

1. ABOUT THIS POLICY

- 1.1 This Privacy Policy (**Policy**) describes how Adventist HealthCare Limited (**AHCL**) (ABN 76 096 452 925) (**we, our, us**) collects, handles and protects the personal (including health) information we collect and hold about our patients and other individuals with who we interact.
- 1.2 AHCL (formerly known as 'Sydney Adventist Hospital Limited'), is owned by the Seventh-day Adventist Church, and is a not-for-profit organisation. AHCL operates a number of healthcare businesses. The Sydney Adventist Hospital (known as **The San** or **SAH**) and San Day Surgery Hornsby are divisions of AHCL. The San includes the teaching hospital, Sydney Adventist Hospital Clinical School (in collaboration with the Australian National University and Avondale University), San Pharmacy and San Diagnostics. San Diagnostics services include San Radiology and Nuclear Medicine and our partnership with San Ultrasound for Women. AHCL is Trustee for Sydney Adventist Hospital Trust and ELIA Wellness Trust and works with Elia Wellness (which has its own privacy policy at www.eliawellness.com/privacy_policies). AHCL also maintains records relating to a number of businesses it has divested (San Pathology and Dalcross Adventist Hospital).
- 1.3 This Privacy Policy applies to all of the personal information collected by AHCL and its businesses and units. SAH, and its various San units and services may also have separate patient privacy notices or statements which they provide at certain times, such as on admission. All of these refer to this AHCL Privacy Policy. It is referred to in the SAH's '*Personal Information and Privacy for Patients*' Notice, available on the SAH's website and in our patient admission documents.
- 1.4 We are committed to and understand the importance of protecting your privacy. This Policy explains the types of personal information that we usually collect and hold about you (from you and third parties) depending on who you are in carrying out our functions and activities. It also explains the purposes for which we collect personal information, to whom we usually disclose it, how we hold and keep it secure and your rights in relation to your personal information, including receiving marketing communications, accessing and correcting your information, how to make a privacy complaint and how we deal with complaints.
- 1.5 We handle the personal information we collect about you in accordance with this Policy and our obligations in the *Privacy Act 1988* (Cth) (**Privacy Act**), including the Australian Privacy Principles (**APPs**), the *Health Records and Information Privacy Act 2002* (NSW) (**HRIP Act**), including the Health Privacy Principles (**HPPs**) and any other applicable privacy laws.
- 1.6 In this Policy, **personal information** means any information or opinion about an identified individual or an individual who is reasonably identifiable, whether true or not. It does not include information that is de-identified and anonymous. It includes **sensitive information** which is a subset of personal information which is afforded a higher degree of protection and includes information about race, religious beliefs, health, sexual preferences and criminal record. **Health information** includes information or an opinion about the physical or mental health or a disability of an individual, a health service provided to them, their wishes about the provision of a health services, genetic information or any other personal information collected when we provide a health service. The personal information collected and held by AHCL about patients is health and other sensitive information to which additional obligations apply.
- 1.7 This Policy does not apply to the personal information in employee records held by AHCL and its divisions in their capacity as current or former employers.
- 1.8 We may amend and update this Privacy Policy from time to time to ensure it is current and reflects our business practices, services and obligations.

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1.9 This Policy was last updated in **December 2021**. The most up to date version will be published on AHCL's website at [Privacy \(adventisthealthcare.org.au\)](https://www.adventisthealthcare.org.au/Privacy).

2. TYPES OF PERSONAL INFORMATION WE COLLECT AND HOLD

2.1 The types of personal information we usually collect about you depends on who you are and your dealings with us.

2.2 **Pandemic:** given the impacts of a pandemic, the nature of the services AHCL provides and the public health orders and directions that are issued from time to time, we may request evidence of the vaccination status of all individuals who attend our sites, including patients, contractors, AMOs, healthcare workers, and family members.

2.3 If you are a patient, we may collect your:

- (a) name, address, sex and gender, date of birth, email address, mobile and phone number;
- (b) marital status, occupation, next of kin and emergency contact;
- (c) Medicare details and/or private health fund details;
- (d) religious beliefs, system or affiliations;
- (e) health information (both in relation to your health history, your current vaccination status and the health services (diagnosis, treatment and care) we provide);
- (f) Returned Service (Veterans) information;
- (g) Indigenous status and language spoken at home;
- (h) carer/s, guardian/s, authorised representative/s. medical treatment decision maker and visitor information;
- (i) consents in relation to your healthcare, fund-raising activities for The San Foundation, research activities including clinical trials, marketing and chaplaincy services;
- (j) name and contact details of general practitioner and referring doctor; and
- (k) credit and transaction details associated with our services.

2.4 If you are a researcher or student, we may collect your:

- (a) name, address, date of birth, email address and phone number;
- (b) the institution you are studying or working at;
- (c) information provided in research and accreditation applications; and
- (d) your research study or course.

2.5 If you apply for a job or accreditation with us, or to undertake training, or you are a healthcare provider who has referred a patient to us or who is providing services at the SAH or one of our other divisions as an Accredited Medical Officer (AMO), or a visiting health professional or in another professional capacity, we may collect your:

- (a) name, contact details and practice details;
- (b) employment history, qualifications and academic records
- (c) credentialing information including: licences and registrations, accreditations, criminal record and working with children checks;

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- (d) details of your next of kin;
- (e) references;
- (f) information included in your application form;
- (g) work performance and training records;
- (h) clinical outcomes;
- (i) pre-employment medical assessment results;
- (j) personal alternative contact details;
- (k) attendances at our events and conferences;
- (l) superannuation fund details;
- (m) criminal history record;
- (n) healthcare provider number;
- (o) computer log-in details and passwords; and
- (p) e-learning details.

2.6 If you do not provide the information we request, or we are otherwise unable to collect all of it, we may not be able to respond to your enquiry or request or provide some or all of our services to you (at our discretion) or process your job application, research or study application or permit you attend on our sites or deliver services from them.

3. DEALING WITH US ANONYMOUSLY OR USING A PSEUDONYM

- 3.1 Where possible and lawful, you may interact with us anonymously or using a pseudonym. For example, if you contact us with a general question or query, we will not record your name unless we need it to adequately respond to your question. AHCL has an **Alias Policy** that deals with the processing of requests by patients to remain anonymous or with a pseudonym in more detail. Please contact our relevant Privacy Officer using the details at the end of this Policy if you would like more information about our Alias Policy.
- 3.2 However, for many of our functions and activities, we usually need your name, contact information and other details to enable us to respond to your request, provide our services to you and comply with our obligations.

4. HOW WE COLLECT YOUR PERSONAL INFORMATION

- 4.1 We generally collect personal information from you directly or if you are a patient, from a guardian or authorised representative through the pre-admission and admission process and throughout the provision of healthcare services.
- 4.2 If you are a patient, we may also collect personal information about you from the following:
- (a) your treating general practitioners, specialists, or other health care providers;
 - (b) next of kin, family members, guardians, authorised representative or carers;
 - (c) government agencies, regulatory bodies (such as Medicare and NSW Health);
 - (d) health funds;
 - (e) your MyHealthRecord;
 - (f) Private Hospitals Data Bureau; and
 - (g) third party insurers.

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- 4.3 If we collect the personal details of any other individuals, such as your next of kin or carer or authorised representative, this Policy will also apply to their information and you should make them aware of AHCL's identity and contact details, the purposes for which we collect their information and that further information about AHCL's handling of their personal information including their rights and how to complain, are set out in this Policy.
- 4.4 When you attend our sites, we may collect information about you through our CCTV and to confirm your vaccination status.

5. COLLECTION OF INFORMATION VIA OUR WEBSITE

- 5.1 When you visit our website, we may also use 'cookies' or other similar tracking technologies including Google Analytics that help us track your website usage, pages viewed and remember your preferences. Cookies are small files that store information on your computer, mobile phone or other device. They enable the entity that put the cookie on your device to recognise you across different websites, services, devices and/or browsing sessions. You can disable cookies through your internet browser, but our website may not work as intended for you if you do so.
- 5.2 Whilst we do not use browsing information to identify you personally, we may record certain information about your use of our website, such as which pages you visit, the time and date of your visit, search engine referrals, the browser you are using, your top-level name (such as .com, .org, .gov, etc.) and the internet protocol (IP) address assigned to your computer.

6. PURPOSES FOR WHICH WE COLLECT, USE AND DISCLOSE PERSONAL INFORMATION

- 6.1 The main purpose for which we collect your personal (including health) information will depend on who you are and your interaction with us, for example, if you are a patient, job applicant, student, researcher, contractor, health professional or a family member, carer, guardian or authorised representative of a patient.
- 6.2 If you are a patient (either in-patient or out-patient or in the home) at the San or one of our healthcare facilities, we collect your information for the primary purposes of:
- (a) providing acute and primary health services (including diagnostic, medical, general practice, emergency care and allied or wellness care), treatment and ongoing care, and managing your healthcare in a safe environment;
 - (b) identifying you, confirming your financial consent and your consent for procedures where required and producing a record of the services received; and
 - (c) billing you or a third party on your behalf (both for our services and services provided by other facilities and medical staff) and submitting claims for the cost of our services.
- 6.3 If you are a job applicant, we collect your personal information for the primary purpose of processing your job application and conducting checks relevant to your application.
- 6.4 If you are a student, we collect your personal information for the primary purpose of on-boarding you, providing our teaching services and delivering training and meeting our registered training obligations.
- 6.5 If you are a researcher, we collect your personal information for the primary purpose of approving your research, confirming your accreditation, giving you access to relevant systems and data and monitoring access.
- 6.6 If you are a volunteer, we collect your personal information for the primary purpose of processing your application and conducting relevant checks and administering your volunteer activities.

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- 6.7 Given the nature of our operations as a hospital and health service provider, we may also use and disclose the personal information we collect about you for the following purposes:
- (a) administering or managing accommodation;
 - (b) maintaining contracts with transport and home health providers;
 - (c) risk and operational management processes;
 - (d) research and development;
 - (e) quality process or service improvement projects;
 - (f) funding, management, planning or evaluation of our health services;
 - (g) to meet health fund reporting requirements;
 - (h) accreditation, audits, risk and legal claims management;
 - (i) to conduct patient satisfaction surveys;
 - (j) to conduct and manage events;
 - (k) to sell our merchandise;
 - (l) education and training of our staff and registered students including to maintain our training accreditation status such as for VET courses;
 - (m) complying with our legal obligations including to maintain a safe workplace and meet public health orders;
 - (n) in cases of an emergency to prevent or lessen a serious threat to somebody's life or health;
 - (o) to respond to, communicate about and manage incidents, complaints and conduct investigations;
 - (p) our philanthropic activities in association with The San Foundation;
 - (q) direct marketing, social media engagement, and relationship management as explained further below;
 - (r) to deliver chaplaincy services and spiritual aspects of care (by our employed Chaplains and visiting Spiritual Caregivers or Pastoral Care workers from your faith); and
 - (s) account management.

7. DISCLOSING YOUR PERSONAL INFORMATION

- 7.1 In the course of providing our services to you as a patient, we may disclose your personal information to the following parties:
- (a) to health care providers and professionals including allied health professionals, clinical staff and teams who are involved in providing you treatment and managing your healthcare. This includes for example our Multi-disciplinary Cancer Teams
 - (b) to GPs or other doctors or services who may have referred you to us;
 - (c) to the My Health Records system in accordance with the requirements of the *My Health Records Act 2012 (Cth)*;
 - (d) to your treating GP for the purpose of sending them your discharge summary and any associated documentation;

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- (e) other entities within the AHCL group of companies including, unless you opt out, the San Foundation (its Privacy Policy can be found on its website at www.sanfoundation.org.au);
 - (f) we are required by certain Commonwealth, State or Territory legislation to report health information and health practitioner information to government agencies, regulatory bodies and law enforcement agencies, and to report patient information to other entities for certain purposes (such as Medicare Australia, NSW Health, the Commonwealth Department of Health and Department of Veterans' Affairs, State child protection agencies in relation to children at risk);
 - (g) agencies and organisations on whose behalf we are contracted to deliver healthcare services including Hospital in the Home or with whom we deal in relation to the delivery of our services such as NSW Ambulance Service;
 - (h) third parties who we contract in order to provide or support the provision of health services (such as biomedical devices) or who provide us with services. These include archiving service providers, technology and systems providers, employment checks and medical assessment providers, patient transport providers and external health consultants who provide services relevant to your care;
 - (i) health and clinical quality registries and data platforms, (such as the Immunisation Register, the Cancer Registry, and MyHealthRecord, State, Territory and Commonwealth Registries, NSW Cancer Institute, National Cancer Registry), some of which may be located overseas, to meet notification requirements such as in relation to notifiable diseases (more information about this registries can be found at the [Australian Register of Clinical Registries](#));
 - (j) registered students and approved researchers;
 - (k) our professional advisers, insurers and brokers;
 - (l) a patient's health fund or third-party insurer;
 - (m) credit reporting bodies and debt collection agencies;
 - (n) law enforcement agencies where required; and
 - (o) anyone to whom part of or all of our assets or businesses are transferred or sold.
- 7.2 If you are a job applicant, student, researcher or volunteer, we may disclose your personal information to entities to whom we are required by law to do so.
- 7.3 Some of the organisations we may disclose your personal information to are located overseas. We use an insurance underwriter and brokers in the United Kingdom and the United States of America. Some treating or referring healthcare providers may be located overseas from time to time when they access or otherwise are provided with patient information.

8. MY HEALTH RECORD SYSTEM

- 8.1 The MyHealthRecord system (**MyHR**) is a secure centralised online platform operated by the Commonwealth Government where your MyHR account is created unless you have opted out. It stores your health information that you or your healthcare providers or anyone else you authorise may upload and access. Subject to records of certain conditions which we cannot upload without your express consent, we will disclose (upload) to your account a number of health information records about the healthcare services we provide you. These include shared health, event and discharge summaries, e-prescriptions and pathology and diagnostic imaging reports.
- 8.2 If you do not wish for some or all of these records to be uploaded to your MyHR account, you must advise your treating healthcare practitioner as soon as practicable. This may

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result in the information your healthcare provider accesses in your MyHR being incomplete, which might limit the benefit of the services we provide to you.

9. DIRECT MARKETING COMMUNICATIONS

- 9.1 We may, with your consent, use the personal information, including health information, we have collected about you to contact you from time to time, whether by phone, email or post, to provide you with information regarding our programs, services, events, research forums, promotions and opportunities, or to ask you for your support, either by volunteering, philanthropic donations or otherwise. To help us improve our standards, we may also ask for your feedback through surveys on how you found our services.
- 9.2 We comply with the *Spam Act 2003* and *Do Not Call Register Act 2006* in relation to our telephone and electronic direct marketing activities. You can withdraw your consent to receiving direct marketing communications from us at any time by unsubscribing from the mailing list. You can do this by contacting our relevant Privacy Officer using our contact details at the end of this Policy or opting out as directed in any of our communications to you.

10. SECURITY AND STORAGE

- 10.1 We store your personal information in hard copy and digital format in electronic systems including on the cloud. Our Information Services Department manages all data we hold on premises. Archives and encrypted data backups are held on our behalf, off site by a third party in Australia.
- 10.2 We take all reasonable and appropriate steps (including organisational and technological measures) to protect your personal information from misuse, interference and loss, as well as unauthorised access, modification or disclosure. These measures include physical access restrictions to medical records, firewalls, use of complex passwords, authenticating users, virus/malware protection, network segmentation, live monitoring of security systems by an external party, penetration tests, user access processes and reviews, and the maintenance of appropriate information security and related policies and procedures, including maintaining risk registers that are reviewed annually.
- 10.3 We keep your personal information for as long as it is required for the purpose for which it was collected or as otherwise permitted or required by applicable laws, including the APPs and HPPs. We usually retain patient electronic records indefinitely. If we no longer need to hold your personal information for any reason or we are no longer required by law to keep it, we will take reasonable steps to de-identify or securely destroy that information. These steps may vary depending on the nature of the information, the way it was collected and how it was stored.

11. ACCESS TO AND CORRECTION OF YOUR PERSONAL INFORMATION

- 11.1 We will take reasonable care to ensure that the personal information collected about you is up to date, accurate and complete. Please let us know as soon as any of the details you have provided us change.
- 11.2 You may request access to, or correction of, the personal information we hold about you, or to transfer your medical record, at any time by contacting our Privacy Officer on the details below. We will need to verify your identity. Subject to any applicable legal exceptions or requirements, we will provide you with access to the personal information you request within a reasonable time and usually within **28** days. We may charge a fee for the administrative cost of retrieving and providing you with copies of your medical records and other personal information.
- 11.3 If we decide to refuse your request, we will tell you why in writing and how to complain.

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12. COMPLAINTS

- 12.1 You can make a complaint in writing to our relevant Privacy Officer using the contact details at the end of this Policy. We will need to verify your identity. We will respond to you within a reasonable period of time to acknowledge your complaint and inform you of the next steps we will take in dealing with your complaint.
- 12.2 If you are not satisfied with our response to your complaint, you may complain to the Office of the Australian Information Commissioner (**OAIC**) via the OAIC website, www.oaic.gov.au or to the NSW Information and Privacy Commission via their website, <https://www.ipc.nsw.gov.au/about-us/contact-us>.

13. CONTACT US

- 13.1 If you have a question or comment regarding this Policy and our handling of your personal information, or wish to make a complaint or exercise your privacy rights, please contact the relevant Privacy Officer on the following details:
- 13.2 Sydney Adventist Hospital (including San Pharmacy, Dalcross Adventist Hospital and SAN Diagnostics services (San Radiology and Nuclear Medicine and San Ultrasound for Women):
- (a) Phone: (02) 9480 9898
 - (b) Email: privacy@sah.org.au
 - (c) Or write to: The Privacy Officer, Sydney Adventist Hospital, 185 Fox Valley Road, Wahroonga, NSW, 2076
- 13.3 San Day Surgery Hornsby
- (a) Phone: (02) 9476 2900
 - (b) Email: privacysdsh@sah.org.au
 - (c) Or write to: The Privacy Officer, San Day Surgery Hornsby, 1a Northcote Road, Hornsby, NSW, 2077.

14. APPROVAL AND REVIEW

Approved by BOD on 27 September 2018

Revision approved by BOD on 7 February 2022 (Action: BOD220207-8)