

PRIVACY POLICY

Overview

Flex Rehabilitation Clinic (**Flex**) is committed to complying with the *Privacy Act 1988* (Cth) (the **Act**) and the Australian Privacy Principles.

The purpose of this privacy policy is to inform our clients of the manner in which we collect, use, store and maintain personal information (which includes sensitive information).

Definitions

What is "information" or a "record"?

"Information" and "records" are any information in electronic or hard copy form, but generally will not include information that is publicly available.

What is "personal information"?

The definition of "Personal information" is critical, because it regulates what is covered by this Policy.

Personal information is information that identifies a particular individual.

A person does not have to be mentioned by name for information to be "personal information".

A record or information will contain personal information if an individual can be "reasonably identified" from the record or information.

Personal information can include information and opinions, regardless of whether the information is true or not.

What is "sensitive information"?

Sensitive information is an important type of personal information, which includes health information. Given the nature of our industry, much of the information we collect, use, store and maintain will be sensitive in nature.

Collecting information

We collect personal information to provide our clients with our services, which include physiotherapy, clinical pilates, massage and altitude training.

The types of personal information we collect to provide this service to you may include (but is not necessarily limited to) your:

- name;
- residential address;
- email address;
- contact telephone number; and
- credit card or bank account details.

The types of sensitive information we collect may include but is not limited to:

- information about your physical or mental health;

- information about your symptoms or diagnosis and the treatment we give;
- specialist reports and test results;
- appointment and billing details; and
- private health fund details.

When we collect sensitive information, we will treat it with the utmost security and confidentiality. We will ensure that it is not collected for any purposes, other than those for which we have obtained your consent, unless the law requires otherwise, or other exceptional circumstances prevail as described under the Act.

How do we collect personal information?

Generally, we collect personal and sensitive information directly from you.

This will usually occur prior to your first appointment and/or during consultations with our physiotherapists and staff.

You have the right to refuse to provide personal information to us. However, if you exercise this right of refusal, we may be unable to provide you with our services, or it may limit the type or nature of the services we are able to provide to you.

Where an individual chooses not to provide requested information, we will advise that individual of what consequences this non-disclosure may have.

We may also collect your personal information from third parties including your general practitioner, hospitals, nursing homes, insurers, employers and Return to Work SA.

We may also collect your personal information from any any other third party, with your consent, where it is necessary and reasonable for us to do so in the provision of services.

Storage of information

We may hold or store your personal information in physical or electronic form.

We will take reasonable steps to protect personal information we hold from:

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

Personal information will be managed confidentially and securely and destroyed appropriately when no longer required.

We will monitor and implement appropriate technical advances or management processes, to safeguard personal information.

Use and disclosure of information

We will only disclose personal information in accordance with the Act.

This means that personal information may be disclosed:

- For the purposes for which we have advised that we are collecting it, and for related purposes that the individual would reasonably expect;
- Where we have the consent of the individual to do so;
- As required by law; and/or

- Under other circumstances where permitted under the Act.

In the course of our business activities, we may also need to disclose your personal information to relevant staff.

Unauthorised disclosure or access

Flex is committed to protecting the privacy of individuals and we will view unauthorised disclosure of, or access to, personal information by our employees or contractors, as a serious breach of this policy. Appropriate action (which may include disciplinary or legal action) will be taken in such cases.

Direct Marketing

We may, on occasion and where reasonable and appropriate, use your personal information in directing marketing.

Direct marketing may occur via mail, email, SMS or telephone.

Where direct marketing is transmitted electronically or by telephone, we will at all times comply with any applicable laws including the *Spam Act 2003* (Cth) and the *Do Not Call Register Act 2006* (Cth).

We will always provide you with a nil-cost way of contacting us to register a request to “opt-out” from receiving any direct marketing.

Access to personal information

You may request access to, or seek a correction to, personal information we hold about you.

Any such request must be made in writing.

We will ordinarily give an individual access to their personal information unless an exception applies.

Exceptions include where:

- giving access would have an unreasonable impact on the privacy of other individuals;
- the request for access is frivolous or vexatious; or
- the access would be unlawful.

We reserve the right to charge a reasonable fee for providing access to the personal information, but not for making the application or correcting personal information held by us. We may withhold access to the personal information until the fee is paid. If a request for access or correction is denied we will, within a reasonable time period, provide you with a general, written explanation as to why the request was refused.

Communication of personal information

We reserve the right to communicate with you and all relevant third parties by electronic means (i.e. email), telephonic means (i.e fax) or hard copy (i.e post), unless you advise us otherwise in writing.

Changes to this Privacy Policy

We reserve the right to modify this privacy policy at any time.

Privacy inquiries

If you have any questions or concerns arising under this policy, please contact admin@flexclinic.com.au at Flex, or for more information visit the Office of the Australian Information Commissioner at www.oaic.gov.au.