

Privacy Policy

Malvern Chiropractic Clinic Pty Ltd

Trading as Malvern Chiropractic Clinic and Melbourne Spine Clinic

Last reviewed: October 2026

Policy owner: Business Manager

Privacy contact: info@malvernchiropracticclinic.com.au

1. Our commitment to privacy

Malvern Chiropractic Clinic Pty Ltd, trading as Malvern Chiropractic Clinic and Melbourne Spine Clinic (the Practice), respects the privacy of all patients and is committed to protecting the personal and health information entrusted to us.

We handle personal and health information in accordance with applicable privacy legislation, including the *Privacy Act 1988 (Cth)*, the Australian Privacy Principles (APPs), the *Health Records Act 2001 (Vic)* and the Health Privacy Principles (HPPs), as applicable.

This policy explains how we collect, hold, use, disclose, protect and dispose of personal and health information. It also explains how patients can request access to or correction of their information and how they can raise privacy concerns.

The Practice takes reasonable steps to maintain appropriate privacy practices, procedures and systems, and to ensure that staff understand and comply with their privacy obligations.

2. Information we collect

The Practice collects personal information reasonably necessary to provide healthcare, manage appointments, maintain clinical records and operate our business.

Depending on the circumstances, the information we collect may include:

- **Identification and contact details:** name, date of birth, residential address, telephone number and email address.
- **Emergency and representative details:** emergency contacts and information about a parent, guardian or authorised representative, where relevant.
- **Health information:** medical history, presenting complaints, symptoms, diagnoses, medications, allergies, adverse reactions, previous treatments, family history, social history and relevant risk factors.
- **Clinical information:** examination findings, clinical notes, treatment plans, progress notes, referrals, reports and correspondence with other healthcare providers.
- **Diagnostic information:** X-rays and other diagnostic images and reports.
- **Images and recordings:** clinical photographs, video or audio recordings, where applicable and collected for an identified purpose.

- **Billing and payment information:** invoices, payment records, Medicare details, private health insurance details and other information required for applicable claims or rebates.
- **Administrative information:** appointment records and communications with patients.
- **Online information:** information provided through our website, online forms, appointment systems or other electronic communications.

Health information is sensitive information and is handled with particular care.

We seek to collect only information reasonably necessary for our functions and activities. If a patient does not provide information necessary for safe and appropriate care, we will explain any material implications where practicable.

3. How we collect information

We generally collect personal and health information directly from patients through registration forms, patient history questionnaires, consultations, examinations, appointments, telephone calls, emails, online forms and other communications.

Our practitioners may collect further information during initial and subsequent consultations and throughout the course of treatment.

Where appropriate and permitted by law, we may also collect relevant information from:

- A parent, guardian or authorised representative.
- Referring practitioners and other treating healthcare providers.
- Diagnostic imaging providers, laboratories and other healthcare services.
- Medicare, private health insurers and other relevant organisations for billing, claims or administrative purposes.

Where information is collected from someone other than the patient, we take reasonable steps to ensure the collection is lawful and to notify the patient where required.

If a patient chooses not to provide requested information, this may affect our ability to assess their condition, provide appropriate care, communicate with them or process a claim. We will explain any relevant consequences where practicable.

4. Why we collect and use information

We collect and use personal and health information for purposes including:

- Assessing patients' health and clinical needs.
- Providing chiropractic assessment, treatment, care and follow-up.
- Maintaining accurate clinical records and monitoring treatment progress.
- Communicating with patients about appointments, treatment and their care.
- Coordinating care with other healthcare providers, where appropriate and lawful.
- Preparing referrals, clinical reports and correspondence.
- Processing payments, rebates, insurance claims and other financial transactions.

- Meeting applicable legal, regulatory, professional and recordkeeping obligations.
- Managing feedback, complaints, incidents and legal claims.
- Operating, maintaining and securing our practice administration and information technology systems.
- Using authorised service providers to support our clinical and administrative activities.

We will not use or disclose personal information for an unrelated secondary purpose unless the patient has consented or the use or disclosure is otherwise permitted or required by applicable law.

5. Consent and patient choice

Where consent is required for the collection, use or disclosure of personal or health information, we will seek consent appropriate to the circumstances.

Consent may be express or, where permitted by law, implied from a patient's actions and the circumstances. We do not assume that consent to receive treatment automatically authorises every possible use or disclosure of information.

Where required, we will explain why information is being collected, how it may be used or disclosed, and any material consequences of not providing it.

Patients may withdraw consent for future uses or disclosures where consent is the applicable legal basis. Withdrawal does not affect actions already lawfully undertaken and does not prevent handling that is required or otherwise authorised by law.

If a patient declines to provide information or withdraws consent, we will explain any relevant implications for their care or our ability to provide services.

6. Use and disclosure of information

We use and disclose personal and health information for the purposes for which it was collected, for a related or other permitted purpose under applicable privacy law, or where disclosure is required or authorised by law.

Depending on the circumstances, information may be disclosed to:

- Treating and referring practitioners involved in a patient's care.
- Diagnostic imaging providers, laboratories and other relevant healthcare services.
- Medicare, private health insurers, payment processors and claims administrators, where necessary for billing or claims.
- External service providers engaged by the Practice, including practice management software providers, electronic record systems, IT support, secure storage and communications services.
- Professional advisers, insurers or legal representatives where necessary for legitimate professional, insurance or legal purposes.
- Regulators, courts, law enforcement agencies or government bodies where disclosure is required or authorised by law.

- Other persons where the patient has provided appropriate consent or another lawful basis for disclosure applies.

We take reasonable steps to ensure that external service providers handling information on our behalf protect it appropriately and use it only for authorised purposes.

Overseas disclosures

The Practice uses external technology and service providers. Depending on the services and arrangements involved, information may be stored, processed or accessed by overseas recipients or service providers.

We will take reasonable steps to identify relevant overseas handling arrangements and comply with applicable legal requirements concerning overseas disclosures, including any required notification and protection obligations.

Where required, we will provide further information about relevant overseas recipients or the countries in which information may be handled.

We do not sell patients' personal or health information.

7. Direct marketing and communications

We may contact patients about appointments, treatment-related matters, clinical follow-up, practice administration and other communications relevant to their care.

We handle direct marketing in accordance with applicable privacy and electronic communications laws. Where consent is required, we will obtain it before sending marketing communications.

Patients may opt out of direct marketing at any time by using an unsubscribe facility where provided or by contacting the Practice at info@malvernchiropracticclinic.com.au.

Opting out of marketing will not prevent us from sending essential administrative, safety-related or treatment-related communications where appropriate.

8. Storage and security of information

The Practice maintains personal and health information in paper records and electronic systems, including the cloud-based PracSuite patient management system supplied by Smartsoft.

PracSuite supports two-factor authentication (2FA). The Practice uses appropriate authentication and access controls to help protect patient information, including 2FA for applicable accounts where enabled.

We take reasonable steps to protect personal and health information from misuse, interference, loss, and unauthorised access, modification or disclosure.

Depending on the information and systems involved, safeguards may include:

- Restricted access to patient information based on staff roles and responsibilities.
- Authentication controls, including 2FA where enabled.
- Staff confidentiality obligations and privacy procedures.
- Appropriate security settings and protection of electronic records.
- Secure storage and disposal of paper records.
- Appropriate backup and recovery arrangements, where available.
- Review of access permissions when staff roles or employment change.

Access to patient information is limited to authorised persons who require it for legitimate clinical or administrative purposes.

We use external service providers to support our operations and electronic recordkeeping. We take reasonable steps to assess relevant privacy and security arrangements and to ensure information is handled appropriately by providers acting on our behalf.

The Practice will review relevant provider arrangements and take reasonable steps to address identified privacy and security risks. No electronic system can guarantee complete security.

9. Future use of artificial intelligence

The Practice does not currently use PracSuite AI for consultation recordings or AI-assisted consultation notes.

The Practice may introduce artificial intelligence (AI)-assisted tools in the future to support clinical documentation or administrative activities.

Before introducing such functionality, we will assess its suitability, privacy and security implications, including what information is collected, how it is processed, whether third parties receive it, and where information may be stored or accessed.

We will update our information-handling procedures and patient notices as appropriate. Where required, we will obtain informed consent before recording consultations or processing patient health information using AI tools.

Where AI is used to assist with clinical documentation, appropriate practitioner review will be undertaken before the resulting documentation is relied upon as part of the clinical record.

This section does not constitute consent to record consultations or use AI tools.

10. Data breaches and privacy incidents

If the Practice becomes aware of a suspected or actual privacy breach, we will assess the circumstances and take reasonable steps to contain the incident, investigate its cause, reduce potential harm and prevent recurrence.

Where applicable, we will assess whether the incident is an eligible data breach under the Commonwealth Notifiable Data Breaches scheme or triggers another legal notification obligation.

If notification is legally required, we will notify affected individuals and the relevant regulator in accordance with applicable requirements.

Patients who suspect that their personal or health information has been mishandled may contact the Practice using the details in this policy.

11. Access to personal and health information

Patients may request access to their personal and health information held by the Practice, subject to applicable law.

Requests should be made in writing to info@malvernchiropracticclinic.com.au, addressed to the Business Manager, and should include sufficient information to identify the patient and the records requested.

We may take reasonable steps to verify the identity and authority of the person making a request before providing access.

We will respond within the applicable legal timeframe and explain any lawful grounds for refusing access, where relevant. If access cannot be provided in the form requested, we will consider whether another appropriate form of access is available.

Any fees for providing access will comply with applicable legislation and regulations.

12. Correction of information

We take reasonable steps to ensure that personal and health information is accurate, complete, relevant and up to date for the purposes for which it is used.

Patients may request correction of their information by contacting info@malvernchiropracticclinic.com.au.

We will consider correction requests and take appropriate action in accordance with applicable law.

If we refuse a correction request, we will explain the reasons where required and advise the patient of any applicable options for requesting that a statement of disagreement be associated with the record.

Clinical records will be maintained in a manner that preserves their integrity and complies with applicable professional and legal obligations. A correction will not necessarily involve deleting or rewriting an original clinical entry.

13. Retention and secure disposal

The Practice retains personal and health information for as long as required for healthcare, continuity of care, legal and regulatory compliance, insurance, professional obligations and other lawful purposes.

We maintain a record-retention and disposal process that takes account of applicable Victorian health-record retention requirements and any other relevant legal or professional obligations, including requirements that may apply to records relating to children.

Records will not be destroyed solely because a patient has not attended the Practice for a particular period if doing so would conflict with an applicable retention obligation.

When information is no longer required for any lawful purpose, we take reasonable steps to securely destroy it or permanently de-identify it, subject to applicable retention requirements.

14. Children and authorised representatives

Where a patient is a child or is represented by another person, we consider the patient's circumstances, the authority of the representative, applicable consent requirements and the patient's privacy rights.

A parent, guardian or other representative does not automatically have unrestricted access to all information in every circumstance. Requests for access or consent will be assessed in accordance with applicable law and the patient's circumstances.

15. Privacy complaints

We take privacy complaints seriously and will seek to resolve them fairly and promptly.

Patients may submit a complaint in writing to:

Business Manager

Malvern Chiropractic Clinic Pty Ltd

Trading as Malvern Chiropractic Clinic and Melbourne Spine Clinic

Email: info@malvernchiropracticclinic.com.au

Please describe the concern and provide relevant details so that we can investigate it. We may contact the complainant for further information.

We will acknowledge and investigate complaints, take appropriate steps to address any identified issue, and communicate the outcome within a reasonable timeframe, subject to applicable legal requirements.

If a patient is dissatisfied with the outcome, they may be able to raise the matter with:

- **Office of the Australian Information Commissioner (OAIC):**
<https://www.oaic.gov.au/>

- **Health Complaints Commissioner Victoria (HCC):** <https://hcc.vic.gov.au/>

The appropriate external body will depend on the nature of the complaint and the legislation that applies.

16. Changes to this policy

We may update this policy from time to time to reflect changes in our services, information-handling practices, technology or applicable law.

The current version will be made available on request and, where published online, through the Practice's website.

17. Contact us

For questions about this policy or how the Practice handles personal and health information, please contact:

Business Manager

Malvern Chiropractic Clinic Pty Ltd

Trading as Malvern Chiropractic Clinic and Melbourne Spine Clinic

Email: info@malvernchiropracticclinic.com.au