, we may use a third-party medical AI scribe during your consultation to assist with generating clinical notes. We will always ensure that any AI scribe used during your consultation is compliant with both the Australian Privacy Principles and the Privacy Act.

USE AND DISCLOSURE OF PERSONAL INFORMATION

Your medical file is handled with the utmost respect for your privacy. Your file will be accessed by your medical practitioner and, when necessary (for example in the absence of your usual medical practitioner), by other medical practitioners within the practice.

It will also be necessary for our staff to handle your file from time to time to address the administrative requirements of running this practice. Our staff members are bound by strict confidentiality requirements as a condition of their employment and these requirements will be observed by them at all times when handling your file.

At times, to ensure the function of our practice, it may also be necessary to allow external organisations to access our practice and possibly to view the medical records. Any external organisation that provides service or advice to this practice will be aware of the need to preserve the requirements of state and federal legislation and will be bound by a confidentiality agreement.

In some circumstances, it may be necessary for this practice to disclose your personal information to overseas recipients.

Ordinarily we will not release the contents of your medical file without your consent. However, we advise that there may be occasions where we will be required to release the details of your file, irrespective of whether your consent to the disclosure of the information is given.

STORAGE OF YOUR PERSONAL INFORMATION

As part of our commitment to preserving the confidentiality of the information contained in your medical file, we advise that strict secure storage policies are observed in this practice.

All reasonable steps are taken to prevent any unlawful interference with your electronic records, which are accessible only by the staff of this practice and are protected by a security password.

Your paper records are kept in secure filing cabinets and accessible only by the staff of the practice.

Each member of staff is well versed in the principles and importance of doctor/patient confidentiality.

ACCESS TO YOUR INFORMATION

As a patient of this practice, you have rights of access to any information that we hold concerning you. All requests for access are required to be made in writing.

If you require copies of your personal information or medical records, you may be charged an administrative fee. You may also be required to provide identification upon collection of such copies.

In certain circumstances, access to your personal information may be declined. In such event, you will be advised in writing of the reasons for refusal and your medical practitioner will contact you to discuss whether there are any other means by which access may be facilitated.

If you believe that the information we hold about you is incorrect and an error has been made or you wish to alter or erase information from your medical file, a separate written request must be submitted.

You will not be permitted to remove any of the contents of your medical file from this medical practice.

CONSENT TO COLLECTION OF PERSONAL INFORMATION

Upon your initial attendance at our practice, you will be requested to complete our standard Consent to Collection of Personal Information form and undertake to be bound by the terms of same.

CONTACTING US

Should you have a query or complaint at any time in relation to the privacy policies in place at this practice, please contact one of our staff members who will be happy to address any concerns you may have.

We advise that it is the policy of this practice that any complaint is required to be made in writing, addressed to your practitioner and marked "private and confidential". We advise that we will make it our best endeavour to address complaints within 30 days of receipt of your complaint.

Should you be unsatisfied with our response to your privacy complaint, you may lodge a written complaint with the NSW Privacy Commissioner or the Office of the Australian Information Commissioner.

Last Updated: October 2024