

# Privacy Policy

## **Confidentiality and Privacy Legislation**

The Privacy Amendment (Private Sector) Act 2000 extends the operation of the Privacy Act 1988 to cover the private health sector throughout Australia.

Life Ready Physio understands and complies with the [Office of the Australian Information Commissioner](#).

## **Professional obligations**

Privacy legislation complements the existing culture of confidentiality that is fundamental to the professional obligations of physiotherapists and other health professionals. The APA Code of Conduct sets out explicit obligations in relation to confidentiality and privacy.

Practice staff at Life Ready Physio are familiar with key aspects of privacy legislation and the APA Code of Conduct to ensure they manage health information appropriately.

## **Privacy infringements**

If a client believes Life Ready Physio has failed to meet privacy requirements, the client can make a complaint to the Privacy Commissioner.

## Collection

Life Ready Physio is required to:

- Collect only the information necessary to deliver the health service;
- Collect lawfully, fairly and not intrusively; and
- Obtain a person's consent to collect health information about them. This consent may be express or explicit.

Life Ready Physio ensures that consumers are informed about why their health information is being collected, who is collecting it, and how it will be used, to whom it may be given and that they can access it if they wish.

Privacy legislation stipulates that a practice should only collect health information that is necessary for its 'functions or activities'.

Life Ready Physio uses fair and lawful ways to collect health information and, where reasonable and practicable, should collect health information directly from an individual.

Life Ready Physio takes reasonable steps to make a client understand why information is being collected and who else it might be given to.

Life Ready Physio will be deemed to be collecting information if it 'gathers, acquires or obtains information from any source and by any means.' Collection covers information kept by Life Ready Physio, including information that was not requested or where it has been retrieved by accident.

## Consent

Life Ready Physio obtains an individual's consent to collect health information. This consent may be implied or express/explicit.

Implied consent refers to circumstances where it is reasonable for the health professional to infer that consent has been given by the client. For example, if a client presents to a physiotherapist and discloses health information which is written down by the physiotherapist during the consultation, this will generally be regarded as the client giving implied consent to the physiotherapist to collect health information for certain purposes. The extent of the purposes will usually be evident from the discussion between the physiotherapist and the client during the consultation.

Express consent refers to consent that is clearly and unmistakably stated (either in writing, orally, or in another fashion where consent is clearly communicated).

## **Privacy of clients**

Practice staff at Life Ready Physio are familiar with key aspects of privacy legislation and the APA Code of Conduct to ensure they manage health information appropriately.

Clients at Life Ready Physio are made aware that they have the right to expect privacy in the provision of their healthcare.

## **Identify individual privacy needs**

Life Ready Physio understands that each client has a unique need for privacy during a consultation. This need may vary according to personal preference, natural modesty, the type of care being provided and the client's familiarity with the intervention.

Practice staff at Life Ready Physio avoid stereotyping and generalising when determining the individual privacy needs of a client.

## **Visual privacy**

Health professionals at Life Ready Physio provide a clear explanation of 'adequate undress' and the reason it is important when a client needs to disrobe for a particular intervention. The health professional offers suitable cover (such as a gown, shorts or drape) if it is necessary to protect the client's dignity.

In some circumstances, the client is invited to disrobe behind a privacy screen. Alternatively, the health professional will turn their back or choose to leave the room while a client disrobes.

Where a client is particularly vulnerable and/or there is potential for the client-practitioner relationship to be particularly sensitive, the health professional will seek the client's consent to have a third party present in a chaperone role if the client needs to disrobe for an intervention.

## **Auditory privacy**

Life Ready Physio has available facilities that provide satisfactory auditory privacy so that discussions with clients can be conducted in private.

These facilities include:

- Private treatment rooms
- Closed/lockable doors

Discussion and telephone communication at the reception area is conducted discreetly, in the interests of respecting clients and protecting the privacy of health information.

Similarly, discussions between health professionals, about a client are conducted discreetly and they do not take place in the presence of other clients or administrative staff.