



HosPortal
CONNECTED HEALTHCARE SOLUTIONS

**HosPortal Connect
Privacy Policy**

Final Document

August 2018

HosPortal Connect Privacy Policy

HOSPORTAL PTY LTD ACN 152 359 843 (HosPortal Connect, we, us or our) owns and operates the website connect.hosportal.com which is a web-based survey tool to allow health professionals to survey and collect data from patients before and after receiving health services and to facilitate follow up after receipt of health services, using the Software ("Services").

HosPortal Connect does not directly control patients' Personal Information. If you are a health professional who develops and distributes surveys, the survey data created in your surveys are owned by you. Therefore, you have the responsibility to manage Personal Information you collect in accordance with your own privacy policy and the Privacy Act 1988 (Cth) (**Privacy Act**). If you are a patient or a survey responder who responds to surveys, you should contact your health professional who invited you to the survey, directly for any concerns related to your Personal Information. We host the surveys on our website and collect the responses that you submit to the survey creators.

This Policy governs how HosPortal Connect will deal with your Personal Information including medical information collected in connection with the Services and your use of the Website. This Policy applies to anyone using the Website or Services ("**you**", "**your**" or "**yourself**").

This Policy also applies to Personal Information collected by HosPortal Connect in connection with its website, SMS message services, applications, software and other technological means (**Online Platforms**), as well as in connection with any direct communication between you and HosPortal Connect.

By continuing to use the Online Platforms and the Services, you consent to HosPortal Connect using your Personal Information in accordance with this policy.

1. Scope of this Privacy Policy

- 1.1 We understand that when accessing our Services, the privacy and confidentiality of Personal Information (as defined under the Privacy Act) is important to you. That's why we fully respect your rights to privacy and are committed to protecting the personal and financial details you provide us in line with this Privacy Policy. This Privacy Policy applies to our Services and all individuals who use our Services and web-site.
- 1.2 We are committed to protecting the privacy of everyone who uses our Services, for them to understand what Personal Information we collect and store, and why we do so, how we receive and/or obtain that information, the rights an individual has with respect to their Personal Information in our possession, and with complying with the Australian Privacy Principles set out in the Privacy Act when they apply to us.

2. The Information we collect

- 2.1 To enable HosPortal Connect to provide the Services, we may collect, on behalf of the survey creator, the following types of Personal Information from you:
 - Personal information. We may collect personal details such as an individual's name, location, date of birth and demographic details allowing us to identify who the individual is;

- Contact information. We collect information such as an individual's email address, mobile number, third-party user names, residential, business and postal address and other information that allows us to contact the individual;
- Statistical information. We collect information about an individual when they respond to a survey when using the Services;
- Medical information. We may collect information about an individual's health and disease state, medical conditions, medication use, medical and health improvements, results and outcomes, use of health services and any other medical information that is provided when they respond to a survey when using the Services.

2.2 In instances where we become aware that we have received information that were not solicited by us or subscribers who use our Services, we will, but only if it is lawful, destroy the information.

2.3 We may collect financial information such as any bank or credit card details used to transact with us and other information that allows us to transact with the individual and/or provide them with our services.

3. Why we collect Personal Information

3.3 We collect your Personal Information so that we can carry out the following actions:

- to provide our Services;
- to communicate with you, including about our Services;
- to provide you with information;
- to provide your Personal Information to third parties including your health professional to enable them to provide their services to you;
- to consider and respond to complaints made by you.

3.4 We may disclose additional purposes for collection of your Personal Information in collection statements at the point of collection.

4. How Information is collected

4.1 Information is collected in association with an individual's use of the Services, an enquiry about HosPortal Connect or generally dealing with us.

4.2 Information may be collected by HosPortal Connect as follows:

- Survey responses - We collect and store the survey responses that you submit. The survey creator is responsible for this data and manages it. A survey may ask you to provide personal and health information or data. We will seek your express consent in accordance with your healthcare provider(s) for the collection unless a legal exception under the Privacy Act applies.
- Usage data - We collect usage data about you whenever you interact with our services. This may include which webpages you visit, what you click on, when you performed those actions, and so on. Additionally, as with most websites today, our web servers keep log files that record data each time a device accesses those servers. The log files contain data about the nature of each access, including originating IP addresses,

internet service providers, the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system versions, and timestamps. Note that we do not link this usage data to your survey responses.

- Device data - We collect data from the device and application you use to access our services, such as your IP address, operating system version, device type, system and performance information, and browser type. We may also infer your geographic location based on your IP address. Your IP address will be linked to your survey responses unless a survey creator has disabled IP address collection for the survey you respond to.
- Referral data – Normally you will be asked to do a survey by a SMS message sent directly by a survey creator. If they use other methods of referring you to a survey, such as a link on a website or in an email, then we record information about that source.
- Information from page tags - We use third party tracking services that employ cookies and page tags (also known as web beacons) to collect aggregated and anonymized data about visitors to our websites. This data includes usage and user statistics.

5. If you develop and distribute surveys

- 5.1 The survey data created in your surveys is owned by you, the survey creator. HosPortal Connect treats surveys as if they were private. We do not sell your survey data to anyone. We do not use your survey data for any purpose unrelated to you or our Services, unless you give us permission to do so or we are compelled by law.
- 5.2 To make it easier for you to invite people to take your surveys via email, you may upload lists of email addresses, in which case HosPortal Connect acts as a custodian of that data and we safeguard those email addresses. We do not sell these email addresses. We use them only as directed by you and in accordance with this policy.
- 5.3 We will collect details from you to enable payment for the services including your name, address, email address and financial information corresponding to your selected method of payment (e.g. a credit card number and expiration date or a bank account number). If you provide a billing address, we will regard that as the location of the account holder.

6. If you respond to surveys

- 6.1 HosPortal Connect acts as a custodian on behalf of the survey creator, such as your health professional or other service provider who is using HosPortal Connect, who controls your data. Surveys are administered by survey creators using our Services. We host the surveys on our website and collect the responses that you submit to the survey creator.
- 6.2 If you have any questions about a survey you are taking, please contact the survey creator directly as HosPortal Connect is not responsible for the content of that survey or your responses to it (unless HosPortal Connect acts as a survey creator). The survey creator is usually the same person or organisation that invited you to take the survey and they may have their own privacy policy.

- 6.3 The anonymity of your responses depends on how the survey creator has configured the survey. Please contact the survey creator to find out their anonymity policies.
- 6.4 We do not sell your responses to third parties (although the survey creator might, so check with them).
- 6.5 Connect saves the responses to surveys as each answer is collected by pressing the 'next' button. Where a respondent does not complete a full survey, the subscriber is sent the partially-completed survey.
- 6.6 The survey creator can customise question(s) in Connect that trigger alerts and send immediate email and/or SMS notifications to anyone identified by the survey creator for specific clinically relevant responses.
- 6.7 You can always choose not to provide an answer to any given survey question (especially those requesting your Personal Information or data). However, sometimes this will prevent you from completing a survey if the survey creator has marked that question as requiring an answer.

7. When Personal Information is used and disclosed

- 7.1 In general, the primary principle is that we will not use any Personal Information other than for the purpose for which it was collected other than with the individual's permission.
- 7.2 We will retain Personal Information for the period necessary to fulfil the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law.
- 7.3 We host surveys for survey creators, but they are really the primary curator of survey data. Anything you expressly disclose in your survey responses will, naturally, be provided to them. Please contact the survey creator directly to understand how they might share your survey responses.
- 7.4 We will not disclose or sell an individual's Personal Information to unrelated third parties under any circumstances.
- 7.5 We will not disclose Personal information overseas.
- 7.6 Information is also used to enable us to operate our business, especially as it relates to an individual. This may include:
 - Verifying an individual's identity;
 - Communicating with an individual about:
 - (i) Their relationship with us;
 - (ii) Our Services;
 - (iii) Our own marketing and promotions to customers and prospects;
 - (iv) Competitions, surveys and questionnaires;
 - (v) Investigating any complaints about or made by an individual, or if we have reason to suspect that an individual is in breach of any of our terms and conditions or that an individual is or has been otherwise engaged in any unlawful activity.

- 7.7 There are some circumstances in which we must disclose an individual's information:
- Where we reasonably believe that an individual may be engaged in fraudulent, deceptive or unlawful activity that a governmental authority needs to be made aware of;
 - As required by any law (including the Privacy Act); and/or
 - In order to sell our business (in that we may need to transfer Personal Information to a new owner).

8. Sensitive Information

- 8.1 Sensitive information is information about you that reveals your racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, membership of a professional or trade association, membership of a trade union, details of health, disability, sexual orientation or criminal record.
- 8.2 It is our policy to only collect your sensitive information where it is reasonably necessary for our functions or activities and either you have consented or we are required or authorised under law to do so.
- 8.3 Due to the nature of our Services and target market of health professionals it is highly likely that sensitive information will be collected including medical information.
- 8.4 We may disclose medical information for the purposes described in this privacy policy subject to the Act, to:
- 8.4.1 A survey creator (health professional) who authorises your access to the Services and/or
- 8.4.2 Health professionals nominated by you as authorised to access your medical information.
- 8.5 Any Medical information collected from you by a survey creator is the responsibility of the survey creator and they will have obligations to you under the Act and their own privacy policy as to how they will deal with that information. Please contact the survey creator directly to understand how they might share your survey responses.

9. Opting "In" or "Out"

- 9.1 By clicking "I Agree" or any other button indicating your acceptance of this privacy policy, you expressly consent to the collection and use of your Personal Information in accordance with this privacy policy.
- 9.2 An individual may opt to not have us collect their Personal Information. This may prevent us from offering them some or all of our services and may terminate their access to some or all of the services they access with or through us. They will be aware of this when the Privacy Principals apply to us:
- **Opt In.** Where the individual will have the right to choose to have information collected and/or receive information from us; or

- **Opt Out.** Where relevant, the individual will have the right to choose to exclude himself or herself from some or all collection of information and/or receiving information from us.

9.3 If an individual believes that they have received information from us that they did not opt in or out to receive, they should contact us on the details below.

9.4 You should contact your health professional (survey creator) for your request to access and correct your responses and Personal Information. Because we collect survey responses on behalf of survey creators, you will need to contact the survey creator if you have any questions about the survey, or if you want to access, update, or delete anything in your responses. We provide survey creators with tools to maintain the responses they collect through their surveys.

10. De-identified Information

10.1 We may use your Personal Information including medical information in de-identified form (de-identification being a process by which a collection of data or information is altered to remove or obscure personal identifiers and Personal Information) to assist us in running our business. We may also provide de-identified information in aggregated form, to third parties. This information may include (but is not limited to):

- locations of users;
- use of particular health services;
- medical and health improvements, results and outcomes;
- functions accessed by users including analytics of use of our Services.

10.2 When your Personal Information including medical information is included in de-identified, aggregated data, it is not possible to identify you or anything about you from that data.

11. Cookies

11.1 We may use temporary (session) cookies or permanent cookies when you access our Online Platforms and/or Services. This allows us to recognise your browser and track the web pages you have visited. You can switch off cookies by adjusting the settings on your web browser.

12. The safety and security of Personal Information

12.1 We will take all reasonable precautions to protect an individual's Personal Information from unauthorised access. This includes appropriately securing our physical facilities and electronic networks.

12.2 We hold your data securely. Survey data is stored on our servers. We will not disclose an individual's Personal Information to any entity outside of Australia that is in a jurisdiction that does not have a similar regime to the Australian Privacy Principles or an implemented and enforceable privacy policy similar to this Privacy Policy. We will take reasonable steps to ensure that any disclosure to an entity outside of Australia will not be made until that entity has agreed in writing with us to safeguard Personal Information as we do.

12.3 HosPortal Connect uses encryption to store and transfer Personal Information. Despite this, the security of online transactions and the security of communications sent by electronic

means or by post cannot be guaranteed. Each individual that provides information to us via the Internet or by other means does so at their own risk. We cannot accept responsibility for misuse or loss of, or unauthorised access to, Personal Information where the security of information is not within our control.

- 12.4 We are not responsible for the privacy or security practices of any third party (including third parties that we are permitted to disclose an individual's Personal Information to in accordance with this policy or any applicable laws). The collection and use of an individual's information by such third parties may be subject to separate privacy and security policies.
- 12.5 If an individual suspect any misuse or loss of, or unauthorised access to, their Personal Information, they should let us know immediately. Similarly, where we become aware of any breach to our security systems that is likely to result in a breach of your rights or freedoms with respect to your Personal Information we will notify you. In the event of an 'eligible data breach' that is likely to result in serious harm to individuals to whom the information relates we will notify affected individuals and the Office of the Australian Information Commissioner (OAIC) as required by the Notifiable Data Breach (NDB) scheme. For more information on our data breach response plan, [click here](#).
- 12.6 We are not liable for any loss, damage or claim arising out of another person's use of the Personal Information where we were authorised to provide that person with the Personal Information.

13. How to access and/or update Information

- 13.1 Account holders of the Service can update their Personal Information from within their HosPortal Connect account.
- 13.2 Subject to the Australian Privacy Principles, an individual has the right to request their Personal Information that we have about them, with an obligation to provide with such information within 28 days of receiving their written request. Individuals should contact their health professional with such request.
- 13.3 Individuals should contact their health professional with request to update their Personal Information.
- 13.4 In the event that you are unsatisfied with the outcome after contacting your health professional, we will correct any errors in the Personal Information we hold about an individual within 7 days of receiving written notice from them about those errors on the basis that we can positively identify you as being the owner of the Personal Information.

14. Right to be forgotten

- 14.1 In the event that you decide that you no longer want us to hold your Personal Information, you may contact your health professional who invited you to the survey, of your desire to delete your Personal Information on record. They will be able to delete your Personal Information from within their HosPortal Connect account. If you are unsatisfied with the outcome after contacting your health professional, we will perform this function only where we can positively identify you as being the owner of the Personal Information.

15. Privacy complaints and disputes

15.1 If an individual need to contact us or has a complaint about our handling of their Personal Information, they should address their communication in writing to the details below:

Privacy Officer

HosPortal Pty Ltd

PO Box 690

Woollahra NSW 1350

Email: privacy@hosportal.com

For more information on our privacy complaints handling policy, [click here](#).

15.2 If we have a dispute regarding an individual's Personal Information, we both must first attempt to resolve the issue directly between us. We will respond in writing to your complaint within 30 days of receiving your complaint.

15.3 If we become aware of any unauthorised access to an individual's Personal Information we will inform them at the earliest practical opportunity once we have established what was accessed and how it was accessed.

15.4 If you are dissatisfied with the response you receive you can contact the OAIC. Further information about making privacy complaints through the OAIC can be found by visiting <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>.

16. Additions to this Policy

We may modify this privacy policy at any time, but if we do so, we will notify you by publishing the changes on this website. If we determine the changes are material, we will provide you with additional, prominent notice as is appropriate under the circumstances, such as via email or in another conspicuous manner reasonably designed to notify you. If, after being informed of the changes, you continue to use our services beyond the advance-notice period, you will be considered as having expressly consented to the changes in our privacy policy. If you disagree with the terms of this privacy policy or any updated privacy policy, you may close your account (if you have one) at any time or not respond to a survey.

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