



Monash Surgical Private Hospital

At Monash Surgical Private Hospital (MSPH) we understand the importance of, and respect your rights to privacy. We are committed to protecting your personal information and complying with our obligations under the Privacy Act 1988 (Cth), the Health Records Act 2001 (Vic) and other relevant laws in relation to the management of personal information.

This Privacy Policy explains how we collect and manage your personal information, including our obligations and your rights in respect of our dealings with your personal information. It also describes generally the types of personal information we hold, how it is collected, held, used and disclosed and our purpose in doing so.

What is personal information?

Personal information has the meaning given in the Privacy Act 1998 (Cth). Generally, it is any kind of information about a person that identifies that person and includes sensitive information such as health information. Health information is a subset of personal information and it is afforded a higher level of privacy protection because it is information about your health and the health services provided to you.

MSPH will only collect health information about you with your consent except where we are required or permitted by law to collect sensitive information without your consent. We are committed to complying with our privacy law obligations and managing them openly and transparently with you.

How do we collect and hold your personal information?

MSPH collects and uses personal information about you so we can admit you as a patient and provide you with patient care and treatment. We will only collect personal information by lawful and fair means and not in an unreasonably intrusive way.

MSPH's policy is only to collect sensitive information where it is reasonably necessary for us to provide you with health services and either:

- you have consented; or
- we are required or authorised by or under law to do so.

We generally collect personal information directly from you. The types of personal information we may collect include:

- Identifying information such as name, gender and date of birth;
- Contact information such as home address, home and mobile phone numbers, email address and emergency contact details;
- Sensitive information, including information about your medical history and health services provided to you;
- Information about your health fund provider;
- Government-issued identifiers such as your Medicare number.

We may collect your personal information from:

- A person authorised to provide us information on your behalf;
- A third party such as a hospital, doctor or other health service provider who has treated you;
- Your health fund provider who is providing you with insured benefits; and
- A service provider engaged by us or a third party who partners with us.



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If we receive personal information about you that we have not requested and we determine that we could not have lawfully collected that information if we had requested it, we will destroy or de-identify the information, if it is lawful and reasonable to do so.

Use or Disclosure of Personal Information

In general, we do not use or disclose your personal information for a purpose other than:

- A purpose set out in this Privacy Policy;
- A purpose you would reasonably expect;
- A purpose required or permitted by law; or
- A purpose otherwise disclosed to you to which you have consented.

When you become a patient of MSPH, your personal information is recorded in your medical record. Your medical record contains your name, address, contact details and health information on the problem for which you seek treatment, and the treatment you were given. Every time you attend MSPH, new information is added to your medical record.

Your medical record is used as the basis for planning your care and treatment as it is the means of communication for the health professionals at MSPH who contribute to your care. We need to ensure that each healthcare professional involved in your care has all your health information recorded in your medical record. Your previous history of medical care helps us to quickly identify which treatments are likely to be appropriate and effective for you.

We rely on the information that you give staff to help provide the right care for you. You have the right to refuse to provide us with personal information. However, withholding relevant information may put your health at risk, and we wish your stay to be as safe as possible.

We may disclose your personal information to:

- Health service providers involved in your care and treatment;
- Your health fund provider so they have evidence of treatment to pay benefits for your health-related services;
- Other parties to whom we are authorised or required by law to disclose information such as the Department of Health (Victoria) to report notifiable diseases and the Victorian Cancer Registry to record details of cancer diagnosis.

We take all reasonable steps to ensure that these organisations are bound by confidentiality and privacy obligations with respect to the protection of your personal information. We do not directly disclose personal information to recipients located overseas.

Access to Personal Information

During your stay or after your discharge you may request access to the personal information we hold about you by contacting us. Please see the contact details at the end of this Privacy Policy for information on how to contact us. We may recover reasonable costs in relation to a request for access to personal information.

We will deal with your request for such access within a reasonable time. If we refuse access, we will provide you with a written notice which sets out the reasons for the refusal. For example, MSPH may refuse to provide you with access to your personal information if it would be unlawful or may pose a serious and imminent threat to someone's health.



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In some instances, MSPH is unable to release information provided to it by a third party, for example a medical practitioner or another health consultant's report or information provided by a third party entity. Where this occurs, MSPH may refer you to the third party to access the information directly.

Accuracy of Personal Information

MSPH takes reasonable steps to ensure that our information about you is accurate, up-to-date and complete. Where we believe that the personal information we hold is inaccurate, out-of-date, incomplete, irrelevant or misleading, we will take reasonable steps to correct the information. If you believe your personal information is not accurate, complete or up-to-date, please contact MSPH and we will take reasonable steps to correct the information. If we do not agree with the corrections you have requested, we will give you a written notice setting out the reasons for our refusal to alter your personal information.

It will not always be possible for MSPH to give you the opportunity to correct health information held about you. However, even where MSPH cannot correct your health information as requested, we will take all reasonable steps to note any statement you make about the relevant health information.

Security of Personal Information

MSPH takes all necessary precautions to ensure your personal information (in both physical and electronic form) is secure. Information about you is securely stored in a medical record file, within the medical records area.

Some information about you is also stored on our computer systems. Computer stored information (such as your name, address, date of birth, telephone number and diagnosis) allows all health care professionals involved in your care to access your information easily and quickly when it is needed.

We are committed to protecting the personal information we hold about you. MSPH takes all reasonable steps to protect your personal information and to ensure your information is secure from misuse, interference or loss, and protected from unauthorised access, modification, or disclosure. Our systems are subject to regular audit and are maintained based on appropriate industry guidelines.

MSPH maintains strict policies about access to your personal information and all staff are bound by confidentiality agreements and a code of conduct with respect to maintaining confidentiality of information. Access to personal information is restricted to individuals properly authorised to do so.

Any personal information held by MSPH will be destroyed or permanently de-identified when it is no longer needed for any purpose for which MSPH might legitimately use or disclose it. To comply with our legal obligations, we typically retain your medical records for a minimum of seven years after your last admission as a patient.

Using our Website

Anytime you access pages of our website, we collect information about your visit such as:

- The time and date of the visit;



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- Any information or documentation that you downloaded;
- Your browser type; and
- Your server address.

When you access pages of our website, we use “cookies” to obtain information about how our website is being used. A “cookie” is a small text file which is placed on your internet browser and which we access each time you visit our website. It allows us to recognize your computer or internet enabled device. We use cookies to measure traffic and engagement patterns, to determine which areas of our website have been visited and to measure overall, aggregate transaction patterns. You may change the settings on your browser to reject cookies, however doing so will prevent you from accessing secured pages of our website.

Our website may contain links to third party websites. We advise that the terms of this Privacy Policy do not apply to external websites. If you wish to find out how any third parties handle your personal information, you will need to obtain a copy of their privacy policy.

We make reasonable efforts to ensure that the most up-to-date security measures are used on our website to protect your personal information. Any data containing personal information which we transmit via the internet is encrypted. However, no data transmission over the internet or information stored on servers accessible through the internet can be guaranteed to be fully secure.

When we receive emails, we will retain the content of the email and our response to you where we consider it necessary to do so. Your email address will only be used or disclosed for the purpose for which it was provided. It will not be added to any mailing list or used for any other purpose without your consent.

Notifiable Data Breaches Scheme

In the event of any unauthorised access or unauthorised disclosure or loss of your personal information that is likely to result in serious harm to you, we will investigate and notify you and the Office of the Australian Information Commissioner in accordance with the Privacy Act 1988 (Cth).

Questions and Complaints

If you have any concerns or questions about this Privacy Policy, or our use of your personal information, please contact our Privacy Officer whose contact details are provided at the end of this Privacy Policy.

If you wish to make a formal complaint, please provide your complaint in writing to our Complaints Officer. We will consider your complaint promptly and contact you to resolve the matter. Generally, we will aim to respond to your concerns or otherwise keep you informed of our progress within 30 days.

If you are not satisfied with our response or our proposed resolution of your complaint, you are entitled to make a complaint to the Office of the Australian Information Commissioner.



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Contacting Us

If you have any questions about this Privacy Policy or have any concerns or complaints about the treatment of your personal information, you can write to the Privacy Officer

Monash Surgical Private Hospital
252-256 Clayton Road
Clayton VIC 3168

For more information about privacy in general, you can visit the Office of the Australian Information Commissioner's website <http://www.oaic.gov.au> and the Office of the Health Services Commissioner's website <https://www.health.vic.gov.au/>

Changes to the Privacy Policy

MSPH may make changes this Privacy Policy from time to time without notice to you. An up-to-date copy of our Privacy Policy is available on our website.

This Privacy Policy was last reviewed and updated on 1 July 2021.