

Bluff Road Psychology takes its obligations under the Victorian Health Records Act 2001 and the Commonwealth Privacy Act 1988 seriously and takes all reasonable steps to comply and protect the privacy of personal information.

Collection of Information

Bluff Road Psychology collects and holds personal health information about you.

This information enables us to properly assess, diagnose, treat your illnesses and be proactive in your health care needs. The information we may ask you maybe very personal but not having this information may restrict our capacity to provide you with the standard of mental health care that you expect.

All members of the team involved in your care will have access to your personal information.

This means we may use and disclose the information you provide in the following ways:

- Disclosure to others involved in your mental health care, including doctors and specialists outside this practice who may become involved in treating you or in emergency situations. This may occur through referral to other doctors or specialists, or for clinical tests, reports or results returned to us.
- Disclosure to enable recording on clinical registers or to improve community mental health care.
- Administrative purposes in running our psychological practice to appropriate authorities or personnel, locally or internationally. This includes our insurer or clinical indemnity providers, and quality assurance and accreditation bodies.
- Billing purposes, including providing information to your health insurance fund, Medicare and other organisations responsible for the financial aspects of your care.
- Conducting clinical/psychological research. You will be informed when such activities are being conducted and your involvement will only take place if you provide express signed consent for each program.
- Assisting with training and education of other mental health professionals or psychologists. You will be informed when such activities are being conducted and your involvement will only take place if you provide express consent to your psychologist for each program.
- By law, psychologists are sometimes required to disclose information for reasons of public interest or safety, e.g. mandatory reporting legislation.

Information Quality

Our goal is to ensure that your information is accurate, complete and up-to-date. To assist us with this, please contact us if any of the details you have provided change. Further, if you believe that the information, we have about you been not accurate, complete or up-to-date, contact us and we will use all reasonable efforts to correct the information.

Information Security

The storage, use and, where necessary, the transfer of personal health information will be undertaken in a secure manner that protects client privacy.

We will take all reasonable steps to protect the security of the personal information that we hold. This includes appropriate measures to protect electronic materials stored and those generated in hard copy. Even if you discontinue with the practice, there are requirements to keep client information for as long as required by law i.e. seven years or more after your last appointment depending on your age.

What Happens If You Choose Not to Provide Information?

You are not obliged to provide us with your personal information. However, if you choose not to provide Bluff Road Psychology with your personal details such as name, address, date of birth etc., we may not be able to provide you with the full range of our services.

Treatment of Children

The rights of children to the privacy of their health information, is based on the professional judgment of the doctor and consistent with the law, which may restrict access to an older child's information to parents or guardians.

Access

Clients have a general right of access to all health information held about them.

The following is a list of the health information to which individuals have a right to access:

- The history of the health of the individual
- Any results of examinations or sessions
- Management plans
- Services provided

Bluff Road Psychology is required to provide the individual with access in the format requested by the individual

Bluff Road Psychology could refuse access if:

- It would pose a serious threat to anyone's life or health.
- It would have an unreasonable impact on someone else's privacy.
- It might prejudice an investigation of possible unlawful activity.
- Denying access is required and authorized by or under law.

If access is refused on the grounds of serious threat to the client's life or health, you may request a second opinion – this process is described in the Complaint Handling Process section.

Discretionary refusal of access:

The psychologist may choose not to provide access where:

- It would have an unreasonable impact on the privacy of other people.
- The request is frivolous or vexatious.
- The information relates to existing or anticipated legal proceedings between the practice and independent psychologist, and the information would not ordinarily be obtainable by the process of discovery in those proceedings.
- It would reveal the practice's intentions in relation to negotiations with the individual (other than the provision of a mental health service), in such a way as to expose or unreasonably cause disadvantage.
- It would be likely to prejudice a law enforcement function by or on behalf of a law enforcement agency.
- The individual has already unsuccessfully made a request for the information, and there are no reasonable grounds for making the request again.

Where there are direct inconsistencies between the Victorian Health Records Act and the Commonwealth Privacy Act, the Commonwealth law will prevail.

Request for Access

Clients do not have to give reasons for requesting access.

The privacy legislation does not require immediate handing over of a record or session report. Access should however be provided within a reasonable time (no longer than 45 days to 30 days).

If a client requests access to a session result (whether before the psychologist has had the opportunity of consulting with the client, or after) the psychologist should handle this situation in accordance with usual clinical practice. A hard copy of reports may be given to the client after consultation with their psychologist.

Where a client requests access to a test report from 12 months (or more) ago, after appropriate clinical investigations had occurred, the request should still be referred to the psychologist to handle in accordance with usual clinical practice.

Where a client requests more detailed access, for example a copy of the entire file or a chance to view a large portion of the file, this would normally require written application for access as described below.

If the client requests a copy of the file, then Bluff Road Psychology must comply – an accurate summary can only be supplied.

The original records are the property of the independent health practitioner and accessible to Bluff Road Psychology.

There are some circumstances in which access is restricted, and in these cases reasons for denying access will be explained.

Clients can only be given access to their records while their treating practitioner is present, to explain and discuss the record. No client will be allowed unsupervised access to their record.

The Access Process

The request should initially be referred to the client's regular psychologist, who will determine whether the information can be provided 'simply, freely and easily', or whether to ask the client to complete a written request for access to their clinical records

Where the psychologist decides that a more formal level of access is required, the psychologist shall ask the client to write to the Bluff Road Psychology specifically requesting what they require

If the client needed to see the psychologist for other reasons this could perhaps be dealt with during a standard consultation. If the client did not need to see the psychologist a standard fee (described below) would apply.

Types of Access and Costs

The types of access available, and relevant costs are outlined below.

A range of fees set by the Health Records Act are payable to cover Bluff Road Psychology costs to provide access.

Accurate Summary

- The usual fee for a consult of comparable duration, or
- \$30 per 15 minutes or part thereof + GST.
- There is no Medicare rebate available for this fee and this should be noted on the private account.

Copy

- 20 cents per A4 black & white page (photocopied or printed from computer), plus
- Reasonable costs if not A4, or if in color, plus
- Reasonable costs incurred in assessing and collating the information (ie. time spent by clinician or staff).
- There is no Medicare rebate available for this fee and this should be noted on the private account.

Viewing the file with explanation by a Psychologist

- The usual fee for a consult of comparable duration.

Changes To the Clinical Record

If a client finds that the information held on them is not accurate or complete, the client may have that information amended accordingly by their health practitioner.

Disclosure of Mental Health Information to Clinical Defense Organizations and Lawyers

Psychologists may be obliged to disclose client information relating to adverse outcomes to their Clinical Defense Organisation, insurer, clinical experts or lawyers, without obtaining client consent, so long as the disclosure is within the reasonable expectations of the client.

Complaint Handling Process

The client's psychologist would usually be the first appropriate person to discuss any complaints. Most issues can be resolved simply through discussion with the client.

Only on failure to reach common ground would the Privacy Commissioner be asked to investigate a complaint.

Brochures entitled "Managing a Complaint" are available in the main reception waiting room.

Contact details for Privacy Commissioner:
GPO Box 5057
10-16 Queen Street
Melbourne Victoria 3000

Phone: 1300-666-444
Fax: +61-3-8619-8700
Email: enquiries@privacy.vic.gov.au
Website: www.privacy.vic.gov.au

Contact Details for the Health Complaints Commissioner are:
Hotline 1300 582 113
www.health.vic.gov.au/hsc
Fax 03 9032 3111
Email hsc@hcc.vic.gov.au
Level 26
570 Bourke Street
Melbourne 3000

Second Opinion of Refusal of Access

When advised that access has been refused on the grounds of serious threat to the individual's life or health, the individual can ask for a 'second opinion'. The individual may nominate any health service provider who has consented to being nominated.

Bluff Road Psychology must accept this nomination if they provide the same kind of service as a psychologist and have the ability to interpret and understand the mental health information. The clinic must give a copy of the file to the nominated health service provider within 14 days. That person then looks at the file, discusses it with the usual psychologist at Bluff Road Psychology, and decides as to whether it poses a threat to the individual's life or health. If the second opinion is that there is no threat, access must be provided in the form of inspection, but a copy does not have to be provided.

I understand/acknowledge that the controller of my personal data is Bluff Road Psychology with its registered office in 322 Bluff Road, Sandringham. I understand/acknowledge that my personal data shall be processed and transmitted in accordance with the Australian Privacy Principles (APP).

To Whom Might We Disclose Your Personal Information?

As a client of Bluff Road Psychology, we may disclose your personal information to:

- Other companies or individuals who assist us in providing services or who perform functions on our behalf
- Courts, tribunals and regulatory authorities if required by law; and
- Anyone else to whom you authorise us to disclose it, as aforementioned.

Management of Your Personal Information

The Australian Privacy Principles (APP) requires us to take reasonable steps to protect the security of personal information. All staff are required to respect and maintain the confidentiality of personal information and the privacy of all clients. Bluff Road Psychology takes reasonable steps to protect personal information held from misuse and loss and from unauthorised access, or disclosure.

Your Health Data Storage

Your health data is stored on an Australian compliant server. Authorised personnel are allowed secure, verified access to this data to aid in the provision of services to you.