

Privacy of Health Information and Confidentiality Agreements

There are strict regulations regarding how health service providers can collect, use and disclose their patients' personal health information.

To help health service providers understand their obligations in relation to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#), the Office of the Australian Information Commissioner (OAIC) has developed a [guide to health privacy](#).

Privacy and confidentiality agreements

General practices have a legal obligation to maintain the privacy and security of their patients' personal health information.

As a result, practices should have a documented privacy policy outlining the management of patient health information and confidentiality agreements.

Practices should educate their teams about the need for confidentiality and ask staff members, external service providers and visitors to sign a confidentiality agreement in case they come into contact with patient health information or other confidential information.

Practice teams must also ensure that patient health information and other confidential information is not stored, or left visible, in areas where there is public access without constant staff supervision.

When a new employee, external service provider or visitor signs a confidentiality agreement, they should also be given a copy of the practice's privacy policy.

The original, signed copy of the confidentiality agreement should be stored in the staff personnel file, student file, registrar file or visitors' logbook.

Any breach of the practice's privacy guidelines or confidentiality agreement should result in disciplinary action or immediate dismissal.

You can download a [privacy policy template](#) and [confidentiality agreement template](#) from the Royal Australian College of General Practitioners (RACGP) website.

Who should sign a confidentiality agreement?

To protect the privacy of patient and practice information, a confidentiality agreement should be signed by all practice staff members including:

- general practitioners
- practice managers
- practice nurses
- allied health professionals
- reception staff
- finance/payroll staff
- human resources staff
- administration staff.

A confidentiality agreement should also be signed by all temporary staff, external service providers and visitors conducting short or long-term business, including:

- general practice registrars and locums
- students on practical placement (nursing, general practitioner, administration etc.)
- IT and technical support providers
- cleaners and maintenance workers
- accreditation surveyors.

References and helpful links

- Royal Australian College of General Practitioners [Privacy and managing health information in general practice](#)
- Royal Australian College of General Practitioners [Information security in general practice](#)
- Royal Australian College of General Practitioners [Computer and Information Security Standards](#)
- Royal Australian College of General Practitioners [Standards for general practices 5th edition](#)
- Office of the Australian Information Commissioner [Guide to health privacy](#)
- Office of the Australian Information Commissioner [Privacy action plan for your health practice](#)
- Office of the Australian Information Commissioner [Privacy in your state](#)

Whilst all care has been taken in preparing this document, this information is a guide only and subject to change without notice.