



PART 1 – Purpose

FLourish Speech Pathology Services (“we”, “us”, “our”) is committed to protecting the privacy and confidentiality of all personal information that is collected, stored, and used by us in our organisation. We respect the rights of individuals in relation to the personal information we hold about them.

FLourish Speech Pathology Services complies with the Australian Privacy Principles (APPs) under the Privacy Act 1988 (Cth), the National Disability Insurance Scheme (Code of Conduct) Rules 2018 and other privacy laws that govern how private sector health service providers like Flourish Speech Pathology handle your personal information (including your health information), and Speech Pathology Australia’s Code of Ethics (2010).

This Privacy Policy explains how FLourish Speech Pathology Services manages the personal information we collect, use and disclose.

PART 2 – Scope

This policy applies to the personal information of all clients, families, community, staff, volunteers, students, prospective employees, donors, sponsors, members, partners and any other stakeholders (“you”, “your”, “their”) that is collected, stored and used by us.

PART 3 - How FLourish Speech Pathology Services handles your personal information

3.1 Our legal obligations

In order to provide you with the health care services that you have requested, FLourish Speech Pathology Services will need to collect and use your personal information. If you provide incomplete or inaccurate information to us or withhold personal and health information from us, we may not be able to provide you with the services you are seeking.

3.2 The personal information we collect

We will only collect the information that is reasonably necessary and directly related to our functions or activities.

The types of information we collect, and the use of that information will depend on your relationship with us, such as client, staff, sponsor, or user of our websites. We might also collect information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys or aggregated information about how users use our website.

Personal information is any information that can be used to identify you and generally includes: your name and date of birth, contact details, your next of kin or other people we can contact in case of an emergency, your profession or job title, video or audio recordings, financial information (if you purchase from Flourish store), health information, (for students) information about your course, enrolment, progress and results, information about our relationship with you (such as the services and supports you have received or may be interested in, their location and frequency), data relating to your activity on our website via tracking technologies via cookies.

Sensitive information

In line with Federal anti-discrimination laws and Equal Opportunity Act 1984 (SA), we only collect sensitive information if it is necessary for the delivery services to you or for our business purposes.

We do not collect any sensitive information unless:

- you have consented to this, such as

- agreement to undertake an NDIS Worker Screening or Working with Children Check if you are a potential volunteer, students, visitor or staff who will be working with our clients; or
- agreement to provide COVID-19 vaccination records; or
- if you are a client and you have provided these details in order for us to provide effective services and supports to you; or
- we are required or permitted to collect this by law; or
- it is necessary for us to collect this information to prevent a serious and imminent threat to the life, health or safety of you or another person.

3.3 What happens if we can't collect your personal information

If you do not provide us with your personal information, 1) we may not be able to provide the requested services or supports to you, either to the same standard or at all; 2) we may not be able to provide you with information about the services that you may want; or 3) we won't be able to make the content of our websites to meet your preferences and your experience of our websites may not be as enjoyable or useful.

3.4 How do we collect your personal information

We will usually collect your personal information directly from you. Sometimes, we may need to collect information about you from a third party (such as a relative or another health service provider).

3.5 How we use and disclosure your information

FLourish Speech Pathology Services uses and disclose your personal information only for the purpose it was collected, and we only use or disclose information for another purpose where this is permitted under the Privacy Act 1988.

We may disclose your personal information between our associated entities or to third parties where this is permitted under the Privacy Act 1988. Any disclosure made to a third party will be made for the purpose of the delivery of safe and effective services to you, operating our websites, or to conduct our usual business activities. We will take all reasonable steps to ensure that third parties protect your personal in line with the APPs.

We take all reasonable steps to keep your personal information confidential and do not use or disclose personal information for another purpose unless:

- you have given your consent; or
- you would reasonably expect us to use or disclose the information for that other purpose and it is either related or directly related to the purpose for which the information was originally collected; or
- it is required or authorised by law or a court order; or
- it is necessary to prevent a serious threat to someone's life, health or safety, or to public safety.

We may disclose your information to the following people:

- disclosure to other health professionals involved in your treatment
Your personal information will generally only be used by the therapists involved in your care, however on occasion your care may be provided by a number of health professionals (for example, speech pathologist, occupational therapist and/or psychologist) working or consulting together. We may disclose your information to these health professionals as part of the process of providing your care and to other health professionals involved in your care.
- the referrer
FLourish Speech Pathology Services will usually send a discharge summary to the referrer (i.e., your medical practitioner) following discharge from FLourish Speech Pathology Services or at other times, as required for your care.
If you do not wish us to provide a copy of your discharge summary to the referrer you must let us know. Also, if the referrer's details have changed please let us know.
- Relatives, guardian, close friends or legal representative

We may provide information about your condition to your parent, child, other relatives, close personal friends, guardians, or to a responsible person for you, unless you tell us that you do not wish us to disclose your health information to any such person.

Other uses and disclosures

In order to provide the best possible environment in which to treat you, we may also use or disclose your personal and health information where necessary for:

- activities such as quality assurance processes, accreditation, audits, risk and claims management, patient satisfaction surveys and staff education and training;
- invoicing, billing and account management;
- to liaise with your health fund, Medicare or the Department of Veteran's Affairs and where required provide information to your health fund, Medicare or the Department of Veteran's Affairs to verify treatment provided to you;
- the purpose of sending you standard reminders, for example for appointments and follow-up care, by text message or email to the number or address which you have provided to us.

Other uses with your consent

With your consent we may also use your information for other purposes such as including you on a marketing mail list, or research. Please note, however, that unless you provide us with your express consent for this purpose, we will not use your information in this way. We will not disclose your personal information to any individual who is outside Australia.

3.6 Using personal information from our websites and social media channels

We do not collect personal information from users of our websites and social media channels other than what is supplied on a voluntary basis.

We collect some data and use it to look at trends and to gather broad demographic information. We use this information to improve our websites, social media channels and online services. This information remains anonymous and is not personally identifiable.

Sometimes we might collect information using cookies. When you use our websites, we might send a "cookie" to your computer. This helps us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also helps us to keep track of things you view so that, if you consent, we can send you news about us and our services. We also use cookies to see which areas of our website have been visited. We use this to improve our online services. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

When you use our website, we do not attempt to identify you as an individual user and we will not collect personal information about you unless you specifically provide this to us.

Sometimes, we may collect your personal information if you choose to provide this to us via an online form or by email, for example, if you:

- submit a general enquiry via our contacts page;
- register to receive eNewsletters; or
- register to our services; or
- purchase at FLourish Store.

When you use our website, our Internet Service Provider (ISP) may record and log for statistical purposes the following information about your visit:

- your computer address;
- your top level name (for example, .com.,gov., .org, .au etc.);
- the date and time of your visit;
- the pages and documents you access during your visit; and
- the browser you are using.

Our web-site management agent may use statistical data collected by our ISP to evaluate the effectiveness of our website.

Due to the nature of the internet, we cannot guarantee the security of your personal information during transmission to or by us and you acknowledge that you disclose your personal information to us over the internet at your own risk. When we are informed of any unauthorised use of your personal information on the internet, we will take reasonable steps to investigate and correct the matter.

Third-party websites and links

You might use links on our websites that take you to other third-party websites. We encourage you to always read the privacy policies on those sites as they may collect your personal information. We are not responsible for the information on, and the contents of, third-party websites or their practices or policies.

3.7 Access to and correction of your health information

You have a right to access the personal and health information that we hold about you. You can also request an amendment to your personal and health information should you believe that it is inaccurate.

If we do not agree to change your medical record/personal information in accordance with your request, we will permit you to make a statement of the requested changes and we will enclose this with your record.

Should you wish to obtain access to or request changes to your health record you can ask for our Privacy Officer (see details below) who can give you more detailed information about FLourish Speech Pathology Services' access and correction procedure.

Please note that FLourish Speech Pathology Services may recover reasonable costs associated with supplying this information to you.

3.8 Data Quality

FLourish Speech Pathology Services takes reasonable steps to ensure that your personal information which we may collect, use or disclose is accurate, complete and up-to-date. This includes maintaining and updating personal information, where relevant, when clients advise us that their personal information has changed.

3.9 Data Security

FLourish Speech Pathology Services takes reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or disclosure. We use technologies and processes such as access control procedures, network firewalls, encryption and physical security to protect your privacy.

We will destroy or permanently de-identify any of your information which is in its possession or control and which is no longer needed for the purpose for which it was collected provided FLourish Speech Pathology Services is not required under an Australian law or court/tribunal or otherwise to retain the information.

3.10 Data breach and eligible data breach

Data breach

A data breach occurs when personal information we hold is lost or subject to unauthorised access or disclosure. This might happen if

- a device we have that has your personal information on it is lost or stolen; or
- a database with personal information is hacked; or
- your personal information is mistakenly given to another person.

If we have identified a breach in the privacy of your personal information our Privacy Officer will contact you. We will investigate the breach and advise you the steps we have taken to make sure this doesn't happen again. If you are not happy with the way we have managed the breach you can [make a complaint to the Office of the Australian Information Commissioner \(OAIC\)](#).

Eligible data breach

An eligible data breach arises when the following three criteria are met:

- there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that we hold; and
- the data breach is likely to result in serious harm to one or more individuals; and
- we have not been able to prevent the likely risk of serious harm with remedial action.

Under the Notifiable Data Breaches (NDB) scheme we must notify the people affected and the OAIC when a data breach is likely to result in serious harm to an individual whose personal information is involved.

Complaints about our handling of personal information

If you have a complaint about a privacy breach, or the way we have handled your personal information you should make a complaint. You can do this by contacting our Privacy Officer. We will treat your concerns or complaints confidentially.

Our Privacy Officer will contact you to let you know we have received your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in timely and appropriate manner.

If you are not happy with our response, or how we handled your complaint, you can complain to the Office of the Australian Information Commissioner (OAIC). More information is available on the Office of the Australian Information Commissioner website.

3.11 Contact the Privacy Officer

You can lodge a complaint with or contact our Privacy Officer if:

- you have questions or comments about this Privacy Policy;
- FLourish Speech Pathology Services does not agree to provide you with access to your personal information; or
- you have or a complaint about our information handling practices,

By email: admin@flourishspeechpathology.com

We will promptly review your complaint and provide a response to you.

Responsibilities

All our employees, contractors, volunteers and students are responsible for maintaining privacy, confidentiality and security of personal information. They are obligated by law to maintain the privacy of information.

Disciplinary action will be taken against employees if this policy has been intentionally breached.

Related legislation and documentation

Relevant Legislation

- Corporations Act 2001(Cth)
- Equal Opportunity Act 1984 (SA)
- National Disability Insurance Scheme (NDIS) Act 2013 (Cth)
- National Disability Insurance Scheme (Code of Conduct) Rules 2018 (Cth)
- National Disability Insurance Scheme (Quality Indicators) Guidelines 2018 (Cth)
- Privacy Act 1988 (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- Spam Act 2003 (Cth)
- Australian Privacy Principles (APPs)