



Eztokllah Pty Ltd
Trading as CPEXBrisbane
ABN 602980861
ABN 602980861
639 Stanley street
639 Stanley street
Woollongabba
Woollongabba
QLD 4102
QLD 4102

EZTOKLLAH PTY LTD TRADING AS CPEXBRISBANE (“CPEXBRISBANE”) PRIVACY POLICY

We are committed to protecting the privacy of patient information and to handling your personal information in a responsible manner in accordance with the *Privacy Act 1988 (Cth)*, the *Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)*, the Australian Privacy Principles and relevant State and Territory privacy legislation (“**Privacy Legislation**”).

This Privacy Policy explains how we collect, use and disclose your personal information, how you may access that information and how you may seek the correction of any information. It also explains how you may make a complaint about a breach of privacy legislation.

This Privacy Policy is current from 1 December 2014. From time to time, we may make changes to our policy, processes and systems in relation to how we handle your personal information. We will update this Privacy Policy to reflect any changes. Those changes will be available on our website and in the practice.

1 DEFINITIONS

Employee record

in relation to an employee, means a record of personal information relating to the employment of the employee. This includes health information and Personal Information about any of the following:

- a. Engagement, training, disciplining or resignation of the employee;
- b. Termination of the employment of the employee;
- c. Terms and conditions of the employee;
- d. Employee’s personal and emergency contact details;
- e. Employee’s performance or conduct;
- f. Employee’s hours of employment;
- g. Employee’s salary or wages;
- h. Employee’s membership of a professional or trade association;
- i. Employee’s trade union membership;
- j. Employee’s recreation, long service, sick, personal, maternity, paternity or other leave; and
- k. Employee’s taxation, banking or superannuation affairs.



Personal Information

means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- 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.

Examples of Personal Information can include (without limitation) the name, address, date of birth, gender, credit card and direct debit details and contact details of the individual.

Primary Purpose

use of information according to the original intended purpose for the collection, the purpose stated or reasonably expected by the person/entity about which the information was collected.

Sensitive Information

means Information or an opinion about an individual's:

- a. Racial or ethnic origin; or
- b. Political opinions; or
- c. Membership of a political association; or
- d. Religious beliefs or affiliations; or
- e. Philosophical beliefs; or
- f. Membership of a professional or trade association; or
- g. Membership of a trade union; or
- h. Sexual orientation or practices; or
- i. Criminal record;

that is also personal information; or

- a. Health information about an individual; or
- b. Genetic information about an individual that is not otherwise health information;
- c. Biometric information that is to be used for the purposes of automated biometric verification or biometric identification; or
- d. Biometric templates.

Examples of sensitive information held by CPEXBRISBANE may include health information and family history of the patient.

2 INFORMATION COLLECTED BY CPEXBRISBANE

- 2.1 CPEXBRISBANE will only collect Personal Information that is necessary and relevant to provide you with medical care and treatment, and manage its medical practice, functions or activities. CPEXBRISBANE will do so using fair and lawful means to collect the Personal Information. This information may be collected by medical and non-medical staff.



- 2.2 CPEXBRISBANE will collect sensitive information about an individual if the individual has consented or the collection is required under law or otherwise permitted under the Privacy Legislation. This information may be collected by medical and non-medical staff.
- 2.3 CPEXBRISBANE, where practicable, will take reasonable steps to ensure that the individual is made aware that information is being collected before such collection or as soon after as practical. In such situations, the individual will be informed about the intended use of the information. Wherever practicable we will only collect information from the individual personally.
- 2.4 The type of information CPEXBRISBANE collects and holds includes, but is not limited to, personal information, including sensitive information about:
- 2.4.1 Patients;
 - 2.4.2 Job applicants, staff members, volunteers and contractors; and
 - 2.4.3 Other people who come into contact with CPEXBRISBANE.
- 2.5 *Personal Information you provide:* CPEXBRISBANE will generally collect personal information held about an individual by way of forms filled out by patients (physically and online), face-to-face meetings and telephone interviews, and telephone calls.
- 2.6 *Personal information provided by a third party:* In some circumstances CPEXBRISBANE may be provided with personal information about an individual from a third party, such as treating specialists, radiologists, pathologists, hospitals and other health care providers. In emergency situations, personal information may need to be collected from relatives or friends.
- 2.7 *Surveillance Footage:* CPEXBRISBANE may collect personal information via surveillance (which includes photographic, video and audio recordings), primarily to safeguard CPEXBRISBANE Property.
- 2.8 *Exception in relation to employee records:* Under the Privacy Legislation, the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to CPEXBRISBANE's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between CPEXBRISBANE and an employee.
- 2.9 *Exception in relation to Permitted Health Situations:* Under the Privacy Legislation, the information handling requirements of Australian Privacy Principles do not apply to an organisation if a Permitted Health Situation exists. A Permitted Health Situation includes where the information is necessary to provide a health service to the individual.
- 2.10 *Anonymity and Pseudonymity:* You may wish for personal information and sensitive information to be kept anonymously or under a pseudonym. Where it is practicable or lawful for us to, we will do so. However, it is normally not practicable for us to do so. If you would like to discuss information being made anonymous or under a pseudonym, please contact Dr Pierre Kotze (details below).

3 CPEXBRISBANE'S USE THE INFORMATION YOU PROVIDE

- 3.1 CPEXBRISBANE will use personal information it collects from you for the primary purpose of collection and for such other secondary purposes that are related to the primary purpose of collection and are reasonably expected, or to which you have consented. In some circumstances, your consent will be implied.



- 3.2 Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.
- 3.3 In relation to personal information of patients, CPEXBRISBANE's primary purpose of collection is to enable CPEXBRISBANE to provide health services to patients.
- 3.4 The purposes for which CPEXBRISBANE uses personal information of patients include:
- 3.4.1 To keep patients informed about matters related to CPEXBRISBANE;
 - 3.4.2 Day to day administration; and
 - 3.4.3 To satisfy CPEXBRISBANE's legal obligations, to allow CPEXBRISBANE to discharge its duty of care and provide its health services.
- 3.5 In some cases where CPEXBRISBANE requests personal information about a patient, if the information requested is not obtained, CPEXBRISBANE may not be able to provide its health services to the patient.
- 3.6 *Job Applicants and contractors:* In relation to personal information of job applicants, and contractors, CPEXBRISBANE's primary purpose of collection is to assess and (if successful) to engage the applicant or contractor, as the case may be.
- 3.7 Where reasonable, practicable and lawful, CPEXBRISBANE will take reasonable steps to destroy or permanently de-identify personal information when no longer needed. However, we may be required by law to retain medical records for certain periods of time depending on your age at the time we provide services.

4 DISCLOSURE OF PERSONAL INFORMATION

- 4.1 CPEXBRISBANE may disclose personal information, including sensitive information, held about an individual to:
- 4.1.1 Government departments;
 - 4.1.2 Other medical practitioners;
 - 4.1.3 People providing services to CPEXBRISBANE, including specialist consultants, etc;
 - 4.1.4 Parents of patients under 18; and
 - 4.1.5 Anyone you authorise CPEXBRISBANE to disclose information to.
- 4.2 We will treat your personal information as strictly private and confidential. We will only use or disclose it for purposes directly related to your care and treatment, or in ways that you would reasonably expect that we may use it for your ongoing care and treatment. For example, the disclosure of blood test, radiological imaging, cardiopulmonary stress test results or other reports from other health care or allied health care professionals to your specialist or other members of the treating team.
- 4.3 There are circumstances where we may be permitted or required by law to disclose your personal information to third parties. For example, to Medicare, Police, insurers, solicitors, government regulatory bodies, tribunals, courts of law, hospitals, or debt collection agents. We may also from



time to time provide statistical data to third parties for research purposes. Research might be published in international journals in print or digital format.

4.4 *Sending information overseas:* CPEXBRISBANE will not send personal information about an individual outside Australia, without:

4.4.1 Obtaining the consent of the individual, whether actual or implied;

4.4.2 For cloud-computing backups or social media service providers; and

4.4.3 Otherwise complying with the Australian Privacy Principles.

4.5 We may disclose information about you to outside contractors to carry out activities on our behalf, such as an IT service provider, solicitor or debt collection agent. We impose security and confidentiality requirements on how they handle your personal information. Outside contractors are required not to use information about you for any purpose except for those activities we have asked them to perform.

5 MANAGEMENT AND SECURITY OF PERSONAL INFORMATION

5.1 Staff are required to respect the confidentiality of personal information and the privacy of individuals.

5.2 CPEXBRISBANE has in place steps to protect and secure the personal information CPEXBRISBANE holds from misuse, loss, unauthorised access, modification or disclosure, including:

5.2.1 Securing our premises;

5.2.2 placing passwords and varying access levels on databases to limit access and protect electronic information from unauthorised interference, access, modification and disclosure; and

5.2.3 providing locked cabinets and rooms for the storage of physical records.

5.3 Information may be stored on our computer medical records system and/or in hand written medical records

6 UPDATING PERSONAL INFORMATION

6.1 CPEXBRISBANE endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by CPEXBRISBANE by contacting the CPEXBRISBANE.

6.2 If you believe that the information we have about you is not accurate, complete or up-to-date, we ask that you contact us in writing (see details below).

7 ACCESS TO INFORMATION HELD BY CPEXBRISBANE

7.1 To make a request for any information that CPEXBRISBANE holds about a person, that individual should contact the Dr Pierre Kotze in writing (details below).

7.2 Under the Privacy Legislation, an individual has the right to obtain access to any personal information which CPEXBRISBANE holds about them (including medical records) and to advise



CPEXBRISBANE of any perceived inaccuracy. There are some exceptions to this right set out in the Privacy Legislation and otherwise at law.

- 7.3 CPEXBRISBANE may require you to verify your identity and specify what information you require. CPEXBRISBANE may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, CPEXBRISBANE will advise the likely cost in advance.

8 CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF PATIENTS UNDER 18

- 8.1 CPEXBRISBANE respects every parent's right to make decisions concerning their child's health matters. Generally, where consent of an individual under 18 years of age is required, CPEXBRISBANE will seek the consent of the Parent or legal guardian of the individual. However, CPEXBRISBANE recognises that depending on the maturity of the patient under the age of 18 or their personal circumstances, the consent of the patient under the age of 18 may be appropriate. A decision regarding this will be made by the Dr Pierre Kotze taking all relevant considerations into account.
- 8.2 Generally CPEXBRISBANE will refer any requests for consent and notices in relation to the personal information of a patient under 18 to the patient's parents. CPEXBRISBANE will treat consent given by parents as consent given on behalf of the patient under 18, and notice to parents will act as notice given to the patient under 18.
- 8.3 Parents may seek access to personal information held by CPEXBRISBANE about them or their child by contacting Dr Pierre Kotze. However, there will be occasions when access is denied pursuant to exceptions under the Privacy Legislation or otherwise at law. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of CPEXBRISBANE's duty of care to the patient under 18.
- 8.4 CPEXBRISBANE may, at its discretion, on the request of the patient under 18 grant that patient under 18 access to information held by CPEXBRISBANE about them, or allow a patient under 18 to give or withhold consent to the use of their personal information, independently of their parents. This would normally be done only when the maturity of the patient under 18 and the personal circumstances so warrant it, and assessed on a case by case basis.

9 COMPLAINTS

- 9.1 An individual whose personal information is/has been held by CPEXBRISBANE may lodge a complaint in writing to the Dr. Pierre Kotze about an act or practice of CPEXBRISBANE which the Individual believes to be inappropriate or unlawful.
- 9.2 Such complaints should be in writing and directed to Dr. Pierre Kotze.
- 9.3 Dr. Pierre Kotze will investigate the complaint, and a decision will be made concerning the complaint and the complainant will be advised in writing of the result of the investigation within 30 days of the complaint.
- 9.4 Should the complainant be dissatisfied with CPEXBRISBANE's response, or not receive a response by the end of the 30 day period, the complainant may make a complaint to the Office of the Australian Information Commissioner.
- 9.5 Please direct any queries, complaints, and requests for access to medical records to: Dr. Pierre Kotze.



drpierrekotze@CPEXBrisbane.com

or post a written request to

CPEXBrisbane
693 Stanley street
Woolloongabba QLD 4102

