



Privacy Policy. (Version 1, April 2008)

This policy has been written having regard to the Australian National Privacy Act 1988. A copy of the Act may be downloaded from:

<http://www.comlaw.gov.au/ComLaw/Legislation/ActCompilation1.nsf/currentbytitle/19CF4540B05BECE4CA25736E00189940?OpenDocument&mostrecent=1>

or purchased locally in each state from CanPrint Communications details are available on this web page:

<http://www.comlaw.gov.au/comlaw/comlaw.nsf/preview/sales?OpenDocument>

A list of frequently asked questions and answers for the general public concerning health information in the private sector is provided at:

<http://www.privacy.gov.au/faqs/hf/index.html>

Nothing in this document can override anything stated in the Australian National Privacy Act 1988. Where there is a conflict between anything in this policy and the National Privacy Act 1988, the principles in the Act will apply.

This policy has also been written having regard to all aspects of privacy listed in The Australian Psychological Societys Code of Ethics, to which this practice subscribes. A copy of the Code of Ethics is available at all times for viewing in the waiting room.

1. Collection of information

Psychology and Living will only collect information from clients which is necessary for the operation of a private psychology practice.

Written information such as name, address, telephone number etc will become part of the practices record in relation to each client.

Psychology and Living will keep all client records accurate, complete in their essential nature and up-to-date.

2. Consent

Wherever possible we will endeavour to obtain express (i.e. clearly and unmistakably stated) consent directly from our clients to collect information from them.

When this is not possible or reasonably practicable we will collect the information from a partner, relative or guardian.

If, due to circumstances, express is not possible then we may make use of implied consent.

3. Ownership and Access

Practice records are the property of Psychology and Living.

Clients have a right of access to their practice records. We will provide a copy upon request, if the record is large and postage is involved there may be a minimal charge to cover costs.

4. Information Security

All paper practice records are kept under lock and key in a metal filing cabinet.

All electronic records are held in an encrypted form (at least 128 bit encryption). Electronic records are frequently backed up and encryption is applied to all backed up information at the end of the process.

5. Information Confidentiality (Use & Disclosure)

5.1 Practice Records

We treat all client records as strictly confidential.

If you are referred to another psychologist or request a referral, we may send a copy of your records to that psychologist, but we will first seek your consent.

We will always endeavour to gain a specific clients consent before disclosing any information about them to another party, however:

there may be times when we are forced by law to release information; or

an emergency situation may require release of information in order to potentially save a life or prevent a serious action from occurring.

Clients records are only used for the purposes of the practice, we do not use client information for research or release client information, even in a de-identified form, to other parties for research purposes.

5.2 Session Information

All information which is shared in a session between the client and us and any other party present is strictly confidential.

If we believe it would be beneficial to share any of the session information with another party, e.g. a clients spouse, then we would endeavour to encourage the client to do so and would respect the ultimate wishes of the client. If a client would prefer that we share the information with their, e.g. spouse, then we may invite that person or persons to a joint session for the purpose of sharing the information.

If more than one individual is present in a session, e.g. a family of four, and, by way of their participation in the session, they obtain information about another party, present or otherwise, we would expect that they treat the information with the respect and confidentiality it deserves.

6. Anonymity

In some cases a client may request to remain anonymous. We would respect such wishes where possible and practicable. We could respond to such a request in two ways.

1. Partial anonymity – the clients records are stored in a de-identified way. However we would know the identity of the client for processing of financial matters e.g. medicare claims or cheques
1. Full anonymity – we would not know the real identity of the client and an alias would be used. In this circumstance payment may have to be by cash.

7. Change or Closure of the Practice

7.1 Changes in the Practice

If the nature of ownership of Psychology and Living changes but the practice remains operating with the same practitioners and in accordance with its primary purpose then we will advise clients of the change.

If the practice Psychology and Living is in the process of sale to another entity or person and new practitioners are to be involved in the unchanged purposes of the practice then we will seek consent from our clients for the release of any sensitive* information before the practice is sold.

If the practice Psychology and Living is in the process of sale to another entity or person and new practitioners are to be involved in the new and changed primary purposes of the practice then we will seek consent from our clients for the release of any information before the practice is sold.

If other practitioners become involved in the primary purpose or a secondary purpose of Psychology and Living then we will advise clients and seek consent for any release of their information to those other practitioners.

**Note: For the purposes of this section of the policy we do not regard Name, Contact details and statements of accounts as*

sensitive information.

7.2 Closure of the Practice

If the practice Psychology and Living ceases to exist for any reason we will make arrangements for clients records to be given to them or, if the client is deceased, to their next of kin unless the client has previously instructed us otherwise.

If, however, the practice ceases to exist because the owners are deceased or incapacitated, then our enduring power of attorney will make arrangements to either:

- close the practice; or
- sell the practice.

If the decision is to sell then the enduring power of attorney will be guided by this policy (especially section 7.1) and the National Privacy Act 1988.

Review date: April 2009