Privacy Policy

The privacy of all Mind The Way Psychotherapy and Counselling (*Mind The Way*) clients is extremely important.

The Australian Privacy Act (1988) regulates how health care providers collect and handle personal information, including health information. This Privacy Act includes thirteen [Australian Privacy Principles](https://www.oaic.gov.au/privacy/australian-privacy-principles), which underpin our policy. In line with the Australian Privacy Principles, Mind The Way will:

1. Manage personal information in a transparent way, by providing all clients with privacy policy information
2. Only solicit and collect personal information that is reasonably necessary for our services, and if the client has provided their consent to the collection of personal information
3. Not use or disclose clients’ personal information unless:
* the client has consented to the use or disclosure of the information; or
* under specific circumstances as set out in the Australian Privacy Principles (*see below)*
1. Provide personal information to clients upon request, except for certain circumstances *(see below)*

Personal information will be collected from clients and notes will be taken during therapy sessions. Mind The Way therapists will always uphold client confidentiality, however there may be some exceptions to this in certain circumstances.

## **Special circumstances under which personal information may be used or disclosed**

Mind The Way may use or disclose personal information if:

* the use or disclosure is required or authorised by or under an Australian law or a court/tribunal order
* they reasonably believe the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety
* they are concerned about the risk of abuse to a child under 16
* has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to Mind The Way has been, is being, or may be engaged in

In these situations, Mind The Way are mandated to alert third parties. Clients will be informed about the involvement of third parties if the therapist believes it does not pose additional risk.

**Management of personal information**

Personal information, including notes taken during sessions, will be stored for seven years and then destroyed. Mind The Way uses the practice management software Halaxy, where data is protected by 256-bit bank grade security and encryption (patient records, notes, and payment information are protected to the same level required by banks).

Personal information will be provided to clients upon request, except under the following circumstances:

* the therapist reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety
* giving access would have an unreasonable impact on the privacy of other individuals
* denying access is required or authorised under an Australian law or a court/tribunal order giving access would be unlawful

Courts may subpoena notes if you are involved in certain legal matters. You will be notified if this happens.