

Privacy

1. Introduction

Ambulance Victoria (**AV**) is a statutory authority established by the *Ambulance Services Act 1986* (Vic) (**Act**). AV provides emergency and non-emergency medical transport services to the Victorian community. AV is overseen by a board which is responsible for ensuring that the objectives of AV are met to the maximum extent possible.

AV is committed to protecting the privacy of personal and health information that we handle in the course of performing our functions. We recognise that the nature of our functions means that much of the information we collect and handle is particularly sensitive.

This policy sets out the way in which AV handles personal and health information in the course of performing its functions in accordance with its obligations under the Information Privacy Principles (**IPPs**) in the *Privacy Data and Protection Act 2014* (Vic) (**PDP Act**), the Health Privacy Principles (**HPPs**) in the *Health Records Act 2001* (Vic) (**HR Act**) and other applicable laws and contractual obligations. This policy also tells you how you can access and correct the personal and health information that AV holds about you and how to make a complaint about a privacy matter.

2. Definitions

This policy applies to personal information (including sensitive information) and health information handled by AV.

Personal information is recorded information (or an opinion) about an individual whose identity is apparent or can be reasonably ascertained from that information, but does not include health information.

Health information is personal information which concerns an individual's physical, mental or psychological health, disability or genetic makeup or which is collected to provide, or in providing, a health service.

Sensitive information is personal information about an individual's race or ethnicity, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association or a trade union, sexual preferences or practices or criminal record.

In this policy, references to 'personal information' also include sensitive and health information.

3. Privacy commitments

AV will only **collect** personal information to perform its functions and achieve its objectives.

Personal information collected by AV will be **held** securely.

Personal information collected will be **used** only for the primary purpose for which it was collected or as otherwise permitted by law

AV staff will handle personal information on a confidential basis and not **disclose** personal information to any third party, including colleagues, unless authorised to do so.

4. Collection of personal information

AV collects personal information that it needs to provide patients and members with its services and to otherwise perform its functions and achieve its objectives under the Act. AV will only collect personal information by lawful and fair means and not in an unnecessarily intrusive way.

Personal information will generally only be collected from the individual. Where this is not reasonable or practicable, AV may collect personal information from Emergency Service Telecommunication Authority or other third parties in certain circumstances such as:

- Where the individual authorises collection from a third party.
- Where it is considered necessary to obtain information from a third party because there is a reasonable belief that the information is necessary for AV to provide a service to the individual.
- Where it is necessary to prevent serious and imminent harm or to provide emergency care where the individual may be unable to respond. In this instance, reasonable steps will be taken to verify the information with the individual as soon as is practicable.

To verify specific information about an individual where an AV employee remains in doubt about the veracity of information they have. To gather information about an individual who is unable to understand or respond appropriately to questions or comprehend their significance.

AV may also collect personal information in other situations such as:

- Employment applications.
- When you visit AV's website. For details about personal information collected when you visit AV's website, please see the Website Privacy Statement at www.ambulance.vic.gov.au/privacy-policy/
- Where it is necessary for the conduct of proceedings before any court or tribunal or to comply with any applicable law.
- Where paramedics use body worn cameras in relation to a safety risk (or other exceptional circumstances).
- To promote important community awareness, health messages and education campaigns such as saving ambulances for emergencies, aggression and violence against health care workers and slowing down to 40 km/h near emergency vehicles (eg, AV is involved in the *Paramedics* TV show for these purposes).

When collecting personal information from an individual, (or if that is not practicable, as soon as practicable after) reasonable steps will be taken to notify the individual about:

- The identity of the organisation (ie, AV).
- What the information will be used for.
- Who the information is likely to be disclosed to and how it will be stored.
- Any law requiring the information to be collected.
- The main consequences if the information is not provided.
- How to contact AV and access the information.

These steps may include advice in person, in writing, over the phone or via documentation provided to you.

If you do not wish for AV to collect certain personal information about you, you need to advise us and we will discuss with you any consequences this may have on your health care or services provided.

If personal information is collected in relation to employee health and safety reasons – for example, via the use of paramedic body worn cameras – reasonable steps will be taken to inform individuals before any information is recorded if it is safe or otherwise reasonable to do so.

5. Use of information

AV will take all reasonable steps to ensure the confidentiality, integrity and availability of personal information.

AV will only use your personal information when it is lawful and reasonable to do so. For example, your personal information may be used for the following purposes:

- To dispatch an ambulance and attend on patients. This includes the use of your information to assist with any subsequent attendances or triaging by AV so that you can be provided with the most appropriate services for you. This may also include AV liaising with other health service providers in formulating a Care Plan to provide you with the most appropriate care, should one be warranted.
- To assist in research and for the further training of paramedics and/or other ambulance employees. Wherever possible personal information is de-identified when used for teaching (clinical) purposes, evaluating services or conducting research.
- To promote important community awareness, health messages and education campaigns.
- For funding, management, planning, monitoring, improvement or evaluation of AV's services.
- For accounting and debt collection purposes, to enable an account to be sent to the patient or relevant authority responsible for that account. Any debt collection services undertaken external to AV is governed by an appropriate contract binding the service provider to the same legal privacy requirements as AV. Triple zero callers' details will not be used for billing purposes.
- For ambulance membership, the personal information is used to send membership literature and communications and to reconcile an account for ambulance services.
- For research projects with external organisations and agencies only after they have been approved by a hospital, university or government-based ethics and research process; or if the information has been de-identified and is subject to an agreement which appropriately protects your information.
- To promote other services and opportunities AV believes may be of interest or of value to our members. This may include information about AV's own products and services and donation and bequest opportunities or the products and services of other organisations with which AV has developed a community service partnership. An Ambulance Victoria member may opt-out of receiving this information by contacting 1300 366 141.
- To investigate incidents that may occur with ambulance attendances including the conduct of any legal claims against AV. This may include the presentation of your patient care record as evidence in court when subpoenaed.
- For any other reason permitted by law.

6. Disclosure of information

AV will only disclose personal information about patients and members for the primary purpose for which the information was collected, or for a secondary purpose when it is lawful and reasonable to do so.

Personal information may be provided to organisations that assist AV in providing a service to patients and ambulance members. Where AV has a contractual relationship with a third party, privacy provisions are included in the contract in order to ensure compliance with Victorian privacy law.

For example, AV may disclose personal information in the following circumstances:

- To another health care organisation / provider, e.g. hospital. Sometimes this information may be transferred by radio, using communication codes where appropriate and limiting the information to essential information only. Use of names, medical information or date of birth is restricted, unless deemed medically necessary to expedite treatment or required to assist in the location of the individual. The information must be felt to be reasonably necessary in order to allow access to the history of a patient and /or to allow management preparation by a hospital.
- In the creation of care plans to assist AV to prepare a plan that will be used to deliver the best and most appropriate care for you whilst maintaining consistency in your care across health services.
- AV's referral service (which is part of AV's triaging processes that determines whether an alternative level of care is warranted and safe to arrange instead of sending an emergency ambulance) so that it may provide information to a telehealth provider (for example, photographs or videos of conditions, such as a skin rash) via a referral for that service to accept the patient and manage the patient using one of their General Practitioners. AV has contracts in place with these providers in order to appropriately protect your health and personal information.
- To other organisations where that organisation is responsible for payment of an account e.g.: Transport Accident Commission, Victorian WorkCover Authority, Department of Veteran's Affairs, Health Funds.
- To other government entities where that entity is able to confirm concession entitlements for ambulance services eg, Australian Government Department of Human Services (Centrelink).
- To another health professional or organisation where AV is required to do so by law. For example AV has an obligation to report notifiable diseases to the Department of Health.
- To promote important community awareness, health messages and education campaigns.
- If a person has, or has had, an AV membership, personal information will be given to and held by the organisations contracted by AV or other relevant third parties to provide the services necessary for the operation of the membership scheme.
- To service providers contracted by AV, such as for the collection of patient outcome data and patient satisfaction surveys.
- To the Victorian Chief Data Officer and other government departments and agencies for the purpose of policy making and service planning and design.
- To universities, hospitals or research bodies for research projects in the public interest. Information will always be de-identified wherever possible and will be subject to contractual arrangements if deemed necessary in order to protect the information provided.

- AV collates statistical data from information we have collected and from time to time may provide this to other government departments, agencies or statutory authorities in order to further collaborative arrangements or the efficient and effective provision of services to the community at large. In most cases, data will be de-identified and aggregated before it is disclosed to third parties. Information will always be de-identified wherever possible and will be subject to contractual arrangements if deemed necessary in order to protect the information provided.
- AV may share your health and personal information (as authorised by the *Health Services Act 1988*) for quality and safety purposes. This would be limited to disclosing your information to entities responsible for investigating failures in quality and safety and for health system quality and safety oversight, such as the Victorian Department of Health and Human Services, Safer Care Victoria, the Victorian Agency for Health Information, and/or another health service entity. Any such sharing would be subject to and comply with existing data security and storage requirements set out in the Health Privacy Principles and Information Privacy Principles. The sharing and using of information is designed to address any quality and safety issues that may have affected you to ensure they inform continuous service improvement.

AV members should please note that in circumstances where a third party, such as an immediate family member, has consent to sign you up for ambulance membership, once the policy is set up, that third party no longer has the authority to access information about you unless consent is specifically given.

7. Data security and retention

All personal information held by AV will be protected from unauthorised access, misuse, modification, loss or disclosure through the use of appropriate security arrangements and by storing information in accordance with AV's Records Management Policy. AV retains information in accordance with the Public Records Office of Victoria records retention and disposal authority for the Emergency Services function. (See <https://prov.vic.gov.au/recordkeeping-government/document-library/pros-1702-emergency-services-function> or actual document can be located by using the following link: https://prov.vic.gov.au/sites/default/files/files/documents/1702var1_2.pdf). For further information you can call 9348 5600 or email enquiries@prov.vic.gov.au.

All data used for clinical audit, incident review, educational and/or research purposes will be suitably protected.

8. Data quality, access and correction

AV takes reasonable steps to ensure that the personal information that it holds is accurate, complete, up-to-date and relevant to the function being performed.

You may gain access and make corrections to your personal information held by AV through the *Freedom of Information Act 1982 (Vic)*. Information about this process is via this <https://www.ambulance.vic.gov.au/freedom-of-information/>. AV may ask you to provide evidence of the information that you wish to correct before accepting changes and, if AV believes that the personal information we hold about you is correct, may request that your comments be noted on the record.

9. Anonymity

Under Victorian privacy law, wherever lawful or practicable, individuals must have the option of not identifying themselves when entering transactions with AV. Individuals seeking general advice from AV do not have to identify themselves. However, please note that anonymity is not considered to be practicable in relation to completion of Patient Care Records, billing for services provided by AV or AV membership.

10. Unique identifiers

A unique identifier is usually a number assigned to an individual in order to identify the person for the purposes of an organisation's operations (eg, a Medicare number). AV does not assign unique identifiers to individuals unless necessary to enable it to perform its functions efficiently.

AV does assign a unique identifier to AV members to facilitate interactions with AV members.

11. Transfer of personal information outside Victoria

AV will not transfer personal information outside Victoria without an individual's prior consent or unless AV reasonably believes that the recipient will handle the information in a way that is substantially similar to the IPPs and HPPs.

12. Complaints

If you have any questions or concerns in relation to this policy or AV's handling of your personal information, please contact:

AV Privacy Officer

Email: AVLegal@ambulance.vic.gov.au

Phone: 9840 3501

Address: 375 Manningham Road, Doncaster Vic 3108

You may also contact:

Health Complaints Commissioner

Telephone: 1300 582 113

Website: www.hcc.vic.gov.au

Office of the Victorian Information Commissioner

Post: PO Box 24274, Melbourne Victoria 3001

Telephone: 1300 006 842

Email: enquiries@ovic.vic.gov.au

Website: www.ovic.vic.gov.au

International callers + 613 8684 7565

International Interpreter and Translation Service (TIS) on 13 14 50

Please note that both Commissioners will require a complainant to first approach AV with their concerns.

AV will treat any breach of this policy as a serious issue. A breach may result in disciplinary action for employees. AV will take all steps it reasonably can to be efficient and fair when investigating and responding to privacy complaints.

13. Changes to this policy

AV may amend this policy from time to time. The current version will be posted on AV's website and a copy may be obtained at any time by contacting AV.

14. Further information

[Privacy and Data Protection Act 2014 \(Vic\)](#)

[Health Records Act 2001 \(Vic\)](#)

[Victorian Data Sharing Act 2017 \(Vic\)](#)

<https://hcc.vic.gov.au/>

<https://www.ovic.vic.gov.au/>

Document name	AV PRIVACY POLICY										
Applies to	<input checked="" type="checkbox"/> Operational <input checked="" type="checkbox"/> Corporate	<input checked="" type="checkbox"/> Patient Transport <input checked="" type="checkbox"/> ARV <input checked="" type="checkbox"/> Auxiliaries	<input checked="" type="checkbox"/> ACOs <input checked="" type="checkbox"/> CERTs <input checked="" type="checkbox"/> Co-responders								
Document no.	POL/FCS/078	Stored:	Content Manager POL/FCS/078								
Version:	5.0	Review:	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> 3-Yearly								
Division	Corporate Services										
Responsible Executive	Executive Director, Corporate Services										
Responsible Manager	General Counsel, AV Legal										
Key stakeholders: (including external)	Consulted: <ul style="list-style-type: none"> • Lead, FOI • Integrity Officer • Legal Counsel • Membership Scheme Manager 	To be informed: <ul style="list-style-type: none"> • Executive Director, Quality & Patient Experience • Executive Director, Transformation & Strategy • Executive Director, Strategic Communication & Engagement 									
Review date	By 21 August 2021 , or in accordance with applicable legislative or regulatory changes.										
Relevant National Safety and Quality Health Service Standards	To be completed by the National Standards Accreditation Lead: <table border="0"> <tr> <td><input type="checkbox"/> 1. Clinical governance</td> <td><input type="checkbox"/> 5. Comprehensive care</td> </tr> <tr> <td><input type="checkbox"/> 2. Partnering with consumers</td> <td><input type="checkbox"/> 6. Communicating for safety</td> </tr> <tr> <td><input type="checkbox"/> 3. Healthcare-associated infection</td> <td><input type="checkbox"/> 7. Blood management</td> </tr> <tr> <td><input type="checkbox"/> 4. Medication safety</td> <td><input type="checkbox"/> 8. Recognising and responding to acute deterioration</td> </tr> </table> <input checked="" type="checkbox"/> NSQHS standards are NOT applicable			<input type="checkbox"/> 1. Clinical governance	<input type="checkbox"/> 5. Comprehensive care	<input type="checkbox"/> 2. Partnering with consumers	<input type="checkbox"/> 6. Communicating for safety	<input type="checkbox"/> 3. Healthcare-associated infection	<input type="checkbox"/> 7. Blood management	<input type="checkbox"/> 4. Medication safety	<input type="checkbox"/> 8. Recognising and responding to acute deterioration
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Version control and change history

Version	Date approved	Date superseded	Amendment
1.0	12 October 2018	2 January 2019	
2.0	2 January 2019	8 April 2020	
3.0	8 April 2020	13 August 2020	
4.0	13 August 2020	21 August 2020	Update to 7. Data security and retention, to include amended text to reflect reference only. Update to 6. Disclosure of Information to include additional text.
5.0	21 August 2020	current	