

# Queensland Privacy Principles (QPP) Privacy Policy 004549

1. Clinical  
Governance

## Purpose and intent

Metro North Hospital and Health Service (Metro North Health) is committed to ensuring the privacy, security, accuracy and integrity of personal information regarding all patients, employees, individuals and agents (including Visiting Medical Officers and other partners, contractors, consultants, students and volunteers) associated with receiving or providing Metro North Health services.

This policy:

- describes the types of personal information collected and stored by Metro North Health
- documents the principles under which personal information is used, shared and managed
- explains how all patients, employees, individuals and agents (including Visiting Medical Officers and other partners, contractors, consultants and volunteers) can request access to, request correction of, or make a complaint regarding a privacy breach of, their personal information.

Metro North Health complies with the *Information Privacy Act 2009* (Qld) that includes the Queensland Privacy Principles (known as the 'QPPs') in managing the personal information life cycle of collection, use, access, security and quality.

The *Human Rights Act 2019* (Qld) requires proper consideration to be given to human rights factors where Metro North Health is contemplating a decision that may affect or limit a human right. The Queensland Privacy Principles (QPP) Privacy Policy supports compliance with the Human Rights Act by facilitating the proper handling and security of personal information and in this way contributing to protection of the human right of privacy and reputation.

## Scope and target audience

This policy applies to:

- all Metro North Health clinical and non-clinical staff (permanent, temporary and casual) and all organisations and individuals acting as its agents (including Visiting Medical Officers and other partners, contractors, consultants and volunteers)
- all settings across the health continuum including community, primary, acute, rehabilitation and residential care health services within Metro North Health.

# Queensland Privacy Principles

This policy sets out the general requirements for each of the QPPs under the *Information Privacy Act 2009*. Metro North Health will collect, use and disclose personal information in accordance with this policy and the [Metro North Queensland Privacy Principles \(QPP\) Privacy Plan](#) which is publicly available on our website.

## QPP 1 - Open and transparent management of personal information

The *Information Privacy Act 2009* (Qld) defines 'personal information' as:

*...information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion—*

*(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.*

Personal information is therefore any information or opinion about an identified individual or where an individual can be reasonably identified from the information. The *Information Privacy Act 2009* (Qld) only applies to a living person but will include personal information of patients, staff, members of the public, contractors and volunteers.

Personal information may be in any form, such as in correspondence, databases, audio recordings, images, alpha-numerical identifiers or any combinations of these. It can also be spoken or communicated in other mediums, including sign language or social media.

The type of personal information held by Metro North Health is contained within Appendix 2.

## QPP 2 – Anonymity and pseudonymity

Individuals may have the option of not identifying themselves or using another name when entering into transactions with health agencies including Metro North Health if it is lawful and practical to do so. For example, it may not be practical where the identity of the person is important to the delivery of the service, such as in the prescribing of medications and allergy information.

Metro North Health has processes in place to continually identify individual health records for review and merging to provide the best and safest care possible to the patient.

## QPP 3 – Collection of solicited personal information

Metro North Health collects personal information to:

- provide healthcare services
- manage the delivery of health care services
- improve the safety, quality and effectiveness of health care services
- recruit and manage employees, individuals and agents (including Visiting Medical Officers and other partners, contractors, consultants and volunteers) acting on behalf of Metro North Health.

Metro North Health collects information in the following ways:

- Information given by persons receiving, or representing those receiving, healthcare services. For example, a person's name, residential address, email address, telephone number and health information in order to provide health care
- Information provided by other health agencies and clinicians regarding a person receiving healthcare services. For example, Metro North Health will be provided with or may seek information about, a patient's health history and treatment in order to provide appropriate care
- Information given by employment candidates, employees, individuals and agents (including Visiting Medical Officers and other partners, contractors, consultants and volunteers) acting on behalf of

Metro North Health. For example, an employee, individual or agent's name, address, work history or information related to their current work activities with Metro North Health

- Information provided by other persons or organisations about employees, individuals and agents (including Visiting Medical Officers and other partners, contractors, consultants and volunteers) acting on behalf of Metro North Health. For example, Metro North Health may be provided with or seek information about a person's work history, criminal history, or information related to their current work activities with Metro North Health.

When collecting personal information, Metro North Health must only collect information where it is reasonably necessary for the purpose of our interaction with the individual. A higher threshold exists where the information being collected is sensitive information, as defined by the *Information Privacy Act 2009* (Qld). In these circumstances, the consent of the individual is required for the collection of the sensitive information, and it is reasonably necessary for one or more of our functions or activities, unless an exception applies. This may include where it is required by law, or a permitted health situation exists.

## **QPP 4 – Dealing with unsolicited personal information**

Where Metro North Health receives personal information, it didn't ask for, further consideration will be given as to whether the information could have been collected under QPP 3 and whether the information is contained within a public record.

## **QPP 5 – Notification of the collection of personal information**

When collecting personal information or as soon as possible after, Metro North Health must take steps to ensure that the individual is reasonably informed of:

- the identity and contact details of the Metro North Health
- if the information has been collected from someone other than the individual, information on what information has been collected and the circumstances of the collection
- why Metro North Health is collecting the information
- the consequences if the information is not collected
- any other agency or entity Metro North Health usually discloses personal information to
- the QPP Privacy Policy that contains information about access and amendment of personal information
- the QPP Privacy Policy that contains information about how to make a complaint about a breach of the QPPs
- whether personal information is likely to disclose information outside of Australia, and if so, which countries the disclosure is likely to occur.

Why Metro North Health collects personal information is set out in the [Metro North \(QPP\) Privacy Plan](#).

## **QPP 6 – Use or disclosure of personal information**

Metro North Health only uses or discloses information where:

- it is for the primary purpose for which it was collected
- the individual would expect the information to be used or disclosed
- the individual has consented
- it is necessary for research relevant to public health or safety
- it is reasonably believed disclosure is to prevent harm to the individual or the public
- it is reasonably believed disclosure is necessary to investigate unlawful activity, or
- it is authorised or required by law.

**USE** refers to where personal information is:

- manipulated, searched or otherwise dealt with

- taken into account in making a decision
- transferred to another part of Metro North Health.

**DISCLOSURE** refers to making personal information available:

- to people outside of Metro North Health who don't already know the personal information
- where Metro North Health will no longer control the future use of that information
- by the personal information being published.

Under the *Hospital and Health Boards Act 2011*, disclosure also includes the disclosure of confidential patient information, for example from one staff member to another – it does not require that the disclosure be to an outside entity.

Some of the circumstances where we may use or disclose information include:

- broad epidemiological studies of disease and other medical research
- ongoing medical treatment
- collecting information about particular health conditions such as life-threatening diseases and diseases with high public health risks
- planning for health services
- quality assurance of clinical processes
- evaluation, managing, and monitoring of health services
- health service investigations into quality of clinical care
- funding and private health insurance matters such as billing and recovering debt in relation to services received
- child protection, domestic violence, police investigations
- providing access to IT service providers to test and maintain data systems
- disciplinary matters for health practitioners
- court order or subpoena in relation to a court or legal matter
- providing access to the Red Cross for blood tracing tissue and products.

Prior to information being released for research involving patient data, all research projects must undergo ethics approval and be authorised by the Chief Executive or delegate before it can be commenced.

Where information is disclosed for law enforcement purposes, a written note of the use or disclosure must be made.

Any information disclosed in any of the above circumstances will be limited to only that which is necessary.

### **De-Identified and Anonymised Information**

Where information has been de-identified or anonymised so that an individual is no longer identifiable or reasonably identifiable from the information or opinion, then the information will not be subject to the *Information Privacy Act 2009* (Qld) or the *Hospital and Health Boards Act 2011* (Qld).

Typically, this would be aggregated information, or statistics used for reporting, research and planning purposes where identifying information has been removed or altered. However, as technology changes and the ability to combine different datasets increases, so does the possibility of re-identification of an individual's data. For this reason, Metro North Health will continue to review its de-identified data sets as part of its information management and data custodianship responsibilities to ensure that privacy and confidentiality is not being compromised for identifiable, de-identified, non-identifiable, re-identified and anonymised data.

For further information about de-identification to protect privacy when using or sharing information assets containing personal information, please refer to the [Metro North QPP Privacy Plan](#).

## QPP 7-9 – Not currently applicable to Metro North Health

These QPPs correlate to Australian Privacy Principles (APPs) that have not been adopted in Queensland. Therefore QPPs 7-9 do not apply to Metro North Health. These QPPs relate to functions relevant to private entities or are included in other sections of the *Information Privacy Act 2009* (Qld).<sup>1</sup>

## QPP 10 – Quality of personal information

Metro North Health will take reasonable steps to ensure the personal information it collects is accurate, complete and up-to-date.

Metro North Health will take reasonable steps to ensure the personal information it uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

## QPP 11 – Security of personal information

The *Public Sector Ethics Act 1994* (Qld) as articulated through the Queensland Public Service Code of Conduct obliges all Metro North Health employees, individuals and agents to uphold ethical principles and values, and to comply with all relevant legislation, policies and standards. Section 4.4 of the Code specifically requires all Metro North Health employees, individuals and agents to:

- treat official information with care and use it only for the purpose for which it was collected or authorised
- store official information securely, and limit access to those persons requiring it for legitimate purposes, and
- not use confidential or privileged information to further personal interests.

Consequently, Metro North Health employees, individuals and agents:

- **Will not** use information gained through their connection with Metro North Health for any purpose other than for the discharge of their official duties
- **Will** take reasonable steps to protect personal information from misuse, loss and unauthorised access, modification or disclosure. When personal information is no longer required, it is destroyed in a secure manner according to Queensland State Archives' approved retention and disposal schedule
- **Will** take reasonable steps to ensure information management policies, procedures and systems are designed to implicitly support privacy and confidentiality.

Unauthorised access to personal information that is not required as part of their official duties, may constitute official misconduct and in some cases, a criminal act.

## Retention of personal information

Generally, once your personal information is no longer required for the purpose for which it was collected, Metro North Health will either de-identify or destroy the information in line with the retention and disposal schedule approved by the Queensland State Archivist. The minimum retention period varies between classes of records according to the purpose and use of the records. In some instances, it may be necessary to keep information for longer, where for example it is needed for a legal action.

Once the minimum retention period has been met, records (including any personal information associated with the records) are securely destroyed or de-identified using disposal or de-identification methods appropriate for the type of format and security classification of the records.

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<sup>1</sup> Direct marketing (QPP 7), Cross-border disclosure of personal information (QPP 8) and adoption, use or disclosure of government related identifiers (QPP 9). Cross-border disclosure of personal information is contained within s 33 of the *Information Privacy Act 2009* (Qld).

Where electronic personal or health information is included in a clinical information system, a longer retention period may apply. Disposal of information stored in one of these systems is managed by the Data Custodian for the system. Some of these systems are statewide and their management comes under the Department of Health.

## **QPP 12 – Access to personal information**

Metro North Health patients may apply for access to their health records under the Metro North Administrative Access to Health Records Procedure. Where access is not available under this procedure, patients, employees, individuals and agents may make a formal access application under the *Right to Information Act 2009* (Qld). Further detail on making an access application can be found in the [Metro North QPP Privacy Plan](#) or our website [Accessing your health records](#).

## **QPP 13 – Correction of personal information**

Metro North Health will take reasonable steps to ensure the accuracy of personal information and will, where reasonable, amend personal information when requested to ensure it is accurate, complete and not out of date or misleading. Where informal amendment of personal information is not available, a formal application may be made under the *Right to Information Act 2009* (Qld). Further detail on making an amendment application can be found in the [Metro North QPP Privacy Plan](#) or our website [Amending information in your health record](#).

## **Transferring personal information outside of Australia**

Metro North Health does not routinely transfer personal information outside of Australia. We will only transfer personal information outside of Australia in limited circumstances as permitted by the *Information Privacy Act 2009*. For example:

- when the individual has agreed
- the transfer is authorised or required under a law
- Metro North Health is satisfied, on reasonable grounds, that the transfer is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of any individual, or to public health, safety and welfare, or
- if two or more of the following criteria apply:
  - the recipient is subject to equivalent privacy obligations
  - the transfer is necessary to perform a function of Metro North Health
  - the transfer is for your benefit
  - reasonable steps have been taken by Metro North Health to ensure the information is protected.

An instance where Metro North Health may transfer personal information outside of Australia includes where a member of the public has requested, we correspond with them using a web-based email service whose servers are based in another country (e.g. Hotmail or Gmail).

## **How to make a privacy complaint**

Privacy complaints are dealt with in accordance with the Metro North Health complaints management process.

Consumers wishing to make a privacy complaint are encouraged to direct their complaint to the Consumer Liaison Officer at the facility where the privacy complaint originated. For example, if it is alleged that information has been inappropriately disclosed by Caboolture Hospital, direct your complaint to the Consumer Liaison Officer for Caboolture Hospital.



**Caboolture Hospital, Caboolture Satellite Health Centre, Bribie Island Satellite Health Centre or Kilcoy Hospital**

Post: Consumer Liaison Officer, Caboolture Hospital, LMB No. 3, CABOOLTURE QLD 4510

Phone: (07) 5433 8888

Email: [CABH\\_Feedback@health.qld.gov.au](mailto:CABH_Feedback@health.qld.gov.au)

**Redcliffe Hospital**

Post: Consumer Liaison Officer, Redcliffe Hospital, LMB No. 1, REDCLIFFE QLD 4020

Phone: (07) 3883 7043

E-mail: [RED\\_CLO@health.qld.gov.au](mailto:RED_CLO@health.qld.gov.au)

**Royal Brisbane and Women's Hospital**

Post: Patient Liaison Service, Royal Brisbane and Women's Hospital, Butterfield Street, HERSTON QLD 4029

Phone: (07) 3646 8216

E-mail: [RBWH-PLS@health.qld.gov.au](mailto:RBWH-PLS@health.qld.gov.au)

**Surgical, Treatment and Rehabilitation Service**

Post: Patient Experience Officer, Surgical, Treatment and Rehabilitation Service, 296 Herston Road, HERSTON QLD 4029

Phone: (07) 3647 6976

Email: [STARS\\_PatientExperience@health.qld.gov.au](mailto:STARS_PatientExperience@health.qld.gov.au)

**The Prince Charles Hospital and Kallangur Satellite Health Centre**

Post: Consumer Liaison Officer, The Prince Charles Hospital, Rode Road, CHERMSIDE QLD 4032

Phone: (07) 3139 4479

Email: [TPCH\\_CLO@health.qld.gov.au](mailto:TPCH_CLO@health.qld.gov.au)

**Community and Oral Health**

Phone: 0436 841 603

Email: [COH-CLO@health.qld.gov.au](mailto:COH-CLO@health.qld.gov.au)

## Partnering with consumers

Any enquiries for access to or amendment of information can be referred to the Information Access Unit for the relevant facility. This is not limited to patient information and includes applications for access or amendment to employment or other documents held by Metro North Health.

Any enquiries in relation to the collection, use or disclosure of personal information may be referred to the Information Access Unit. Where a consumer wishes to make a complaint about how Metro North Health has managed their personal information, they may be referred to the Privacy and Confidentiality Contact Officer or Consumer Liaison Officer for the relevant facility when consumers wish to make a privacy complaint.

When collecting personal information, staff are responsible for providing information to consumers about what Metro North Health will do with the information collected and who it will be shared with, in a way that is understandable and that meets their needs.

## Legislation and other authority

*Public Sector Ethics Act 1994 (Qld)*

*Information Privacy Act 2009 (Qld)*

*Right to Information Act 2009 (Qld)*

*Hospital and Health Boards Act 2011 (Qld)*

*Human Rights Act 2019 (Qld)*

*Public Health Act 2005 (Qld)*

*Public Records Act 2023 (Qld)*

## Human Rights

This policy has been reviewed in line with the *Human Rights Act 2019 (Qld)* and no human rights have been limited by the processes outlined in this document. More generally, the policy should help achieve a positive outcome for the human right of privacy.

## Appendix 1 – Definition of terms

Term	Definition	Source
personal information	<i>Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion— (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.</i>	<i>Information Privacy Act 2009 (Qld) s 12</i>
confidential information	<i>(a) information, acquired by a person in the person's capacity as a designated person, from which a person who is receiving or has received a public sector health service could be identified; or (b) information accessed by a prescribed health professional under section 161C(2).</i>	<i>Hospital and Health Boards Act 2011 (Qld) s 139</i>
information management	The means by which an organisation plans, identifies, creates, receives, collects, organises, governs, secures, uses, controls, disseminates, exchanges, maintains, preserves and disposes of its information as well as any means through which the organisation ensures that the value of that information is identified and exploited to its fullest extent.	Metro North Health Information Management Principles



permitted general situation	<p>Permitted general situations include where it is unreasonable or impracticable to obtain the individuals consent and collection, use or disclosure is necessary for:</p> <ul style="list-style-type: none"> <li>• lessening or preventing a serious threat to the life, health or safety of an individual or to public health or safety</li> <li>• identifying that unlawful activity, or misconduct of a serious nature has been, is being or may be engaged in</li> <li>• locating a missing person (subject to a guideline for permitted general situations)</li> <li>• the establishment, exercise or defence of a legal or equitable claim</li> <li>• the purposes of a confidential alternative dispute resolution process.</li> </ul>	<p><i>Information Privacy Act 2009</i>, sch 4, pt 1</p> <p><i>Information Privacy Act 2009</i>, ch 3, pt 2</p>
permitted health situation	<p>Permitted health situations will allow the collection of personal information where:</p> <ul style="list-style-type: none"> <li>• it is necessary to provide a health service to the individual including sensitive information</li> <li>• it is necessary to conduct research, compile statistics or for the management, funding or monitoring of a health service</li> <li>• information is provided to a responsible person for the individual.</li> </ul>	<p><i>Information Privacy Act 2009</i>, sch 4, pt 2</p>
sensitive information	<p>(a) <i>personal information about the individual that includes any of the following—</i></p> <ul style="list-style-type: none"> <li>(i) <i>racial or ethnic origin;</i></li> <li>(ii) <i>political opinions;</i></li> <li>(iii) <i>political association;</i></li> <li>(iv) <i>religious beliefs or affiliations;</i></li> <li>(v) <i>philosophical beliefs;</i></li> <li>(vi) <i>professional or trade association;</i></li> <li>(vii) <i>membership of a trade union;</i></li> <li>(viii) <i>sexual preferences or practices;</i></li> <li>(ix) <i>criminal record; or</i></li> </ul> <p>(b) <i>health information about the individual;</i></p> <p>(c) <i>genetic information about an individual that is not otherwise health information;</i></p> <p>(d) <i>biometric information that is to be used for the purpose of automated biometric verification or biometric identification or</i></p> <p>(e) <i>biometric templates.</i></p>	<p><i>Information Privacy Act 2009</i>, sch 5</p>

## Appendix 2 – Types of personal information held by Metro North Health

Metro North Health holds personal information of clients, patients, suppliers, business partners and employees, such as:

### Personal information

Examples of personal information that Metro North Health may hold could include any of the following:

- name
- contact details
- date of birth
- birth sex and gender
- signature
- photographs
- unique physical characteristics (e.g. tattoos, birthmarks)
- fingerprint or other 'biometrics'
- driver's licence number
- financial/bank details
- educational history
- unique identifying number
- medical/health/diagnostic information
- cultural background, relationship details and family circumstances
- details of office bearers in funded organisations (i.e. names)
- disability funding and service provision
- complaints and investigations
- personal information recorded by way of camera surveillance systems (CCTV)
- occupation and employment history
- criminal history
- recruitment information.

### Sensitive personal information

Examples of sensitive personal information that Metro North Health may hold could include any of the following:

- race or ethnic origin
- political opinions
- membership of a political association
- religious beliefs or associations
- philosophical beliefs
- membership of a professional or trade association
- membership of a trade union
- sexual preferences or practices
- criminal records.
- health information (see below).

### Health information

Sensitive health information about a person which may be held by Metro North Health includes the following types of personal information:

- Details about a person's health at any time (e.g. that a person is 'off work sick today')

- A disability of a person at any time (e.g. short-term disability following a stroke)
- A person's expressed wishes about future health services to be provided to them (e.g. a 'do not resuscitate' request)
- A health service that has been, is being, or will be provided to a person (e.g. patient treatment plan).
- Personal information collected about a person for the purpose of, or during the course of providing a health service (e.g. diagnostic tests)
- Personal information collected in connection with the donation, or intended donation, by the person of their body parts, organs or body substances (e.g. blood or urine samples)
- Personal information relating to the medical / health / criminal history of other members of the patient's family or their friends and acquaintances.

## Document History

<b>Author</b>	Director Health Information Policy, Access and Coordination
<b>Custodian</b>	Director Health Information Policy, Access and Coordination
<b>Consequence Level and Risk rating</b>	<b>Likelihood</b> – Possible <b>Consequence</b> – Minor <b>Risk Rating</b> – Medium (9)
<b>Compliance evaluation and audit</b>	Privacy compliance assessed and evaluated at Metro North Health committees including Metro North Information Access Committee, and Metro North Information Management Committee. Privacy Impact Assessment process has been established and includes review by privacy subject matter experts. The Office of the Information Commissioner (OIC) is notified of eligible data breaches. An internal Data Breach Register is maintained for eligible data breaches. It also has jurisdiction for review of privacy complaints and an auditing function of agency compliance with the legislation.
<b>Replaces Document/s</b>	Policy 004549 <i>Privacy</i> V3.0 (06/2024)
<b>Changes to practice from previous version</b>	Ad hoc review  Updates required due to the <i>Information Privacy and Other Legislation Amendment Act 2023</i> commencing on 1 July 2025.
<b>Education and training to support implementation</b>	Marketing through regular email to all line managers of new and updated policies and procedures; Also, a notification through Safety and Quality Units to key stakeholders.

<b>Consultation</b>	<b>Key stakeholders</b> Information Access Committee <b>Broad consultation</b> Metro North Aboriginal and Torres Strait Islander Leadership Team Metro North Clinical Governance Digital Metro North Metro North Medical Services Metro North Nursing and Midwifery Services Metro North Allied Health Metro North Communication Metro North Finance Metro North Norfolk Island Support Program Metro North People and Culture Metro North Workplace Health and Safety Metro North Legal Unit Metro North Ethical Standards Unit Metro North Risk and Compliance Officer Metro North Clinical Streams Metro North Engage Health Excellence Innovation Unit Clinical Directorate Safety and Quality Units Clinical Skills Development Centre
<b>Marketing Strategy</b>	A Policy, Procedure and Protocol Staff Update will be published online each month to update staff of all new and updated policies, procedures and protocols. This update will be emailed to all Safety and Quality Units in each clinical directorate and a broadcast email sent to all Metro North staff with a link to the published update.
<b>Key words</b>	privacy, personal, information, management, principles, right to information, anonymity, security, policy, metro north 004549

**Custodian Signature**

**Date**

Director Health Information Policy Access and Coordination, Metro North Hospital and Health Service

**Authorising Officer Signature**

**Date**

Chief Finance and Corporate Officer, Metro North Hospital and Health Service

## **AUTHORISATION**

**Signature**

**Date**

Chief Executive, Metro North Hospital and Health Service

The signed version is kept in file at Clinical Governance, Metro North Health.