

West Moreton Health

Queensland Privacy Principles (QPP)
Privacy Policy

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Adapted by: Privacy, Legal Services, West Moreton Hospital and Health Service

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Policy statement

West Moreton Hospital and Health Service (**West Moreton Health**) is committed to managing personal information in an open, transparent and secure manner, in accordance with the *Information Privacy Act (Qld)* (**IP Act**) and its Queensland Privacy Principles (**QPPs**).

Purpose

This policy outlines West Moreton Health's commitment to protecting the privacy and confidentiality of personal information and explains the legislative framework that governs how personal information is handled.

This policy is intended to inform individuals of:

- the types of personal information we collect and hold, how we collect and hold it, and the purposes for which it is used and disclosed.
- how individuals can access and request correction of their personal information.
- the circumstances in which personal information may be transferred outside Australia
- how to make a privacy complaint and how West Moreton Health will respond

Background

The IP Act and its QPPs set the rules for how agencies including West Moreton Health must deal with personal information.

QPP	
QPP 1 – Open and transparent management of personal information	Implement practices, procedures and systems to comply with the QPPs and deal with privacy enquiries/complaints. Have a QPP Privacy Policy that meets the legislative requirements.
QPP 2 - Anonymity and pseudonymity	Allow individuals to interact anonymously or pseudonymously unless it is impracticable, or is inconsistent with an Australian law, or a court or tribunal order.
QPP 3 – Collection of solicited personal information	Collect personal information only where it is reasonably necessary for, or directly related to, one or more of the agency's functions or activities. Personal information which is sensitive information ¹ can only be collected if the agency also has consent or one of the situations in QPP 3.4 applies. ²
QPP 4 — Dealing with unsolicited personal information	Assess and deal with unsolicited information to determine whether it could have been collected under QPP 3 and/or whether it is a public record. Unsolicited information must be destroyed or deidentified if it would not have been permitted to collect the personal information under QPP 3, it is not contained in a public record and/or if it is lawful and reasonable to do so.
QPP 5 — Informing people when collecting personal information	Take reasonable steps to make sure individuals are aware of the matters listed in QPP 5 when collecting personal information, including the identity and contact details of the agency, purpose of collection, the fact and circumstances of the collection if collected from someone other than the individual and the consequences if the information is not collected.
QPP 6 — Use or disclosure of personal information	Use and/or disclose personal information only for the purpose it was collected, unless QPP 6 allows it to be used or disclosed for a secondary purpose. The HHB Act also includes stringent requirements regulating the disclosure of personal information relating to the delivery of health services.

¹ Defined in schedule 5 of the IP Act

² Only applies to solicited information.

QPP 10 — Quality of personal information	Take reasonable steps to ensure personal information which is collected, used and disclosed is accurate, up to date, complete and, for use or disclosure, relevant to the purpose.
QPP 11 — Security of personal information	Take reasonable steps to protect personal information and to destroy or de-identify it once it is no longer required, unless it is part of a public record, or it is required to be kept under an Australian law, or court or tribunal order.
QPP 12, QPP 13 — Access to/correction of personal information	Provide individuals with the right to request access to and correction of their own personal information held by West Moreton Health ³ , and access to non-personal information.

QPPs 7, 8 and 9 are not used (i.e. the corresponding Australian Privacy Principles (**APPs**) were not implemented in the IP Act.

What is personal information?

Personal information is any information or opinion about an identified individual or an individual who is reasonably identifiable. It applies whether the information is true or not, and whether it is recorded or unrecorded.⁴

Personal information can exist in many forms, including documents, databases, images, audio or video recordings, CCTV footage, identifiers, or information shared verbally or through digital platforms such as social media.

An individual does not need to be directly named for information to be considered personal information. It is sufficient if they can be reasonably identified, including when the information is combined with other details. In general, information is considered personal if it is connected to an individual in a way that identifies them or could reasonably identify them.

Sensitive information

Sensitive information is a subset of personal information and is subject to a higher level of protection under the IP Act.⁵

Sensitive information includes health information and other information such as racial or ethnic origin, religious beliefs, sexual orientation or practices, and criminal history. West Moreton Health takes additional care in the collection and handling of sensitive information.

Confidential information

Confidential information is information about a person who is receiving or has received a public health service, including information about care and treatment.⁶

Unlike personal information under the IP Act, confidential information may relate to both living and deceased individuals.

These different types of information are collectively referred to as “personal information” in this policy, unless otherwise stated.

³ Subject to certain exceptions

⁴ Defined in section 12 of the IP Act

⁵ Defined in schedule 5 of the IP Act

⁶ Defined in section 139 of the HHB Act

What do we collect?

The information West Moreton Health collects depend on the service or function it is required for. We only collect information that is reasonably necessary or directly related to that purpose.

Examples of the types of information we may collect include:

- personal details (e.g. name, contact details, date of birth, signature)
- identifying information (e.g. Medicare or health insurance details, unique identifiers, photographs or images for identity verification)
- health and clinical information (e.g. medical history, diagnostic and treatment information, test results, scans, sexual health information, disability status or support services, genetic or family history)
- cultural or background information (e.g. racial or ethnic origin, religious beliefs, family circumstances, relationship status)
- emergency and support details (e.g. next of kin or emergency contact information)
- correspondence and interactions (e.g. referrals, inter-agency communications, feedback, complaints, and access or amendment requests)
- sensitive and other regulatory information (e.g. criminal history, sexual orientation or practices, workers compensation details)
- employment and education information (e.g. occupation, employment history, educational background, qualifications, recruitment and contractor details)
- financial information (e.g. billing records, bank details, tax and superannuation details)

West Moreton Health only collects personal information that is reasonably necessary to carry out its functions or provide services.

The full definitions of terms used throughout this policy can be found in [Definitions](#).

When we collect personal information

West Moreton Health collects personal information to carry out its functions and provide health services.

Personal information is usually collected directly from the individual but may also be collected from other sources (such as healthcare providers or family members in emergencies) where this is necessary and permitted by law.

We only collect personal information that is reasonably necessary for the relevant purpose and collect it lawfully and fairly. Personal information may be collected in writing, electronically, or verbally.

When collecting personal information, West Moreton Health takes reasonable steps to inform individuals about why it is being collected, how it will be managed, and whether it may be disclosed. This is typically provided through a collection or privacy notice at the time of collection or as soon as practicable afterwards.

The table below outlines the main functions and circumstances in which personal information may be collected:

Function	Why we collect the personal information
General interactions with West Moreton Health	We collect personal information when individuals interact with us, such as when they visit a West Moreton Health facility, complete forms (online or paper), contact us with enquiries or complaints, provide feedback, participate in surveys, apply for a job, or request access to or correction of their personal information.

Provide health services and medical treatment	West Moreton Health collects and holds personal information, including sensitive and health information, to provide healthcare services, treatment and ongoing care to individuals.
Access and correction requests	West Moreton Health collects personal information when an individual requests access to, or correction of, personal information that we hold. Where a person is acting on behalf of someone else, or an agent has been appointed, we may also collect personal information about that person. This may include a name, date of birth, contact details, identification information, and details about the information being requested. This information is collected to verify identity and manage access appropriately.
Privacy enquiries and complaints	West Moreton Health collects personal information from individuals who make privacy enquiries or complaints under the <i>Information Privacy Act 2009 (Qld)</i> . This may include names, contact details, information relevant to the complaint or enquiry, and details about the outcome being sought. If this information is not provided, we may be unable to properly respond or resolve the matter.
Information and assistance enquiries	We may collect personal information from people who contact West Moreton Health by phone, post or email seeking information or assistance. This may include names, contact details and information relevant to the enquiry, which can sometimes include sensitive personal information or opinions provided voluntarily.
Social Media platforms	West Moreton Health uses social media platforms such as Facebook, Instagram, YouTube and LinkedIn to communicate with the public. When individuals interact with us via these platforms, we collect any personal information they choose to provide through those channels. Each platform is governed by its own privacy policy: Instagram Facebook LinkedIn Youtube
Information collected through our website	West Moreton Health's public website does not generally collect personal information about site visitors. Web measurement tools and internet service providers record anonymous information for statistical purposes, such as: • server and IP address; • top-level domain name; • browser type; • date and time of access; • pages viewed and documents downloaded; and • the previous website visited. No attempt is made to identify individual users, except where required or authorised by law. Personal information may be collected through our website where individuals choose to provide it, such as through online feedback forms or when submitting compliments or complaints.
Website analytics and cookies	West Moreton Health uses Google Analytics to collect statistical information about website use. Google Analytics uses cookies to generate reports on website activity. The information is transmitted to and stored by Google on servers located outside Australia. No personally identifying information is provided to Google. Information collected through Google Analytics includes: • number of website visitors. • how visitors arrive at the website. • pages viewed and time spent on pages. • time and date of visits.

	• general geographic location; and • browser and device information. Google's Privacy Policy provides further information about how Google handles personal data.
Surveys	West Moreton Health may invite individuals to participate in voluntary surveys, including online surveys, to inform service planning, health initiatives, or community engagement activities. Surveys may often be completed anonymously. Where personal information is collected through a survey, additional information will be provided about how that information will be used and disclosed. Where third-party survey platforms are used, West Moreton Health and the provider must comply with the IP Act, including requirements for overseas disclosure where applicable.
Research and service improvement	West Moreton Health may collect personal information for approved research activities aimed at improving healthcare practices. All research is conducted in accordance with ethical requirements and must be approved and authorised by the Chief Executive.
Recruitment, contractor and workforce management	West Moreton Health collects personal information from job applicants, contractors and staff, including names, contact details, application documentation, identification information, referees, qualifications and employment history. This information is used to manage recruitment, employment, payments and workforce responsibilities.
Closed Circuit Television and Body Worn Camera Surveillance	West Moreton Health operates CCTV and body-worn camera systems at its facilities to support public safety, security and the investigation of incidents. These systems collect personal information in the form of video and audio recordings.
Microsoft Platforms	West Moreton Health uses Microsoft platforms, including Microsoft 365, Teams, SharePoint and OneDrive, to support communication, collaboration and information management. Personal information may be processed through these platforms in accordance with Queensland Health policies and Microsoft's privacy statement.
Use of Artificial Intelligence (AI)	West Moreton Health may use artificial intelligence technologies to support service delivery and improve engagement with individuals. Where personal information is used in AI-supported processes, West Moreton Health will provide appropriate information about its use and, where practicable, offer options for individuals.

Unsolicited personal information

Unsolicited personal information is personal information received by West Moreton Health where no active steps were taken to collect it.

If unsolicited personal information is received, West Moreton Health will assess whether it could have been lawfully collected under QPP 3 and whether it forms part of a public record. If the information could not have been lawfully collected, and it is lawful and reasonable to do so, the information will be destroyed or de-identified as soon as practicable.

Open and transparent management of personal information

West Moreton Health manages personal information in an open and transparent way. This includes maintaining a clear, up-to-date and accessible privacy policy and implementing practices and procedures to support compliance with the Queensland Privacy Principles.

Use and disclosure of personal information

West Moreton Health uses personal information to support the safe and effective delivery of health services and to perform its functions.

In general terms, 'use' means how personal information is handled within West Moreton Health, including when it is accessed or relied on to make decisions about care, services or administration.

'Disclosure' refers to sharing personal information with people or organisations outside West Moreton Health. Under health legislation, unauthorised sharing of confidential information between staff members may also be considered a disclosure.

West Moreton Health only uses or discloses personal information for the purpose for which it was collected, or for related purposes that support its functions and activities. Personal information will only be shared with other agencies, organisations or individuals where one or more of the following apply:

- the individual has provided consent;
- the individual would reasonably expect the information to be used or disclosed in that way, or has been informed of this;
- the use or disclosure is required or authorised by law;
- it is necessary to prevent or lessen a serious threat to life, health or safety; or
- it is reasonably necessary for law enforcement or to protect public revenue.

In practice, this may include using or disclosing personal information for purposes such as:

- providing healthcare and ongoing treatment;
- monitoring disease and public health risks;
- planning, managing and evaluating health services;
- reviewing the quality and safety of clinical care;
- billing, funding and private health insurance processes;
- responding to child protection, domestic and family violence, or law enforcement matters;
- maintaining and supporting information technology systems;
- managing professional conduct or disciplinary matters;
- responding to court orders or subpoenas; and
- supporting specialist services such as blood and tissue tracing (e.g. through organisations such as the Red Cross).

Where personal information is used or disclosed, West Moreton Health takes reasonable steps to ensure that only the information necessary for the purpose is used or shared.

All research involving identifiable patient information must be reviewed and approved by a Human Research Ethics Committee and authorised by the Chief Executive (or delegate) before it can commence.

Confidentiality under health legislation

Under the *Hospital and Health Boards Act 2011 (Qld)* (**HHB Act**), West Moreton Health has a strict duty of confidentiality when handling confidential health information.

This duty applies to all designated persons, including employees, contractors, volunteers, students, health practitioners (including visiting medical officers), and others engaged by West Moreton Health.

Confidential information may only be disclosed in limited circumstances, such as:

- with the individual's consent;
- to support the individual's care or treatment;
- to a person with a legitimate interest in the individual's health or welfare;
- to prevent a serious risk to life, health or safety;
- to protect the safety or wellbeing of a child; or
- where the disclosure is authorised by law or determined to be in the public interest by the relevant Chief Executive.

Staff must not access or view their own medical records, or the records of family members, friends or others, unless they are authorised and involved in providing care or treatment.

Disclosure outside Australia

West Moreton Health does not routinely disclose personal information outside of Australia. We will only disclose personal information outside of Australia in limited circumstances as permitted under the *Information Privacy Act 2009 (Qld)*. This may occur where:

- the individual has provided consent.
- the transfer is required or authorised by law.
- it is necessary to prevent a serious threat to life, health or safety; or
- appropriate privacy protections are in place.

When an individual communicates with us using social media platforms such as LinkedIn or YouTube, or a web-based email service, personal information may be collected and stored overseas by those platforms and their service providers.

West Moreton Health may also use third-party survey providers to conduct voluntary surveys from time to time. This may involve the collection and storage of personal information on servers located outside Australia.

Managing personal information

Anonymity and pseudonymity

In some situations, individuals may have the option to deal with West Moreton Health without identifying themselves or by using a pseudonym.

West Moreton Health will allow individuals to deal anonymously or pseudonymously where it is lawful and practicable to do so. This option may not be available where:

- we are required or authorised by an Australian law, or a court or tribunal order, to deal with identified individuals; or
- it is impracticable to deal with individuals who do not identify themselves or who use a pseudonym.

Where appropriate, West Moreton Health will take reasonable steps to make individuals aware that they may deal anonymously or pseudonymously.

Quality of personal information

West Moreton Health takes reasonable steps to ensure that the personal information we collect, use and disclose is accurate, up to date and complete.

Where personal information is used or disclosed, we also take reasonable steps to ensure the information is relevant to the purpose for which it is being used or disclosed.

This includes updating personal information where individuals advise us that their details have changed and undertaking reviews of information quality where necessary.

Security of personal information

West Moreton Health takes reasonable steps to protect the personal information it holds from:

- misuse, interference or loss; and
- unauthorised access, modification or disclosure.

This includes compliance with relevant information standards, security protocols and Queensland Health requirements, ensuring personal information is only accessible to authorised staff.

Examples of protection measures include password-protected systems, access controls and secure handling procedures.

Sensitive documents are required to have appropriate security classifications applied and must be stored, handled and disposed of in a manner that protects them from unauthorised access.

Retention and disposal

West Moreton Health retains records for the minimum period required under Queensland State Archives' retention and disposal schedules. Retention periods vary depending on the type of record and the purpose for which it was created.

Where permitted by the *Public Records Act 2023 (Qld)*, West Moreton Health will destroy or de-identify personal information that is no longer required for our functions, including unsolicited personal information, where it is lawful and reasonable to do so.

Contracted service providers and personal information

In some circumstances, West Moreton Health engages contracted service providers to support service delivery. Where this occurs, it may be necessary to share limited personal information with those providers.

West Moreton Health takes reasonable steps to ensure that personal information disclosed to contracted service providers is handled securely and in accordance with privacy and confidentiality requirements. These protections are implemented through contractual arrangements and service agreements that require providers to safeguard personal information and use it only for authorised purposes.

Access to and correction of personal information

Applying for access to personal information

West Moreton Health provides two main access mechanisms for individuals to request access to their personal information held by West Moreton Health. These are:

- Administrative Access (**AA**) applications; and
- Right to Information (**RTI**) applications

AA is an informal and generally quicker way to request access to personal information. Where possible, this option will be used in preference to a formal RTI application

RTI applications are a formal access mechanism and are generally used as a last resort. If a request cannot be processed administratively, it may be referred for processing under the RTI Act. Seeking access administratively does not affect an individual's right to make an RTI application.

Applying for access to non-personal information

If an individual requests access to documents that do not contain their personal information (for example, documents of a general nature or information about another person), the request will be processed under the RTI Act.

All requests for access to information can be made to the Information Access Unit:

Information Access Unit
West Moreton Health
PO Box 73
Ipswich QLD 4305
Phone: (07) 3497 3580
Email: wm-infoaccessunit@health.qld.gov.au

Applying for access to employee personnel files

Current and former West Moreton Health employees may contact West Moreton Health Human Resources at WM_HR@health.qld.gov.au to discuss access to their employee record through an administrative access arrangement. Where this is not appropriate, an RTI application may be required.

Applying for correction of personal information

If an individual believes personal information held by West Moreton Health is inaccurate, out of date, incomplete or misleading, they may request that it be corrected.

In many cases, personal information can be corrected informally by contacting the relevant area within West Moreton Health. Where informal correction is not suitable, a formal correction request can be made under the RTI Act.

Correction applications can be submitted to the Information Access Unit:

Information Access Unit
West Moreton Health
PO Box 73
Ipswich QLD 4305
Phone: (07) 3497 3580
Email: wm-infoaccessunit@health.qld.gov.au

Individuals may use the RTI application form available on the Queensland Government Right to Information website: <https://www.rti.qld.gov.au/accessing-government-information/personal-information-amendment>.

There is no fee for applications to correct personal information.

How can I seek information on Privacy?

West Moreton Health is committed to ensuring that personal and confidential information is collected, used, stored and disclosed appropriately and in accordance with privacy legislation.

A privacy breach (data breach involving personal information) occurs when there is a failure to comply with one or more of the privacy principles. If an individual believe that West Moreton Health has not dealt with their personal information in accordance with the QPPs or the IP Act, they may lodge an information privacy complaint.

Making a privacy complaint

If an individual has any concerns about privacy or how their information is handled, we encourage them to contact the West Moreton Health Consumer Liaison Office first.

Phone: 0409 275 503
Email: WMH_CLO@health.qld.gov.au

The complaint must be in writing, made within 12 months of becoming aware of the matter, and include:

- an address for correspondence (which may be an email address); and
- sufficient particulars of the act or practice being complained about.

CLO and the relevant business area or unit will collaborate with the Privacy and Confidentiality Contact Officer (**PCCO**) to review the matter and provide a response.

West Moreton Health treats privacy complaints seriously and investigates all allegations of privacy breaches. West Moreton Health has 45 business days to provide a response to the complaint but may ask for extra time.

If a response is not provided by the end of the 45 business days or an individual is dissatisfied with West Moreton Health's response to their complaint, they have the right to contact the external privacy regulator. Information about this process is available on the Office of the Information Commissioner Queensland website: <https://www.oic.qld.gov.au/community/how-to-make-a-privacy-complaint>.

Review and feedback

West Moreton Health welcomes feedback on this Privacy Policy and is committed to continuous improvement.

Definition of terms used in this policy

Term	Definition
Anonymity	The individual cannot be reasonably identified, and West Moreton Health do not ask them for personal information or information that might identify them. West Moreton Health should not be able to identify the individual at the time of the dealing or subsequently.
Confidentiality	Relates to information only and is about controlling the dissemination of information. It often deals with information other than personal information and is a legislative or contractual mechanism designed to protect information in a particular context. For Hospital and Health Services, confidentiality provisions are embedded in the HHB Act in relation to identifying information collected during the provision of health services, as well as within other legislative and contractual arrangements.
Confidential information <i>Defined in section 139 of the HHB Act</i>	Information acquired by a person in their role that could identify someone receiving or who has received a public sector health service.
Designated person <i>Defined in section 139A of the HHB Act</i>	Includes any person authorised to work for or on behalf of Queensland Health or a Hospital and Health Service, including employees, health professionals, contractors, students, volunteers, board members, and others involved in delivering or supporting public sector health services.
Disclosure <i>Defined in section 23(2) of the IP Act</i>	(1) An entity (the first entity) discloses personal information to another entity (the second entity) if— (a) the second entity does not know the personal information, and is not in a position to be able to find it out; and (b) the first entity gives the second entity the personal information, or places it in a position to be able to find it out; and (c) the first entity ceases to have control over the second entity in relation to who will know the personal information in the future.
Employee Record <i>Defined in section 15 of the Public Service Regulation</i>	An employee record includes: • a report, correspondence item or other document about the employee's work performance, work conduct or work history • a medical report about the employee • written allegations of misconduct by the employee. Examples of documents that do not form part of an employee record include: • medical reports about the employee where disclosure may be prejudicial to the employee's mental or physical health or wellbeing • an employee assistance provider document • a Public Interest Disclosure document about the employee • document about the employee concerning suspected official misconduct, suspected criminal offence or its investigation • document to which Legal Professional Privilege applies.

Term	Definition
Health information <i>Defined in schedule 5 of the IP Act</i>	(a) personal information about the individual that includes any of the following— (i) the individual's health at any time; (ii) a disability of the individual at any time; (iii) the individual's expressed wishes about the future provision of health services to the individual; (iv) a health service that has been provided, or that is to be provided, to the individual; or (b) personal information about the individual collected for the purpose of providing, or in providing, a health service; or (c) personal information about the individual collected in connection with the donation, or intended donation, by the individual of any of the individual's body parts, organs or body substances.
Information security	'Information security' involves all measures used to protect any information generated by an entity or individual, that is not intended to be made publicly available, from compromise, loss of integrity or unavailability. This can include personal information, security classified information and commercially confidential information.
Personal information <i>Defined in section 12 of the IP Act</i>	Information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion— (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.' Information does not always have to include details such as an individual's name to qualify as personal information. It may include other information, or a combination of other information that can identify an individual or allow their identity to be determined such as: • date of birth • address and phone number • unique physical characteristics (e.g. tattoos/birthmarks) • health information • drivers licence/passport number • financial and billing records • Medicare/ health insurance details • tax and superannuation details • workers compensation claims • indigenous status • unique identifier/reference number • education and employment details • photographs/video footage • emergency contact/NOK details • disability or special needs information • commentary or opinions about or by the individual • referrals and inter-agency correspondence
Privacy Breach	A privacy breach (data breach involving personal information) occurs when there is a failure to comply with one or more of the privacy principles set out in the IP Act. A privacy breach most commonly, but not exclusively, results in unauthorised access to, or the unauthorised collection, use, or disclosure of, personal information.
Pseudonymity	The individual gives West Moreton Health a name, term, or descriptor instead of their actual name (a pseudonym).

Term	Definition
Sensitive information <i>Defined in schedule 5 of the IP Act</i>	Sensitive information is a subset of personal information about an individual's: • racial or ethnic origin • political opinions • membership of a political association • religious beliefs or affiliations • philosophical beliefs • biometric information • biometric information that is to be used for the purpose of automated biometric verification or biometric identification • membership of a professional or trade association • membership of a trade union • sexual orientation or practices • criminal record • health information about an individual • genetic information about an individual that is not otherwise health information
Use <i>Defined in section 23(3) of the IP Act</i>	(3) An entity uses personal information if it— (a) manipulates, searches or otherwise deals with the information; or (b) takes the information into account in the making of a decision; or (c) transfers the information from a part of the entity having particular functions to a part of the entity having different functions. (4) Subsection (3) does not limit what actions may be use of the personal information. (5) However, use of the personal information does not include the action of disclosing the personal information to another entity.