



# Information Privacy Policy - State Wide

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### Affirmation

This governance document is consistent with [Mater's Mission, Vision and Values](#).  
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# 1. Policy statement

This policy sets out Mater's policy in relation to the management of personal information.

## 1.1 Scope and context

This Policy applies to all persons who have access to personal information collected by the Mater and all persons about whom personal information is collected.

# 2. Principles

The following set of principles describes the objectives and outcomes of the policy:

## 2.1 Principle one: Compliance with Applicable Legislation

All persons who provide services to or on behalf of the Mater, all persons who have access to personal information collected by the Mater and all persons about whom personal information is collected are required to comply with the provisions of the Privacy Act 1988 (C'ith) including the Australian Privacy Principles ("APPs") and all other legislation which applies to the Mater.

## 2.2 Principle two: Open and Transparent Management

The Mater will manage personal information in an open and transparent way and will take all reasonable steps to implement practices, procedures and systems that will enhance accountability for its information handling practices and assure community trust and confidence in those practices.

## 2.3 Principle three: Availability of this Policy and Notification Statements

The Mater will make a copy of this policy available at no cost to those who require a copy and will use its best endeavours to make it available in the format required. Notification Statements outlining the Principles and Requirements of this Policy will be displayed in all publicly accessible areas of the Mater. Notification Statements may vary depending on whether the area or service is related to Healthcare, Education, Research or Mater Foundation.

## 2.4 Principle four: Consent

Personal Information will only be collected, used or disclosed with consent unless otherwise required or authorised by law. In the case of Research, Mater Human Research Ethics Committee (HREC) may waive the need for consent. Consent may be either express or implied and be obtained verbally or in writing.

## 2.5 Principle five: Integrity and Security

Personal Information will be stored and handled in such a manner as to ensure that it is not subject to any unauthorised access, use or disclosure. Mater will use its best endeavours to ensure that all personal information is accurate, up-to-date, complete and relevant.

# 3. Compliance

## 3.1 Legislative compliance

- a. All persons to whom this policy applies are required to comply with the provisions of the Privacy Act 1988 (C'ith) and the Australian Privacy Principles contained therein, as well as all other legislation relating to the handling of personal information which may apply to the Mater Group.

## 3.2 Industry standards

- a. Australian Commission on Safety and Quality in Health Care. National Safety and Quality Health Service Standards. 2nd ed. Sydney: ACSQHC; 2017.(1.16)

# 4. Policy Requirements

This policy sets out Mater's policy in relation to the management of personal information.

## 4.1 Collection of Personal Information

### 4.1.1 Types of Personal Information Collected

As part of its activities in healthcare, education, research and charitable services, Mater collects a wide range of personal information including demographic information (e.g. name, address, date of birth), general health information, mental health information, sexual information, information about family members and/or associates, information about personal and social circumstances, financial information, legal information, education information, employment information and a wide range of information necessary for the purposes of carrying out its functions.

### 4.1.2 How is Personal Information Collected

Mater collects personal information from a variety of sources including the individuals to whom the information relates, family members and associates, other health care providers, community service organisations, law enforcement agencies, schools, insurance companies, Federal and State Government agencies, employers, and other individuals and/or entities who may have information relevant to Mater's activities. As a general principle, where personal information is not collected directly from the individual concerned, Mater will take reasonable steps to ensure that the individual is informed about the collection unless the individual has previously expressly or impliedly consented to the collection. If Mater receives unsolicited personal information, Mater will determine whether the information is reasonably necessary for its activities. If it is not necessary, Mater will return or destroy the information. Personal information will only be collected in a manner that is lawful and fair.

### 4.1.3 The Purposes of Collection of Personal Information

Mater collects personal information for the purposes of carrying out its functions in healthcare, education, research and charitable services, as well as an employer, business operator (e.g. Child Care services, retail outlets), landlord, tenant, and other associated functions. Information may also be collected where a Permitted Health Situation or Permitted General Situation exists as per the Privacy Act 1988 (C'lh).

## 4.2 Access, Use and Disclosure of Personal Information

### 4.2.1 General

Mater will only access, use and/ or disclose information for the purpose(s) for which it was collected unless otherwise required or authorised by law. Health Information will only be used for the primary purpose of collection and any directly related secondary purpose. Mater may be required by the legal process (e.g. subpoena, search warrant, Notice of Discovery, Notice from Statutory Agency) to disclose personal information.

Mater will also access, use or disclose personal information where it is required or authorised by law or where a Permitted Health Situation or Permitted General Situation exists as per the Privacy Act 1988 (C'lh).

### 4.2.2 Overseas Use or Disclosure

Generally, Mater will only transfer personal information overseas where the individual expressly consents to such transfer. However, given the significant amount of electronic information collected by Mater and that many software vendors and service providers are outside of Australian boundaries, personal information may be transferred outside of Australia in the course of managing that information. Before transferring any information outside of Australia, Mater will take reasonable steps to ensure that:

- Any service provider who will be handling the information will be contractually bound to comply with the Australian Privacy Act; and
- The country to which the information is to be transferred has a system of Privacy protection at least equal to the Australian system and incorporates a means of taking action for any breaches of privacy.

## 4.3 Access to and Correction of Personal Information

### 4.3.1 Access

As a general rule, all persons have a right to access their personal information held by Mater. There are some circumstances where Mater is permitted to deny access to personal information such as where the access would have an unreasonable impact on the privacy of others or where granting access is unlawful or denying access is required or authorised by law. Other grounds are set out in the APPs. Mater is allowed to impose reasonable charges for providing access.

### 4.3.2 Correction of Personal Information

Mater will take reasonable steps to ensure that all personal information it holds is accurate, up-to-date, complete, relevant and not misleading. Individuals may apply to Mater to correct any personal information held by Mater and Mater will consider all such requests. If Mater does not amend the information as requested, we will provide written reasons for the refusal to amend the information.

All requests for access or correction are to be directed to the Mater Privacy Office whose contact details are set out below.

## 4.4 Privacy Office

Mater's Privacy Office has primary responsibility for ensuring compliance with the Privacy Act and dealing with all issues arising in relation to privacy. As a general rule, all staff must contact the Privacy Office for advice if there are any concerns relating to privacy. All requests for access or correction must be referred to the Privacy Office. A person may contact the Privacy Office for information in relation to personal information held by Mater about them.

## 4.5 Complaints

Mater has established processes for dealing with complaints relating to privacy. Where the complaint is in relation to the handling of personal information, all complaints must be directed to the Manager Information Privacy. Where the complaint is about the actions of the Privacy Office, the complaint should be directed to the Director, Information Management.

All complaints will be acknowledged, and a response will be provided as soon as practicable. If the complainant is not satisfied with the management of the complaint or the response, they may request that the complaint be reviewed by the relevant Executive Director. They may also at any time lodge a complaint with the Office of the Australian Information Commissioner.

# 5. Contact Details

## 5.1 Mater Privacy Office

Manager Information Privacy  
Mater Health Services  
Raymond Terrace, South Brisbane 4101 Tel: 07 3163 2666 Fax: 07 3163 8104  
Email: [privacyoffice@mater.org.au](mailto:privacyoffice@mater.org.au)

The Office is located on Level 2 of Mater Hospital Brisbane and supports all Mater services and locations.

## 6. Definitions

Term	Definition
APP	Australian Privacy Principle
Health Information	<p>means:</p> <ul style="list-style-type: none"> <li>a) information or an opinion about: <ul style="list-style-type: none"> <li>I. the health, including an illness, disability or injury, (at any time) of an individual; or</li> <li>II. an individual's expressed wishes about the future provision of health services to the individual; or</li> <li>III. a health service provided, or to be provided, to an individual;</li> <li>IV. that is also personal information;</li> </ul> </li> <li>b) other personal information collected to provide, or in providing, a health service to an individual;</li> <li>c) other personal information collected in connection with the donation, or intended donation, by an individual of his or her body parts, organs or body substances;</li> </ul> <p>genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.</p>
Mater	Mater means all services operated by Mater Misericordiae Limited as well as Mater Education Limited , Mater Research and Mater Foundation
Personal Information	<p>Means information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ul style="list-style-type: none"> <li>a) whether the information or opinion is true or not; and</li> <li>b) whether the information or opinion is recorded in a material form or not</li> </ul>
Sensitive Information	<ul style="list-style-type: none"> <li>a) information or an opinion about an individual's: <ul style="list-style-type: none"> <li>I. racial or ethnic origin; or</li> <li>II. political opinions; or</li> <li>III. membership of a political association; or</li> <li>IV. religious beliefs or affiliations; or</li> <li>V. philosophical beliefs; or</li> <li>VI. membership of a professional or trade association; or</li> <li>VII. membership of a trade union; or</li> <li>VIII. sexual orientation or practices; or</li> <li>IX. criminal record; that is</li> </ul> </li> </ul> <p>also personal information; or</p> <ul style="list-style-type: none"> <li>b) health information about an individual; or</li> <li>c) genetic information about an individual that is not otherwise health information; or</li> <li>d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or</li> <li>e) biometric templates.</li> </ul>

## 7. Documents related to this policy

### Mater documents

Document Type	Document ID	Document Title
<b>Procedure</b>	PR-DTI-100033-02	Information Privacy Procedure
	PR-DTI-100047	Privacy Impact Assessment Procedure
	PR-DTI-000016-02	Managing a Notifiable Data Breach Incident Procedure
	PR-IID-100061	Information Classification Procedure
<b>Guideline</b>	Nil	
<b>Work instruction</b>	WI-IID-100016	Privacy Office Work Instruction
<b>Clinical forms</b>		Patient Information Consent Form
<b>Other</b>		Personal Information Collection Notification Statements

### External documents

1.	The Privacy Act 1988 (C'lt'h)
2.	Privacy Amendment (Enhancing Privacy Protection) Act 2012
3.	Australian Privacy Principles guidelines (March 2014 issued by Office of the Australian Information Commissioner)

## 8. Document controls

### 8.1 Document revision history

Version	Release date	Description	Risk-rated Review date
1.	22 Jul 2021	Release of first version	
1.1	16 Oct 2017	Definitions updated as per Privacy Act	
2	01 July 2021	Released as version applicable to all Mater ministries and locations	

### 8.2 Document review and approval

Name Person/committee	Position If applicable	Function Owner/author/review/approve
Alastair Sharman	Chief Digital Officer	Document Owner
Sallyanne Wissmann	Director Information Management	Document Author
Justin Sharp	Consultant, Rogencamp & Co Lawyers	Review
Anne-Maree Schneider	Manager Information Privacy	Review
Mater Leadership Team		Authorised by

### 8.3 Keyword indexing

<b>Keywords:</b>	Privacy, Privacy Act, APP, personal information, OAIC
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