



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 it handles while performing its functions. AV recognises that the nature of its functions means that much of the information it collects and handles is particularly sensitive.

This policy sets out the way in which AV handles personal and health information of patients and members 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. A table summarising the IPPs and HPPs is included at the end of this policy.

This policy also sets out how an individual can access and correct the personal and health information that AV holds about them and how to make a complaint about a privacy matter.

The personal and health information of AV employees and volunteers is managed in accordance with AV's Employee Privacy Policy POL/FCS/055.

2. Definitions

This policy applies to personal information (including sensitive information) and health information of patients and members 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.

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 personal 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 to an individual or to provide emergency care where the individual may be unable to respond.
- To verify specific personal information about an individual where an AV employee remains in doubt about the veracity of information they have.
- To gather personal information about an individual who is unable to understand or respond appropriately to questions or comprehend their significance.
- To improve, monitor and evaluate AV services or to train AV employees.

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

- When visiting AV's website. For details about personal information collected when visiting 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).
- Where it is necessary to prevent or lessen a serious threat to public health, public safety or public welfare.
- To enable an individual to join an online meeting with AV, via Microsoft Teams or Webex.



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, via documentation provided to the individual, or by directing an individual to AV's Privacy Policy.

If an individual does not wish for AV to collect certain personal information about them, they may advise AV and AV will notify them of the main consequences this may have on health care or services provided.

If personal information is collected for 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 and disclosure of information

AV will only use and 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.

For example, personal information may be used or disclosed for the following purposes:

- To provide ambulance services. This includes to dispatch an ambulance, attend patients in person or by telehealth. AV may use a patient's personal information to assist with any subsequent attendances or triaging by AV to ensure patients are provided with the most appropriate services. This may include AV liaising with other health service providers in formulating a care plan to provide the patient with the most appropriate care, should one be warranted.
- For AV's secondary triage 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, home visiting nurses or other alternative service providers. AV has contracts in place with these providers to appropriately protect personal information.
- For training of paramedics and/or other ambulance employees.
- To promote important community awareness, health messages and education campaigns. Personal information used for this purpose is de-identified, or if identifiable, used with the consent of the individual.
- For funding, management, planning, monitoring, improvement or evaluation of AV's services, including:
 - for research projects undertaken in conjunction with universities, hospitals or research bodies in the public interest and with approval by an appropriate ethics committee.



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;

- statistical data AV has collated from personal information it has collected. AV may provide this data to other government departments, agencies or statutory authorities in order to further collaborative arrangements or for the efficient and effective provision of services to the community at large. 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;
- to the Victorian Chief Data Officer and other government departments and agencies for the purpose of policy making and service planning and design; and
- to service providers contracted by AV, such as for the collection of patient outcome data and patient experience surveys.
- 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 are 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;
 - 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; and
 - to other government entities where that entity is able to confirm concession entitlements for ambulance services eg, Australian Government Department of Human Services (Centrelink).
- For occupational health and safety purposes, to Victoria Police, State Emergency Service and Fire Services Victoria if necessary.
- Where AV is required to do so by law. For example, under the Child Information Sharing Scheme and Family Violence Information Sharing Scheme or where AV has an obligation to report notifiable diseases to the Department of Health.
- For ambulance membership:
 - members personal information is used to send membership literature and communications and to reconcile an account for ambulance services;
 - to promote other services and opportunities AV believes may be of interest or of value to its 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. Members may opt-out of receiving this information by contacting 1300 366 141;
 - 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;
 - members please note that in circumstances where a third party (such as an immediate family member) signs an individual up for ambulance membership, once the policy is set up that third party cannot access that individual's personal information without consent.
- To investigate incidents that may occur during the provision of AV services, including:



- the conduct of coronial investigations and any legal claims against AV. This may include the presentation of a patient care record as evidence in court when subpoenaed;
 - quality and safety reviews including multi-agency reviews, sentinel event investigations and incident reporting; and
 - patient complaints.
- For recording on AV's special patient information (**SPPT**) system for use by paramedics when attending an address. The SPPT system is a database that records patient information relating to location access, directions, medical and care plan information, and safety and occupational violence risk.
 - AV may share patient health and personal information (as authorised by the *Health Services Act 1988* (Vic)) for quality and safety purposes. This would be limited to disclosing patient 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, 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 HPPs and the IPPs. The sharing and using of information is designed to address any quality and safety issues that may have affected patients to ensure they inform continuous service improvement.
 - For any other reason permitted by law.

6. 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 call 9348 5600 or email enquiries@prov.vic.gov.au.

7. 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.

Individuals may gain access and make corrections to their 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 an individual to provide evidence of the information they wish to correct before accepting changes and, if AV believes that the personal information it holds is correct, may request that any comments be noted on the record.

8. 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.

9. Unique identifiers

A unique identifier is 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.

10. 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.

11. 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: privacy@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.

12. 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.



13. 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/>

<https://www.vic.gov.au/about-information-sharing-schemes-and-risk-management-framework>



14. Privacy principles

This table sets out a summary version of the key IPPs and HPPs from the two Victorian Acts for your information.

These do not set out the principles in full but are intended for quick reference only. If you wish to read the principles, they can be found in the respective Acts.

Health Records Act HEALTH PRIVACY PRINCIPLES (HPPs) SUMMARY	Privacy and Data Protection Act INFORMATION PRIVACY PRINCIPLES (IPPs) SUMMARY
<p>1. Collection</p> <p>Only collect health information if necessary for the performance of a function or activity and with consent (or if it falls within HPP 1). Notify individuals about what you do with the information and that they can gain access to it.</p>	<p>1. Collection</p> <p>Collect only personal information that is necessary for performance of functions. Advise individuals that they can gain access to personal information.</p>
<p>2. Use and Disclosure</p> <p>Only use or disclose health information for the primary purpose for which it was collected or a directly related secondary purpose the person would reasonably expect. Otherwise, you generally need consent.</p>	<p>2. Use and Disclosure</p> <p>Use or disclose personal information only for the primary purpose for which it was collected or a secondary purpose the person would reasonably expect. Use for secondary purposes should have the consent of the person.</p>
<p>3. Data Quality</p> <p>Take reasonable steps to ensure health information you hold is accurate, complete, up-to-date and relevant to the functions you perform.</p>	<p>3. Data Quality</p> <p>Make sure personal information is accurate, complete and up-to-date.</p>
<p>4. Data Security and Retention</p> <p>Safeguard the health information you hold against misuse, loss, unauthorised access and modification. Only destroy or delete health information in accordance with HPP 4.</p>	<p>4. Data Security</p> <p>Take reasonable steps to protect personal information from misuse, loss, unauthorised access, modification and disclosure.</p>
<p>5. Openness</p> <p>Document clearly expressed policies on your management of health information and make this statement available to anyone who asks for it.</p>	<p>5. Openness</p> <p>Document clearly expressed policies on management of personal information and provide the policies to anyone who asks.</p>
<p>6. Access and Correction</p> <p>Individuals have a right to seek access to health information held about them in the private sector, and to correct it if it is inaccurate, incomplete, misleading or not up-to-date.*</p> <p>* [In the public sector individuals already have this right under Freedom of Information].</p>	<p>6. Access and Correction</p> <p>Individuals have a right to seek access to their personal information and make corrections. Access and correction will be handled mostly under the Victorian Freedom of Information Act.</p>
<p>7. Identifiers</p> <p>Only assign a number to identify a person if the assignment is reasonably necessary to carry out your functions efficiently.</p>	<p>7. Unique Identifiers</p> <p>A unique identifier is usually a number assigned to an individual in order to identify the person for the purposes of the organisation's operations. Tax File</p>



Health Records Act	Privacy and Data Protection Act
HEALTH PRIVACY PRINCIPLES (HPPs) SUMMARY	INFORMATION PRIVACY PRINCIPLES (IPPs) SUMMARY
	Numbers and Driver's Licence Numbers are examples. Unique identifiers can facilitate data matching. Data matching can diminish privacy. IPP 7 limits the adoption and sharing of unique numbers.
<p>8. Anonymity Give individuals the option of not identifying themselves when entering transactions with organisations where this is lawful and practicable.</p>	<p>8. Anonymity Give individuals the option of not identifying themselves when entering transactions with organisations where that would be lawful and feasible.</p>
<p>9. Transborder Data Flows Only transfer health information outside Victoria if the organisation receiving it is subject to laws substantially similar to the HPPs.</p>	<p>9. Transborder Data Flows Basically, if your personal information travels, your privacy protection should travel with it. Transfer of personal information outside Victoria is restricted. Personal information may be transferred only if the recipient protects privacy under standards similar to Victoria's IPPs.</p>
<p>10. Transfer/closure of practice of health service provider If you're a health service provider, and your business or practice is being sold, transferred or closed down, without you continuing to provide services, you must give notice of the transfer or closure to past service users.</p>	<p>10. Sensitive Information The law restricts collection of sensitive information like an individual's racial or ethnic origin, political views, religious beliefs, sexual preferences, membership of groups or criminal record.</p>
<p>11. Making information available to another health service provider If you're a health service provider, you must make health information relating to an individual available to another health service provider if requested by the individual.</p>	
<p>Health Complaints Commissioner Level 26, 570 Bourke Street Melbourne Victoria 3000 Telephone: 1300 582 113 Website: www.hcc.vic.gov.au/</p>	<p>Office of the Victorian Information Commissioner Level 6, 121 Exhibition Street Melbourne Victoria 3000 Telephone: 1300 006 842 Email: enquiries@ovic.vic.gov.au Website: www.ovic.vic.gov.au</p>



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:	6.0	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 • AV Legal • Membership Scheme Manager • Executive Director, Quality & Patient Experience 	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 22 August 2023 , 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: <input checked="" type="checkbox"/> NSQHS standards are NOT applicable		

Version control and change history

Version	Date approved	Date superseded	Amendment
1.0	12 October 2018	2 January 2019	Original document.
2.0	2 January 2019	8 April 2020	Update to Data security and retention, to include amended text to reflect reference only. Update to Disclosure of Information to include additional text.
3.0	8 April 2020	13 August 2020	Whole policy review and update.
4.0	13 August 2020	21 August 2020	Inclusion of PROV Emergency Services function details.
5.0	21 August 2020	22 August 2022	Update to reflect the amendments to the Health Services Act regarding information sharing for quality and safety purposes.
6.0	22 August 2022	Current	Cyclic review.