



CLEAR EARS

PRIVACY POLICY

7 JULY 2011

PROFESSIONAL
EARWAX
REMOVAL

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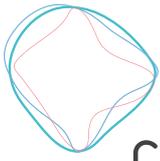
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CLEAR EARS

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PRIVACY POLICY

PART 1 - ABOUT THIS POLICY

1.1 Purpose

Clear Ears is committed to ensuring the privacy and confidentiality of your personal information.

Clear Ears must comply with the National Privacy Principles (NPPs) under the Privacy Act 1988 and other privacy laws that govern how private sector health service providers like Clear Ears handle your personal information (including your health information).

The purpose of this Privacy Policy is to clearly communicate to you why Clear Ears needs your personal information and how Clear Ears handles your information. It will give you a better and more complete understanding of the type of personal information that Clear Ears holds about you and the way Clear Ears handles that information.

This Privacy Policy applies to companies in the Clear Ears group.

1.2 Multi-layered approach

This Privacy Policy has been developed in accordance with a 'layered policy' format endorsed by the Office of the Federal Privacy Commissioner. This means that it offers you the ability to obtain more or less detail about Clear Ears information handling practices – depending on how much you wish to read, what you need to know and how quickly you need to obtain the relevant information.

If you only require basic information about Clear Ears information handling practices, you can view our 'condensed' privacy policy. This is a summary of how Clear Ears collects, uses and discloses your personal information and how you can contact Clear Ears if you would like to access or correct any personal information which Clear Ears holds about you.

If you require more detailed information about Clear Ears information handling practices, then you will need to read this document.

1.3 Contents of this Privacy Policy

PART 2 – Why Clear Ears needs personal information about you

PART 2 – How Clear Ears Handles Your Personal Information

PART 3- How Clear Ears Handles Your Personal Information When You Visit Clear Ears Website

PART 2 - WHY CLEAR EARS NEEDS PERSONAL INFORMATION ABOUT YOU

Clear Ears collects personal information from our clients and those seeking information about our services. Clear Ears only collects that information required for our professional needs.

Clear Ears needs personal information:

- to provide our clients with an ear wax removal service as safely and effectively as possible; and
- to conduct our business (eg to administer accounts, charge fees and to communicate with our clients).

For example, if you are a client, we will use your personal information to process your request for ear wax removal, charge you fees and administer your account. We will also use your personal information to communicate with you, including answering any enquiries you may have.

PART 3 - HOW CLEAR EARS HANDLES YOUR PERSONAL INFORMATION

3.1 Clear Ears Legal Obligations

As foreshadowed in Part 1 of this Privacy Policy, as a private sector health service provider, Clear Ears is required to comply with the NPPs under the Privacy Act 1988.

The NPPs regulate how Clear Ears may collect, use, disclose and store personal information and how individuals (such as Clear Ears patients) may access and correct personal information which Clear Ears holds about them.

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

In this Privacy Policy, we use the terms:

- "personal information" as it is defined in the Privacy Act 1988. This means:

"information or an opinion (including information or an opinion forming part of a database, whether true or not, and whether recorded in a material format or not, about an individual whose identity is apparent, or can reasonably be ascertained, from



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- the information or opinion”; and
- ‘health information’ as it is defined in the Privacy Act 1988. This is a particular subset of “personal information” and means information or an opinion about:
 - the health or a disability (at any time) of an individual; or
 - an individual’s expressed wishes about the future provision of health services to him or her; or
 - a health service provided or to be provided to an individual,
 - that is also personal information.

Personal information also includes ‘sensitive information’ which is information such as your race, religion, political opinions or sexual preferences and health information. Information which is ‘sensitive information’ attracts a higher privacy standard under the Privacy Act 1988 and is subject to additional mechanisms for your protection.

3.2 What information does Clear Ears collect?

We collect information from you that is necessary to provide you with our services.

Often this may include collecting information about your health history, family history, or your current lifestyle to assist the health care team in treating your condition.

We will usually collect your health 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). We will only do this if you have consented for us to collect your information in this way or where it is not reasonable or practical for us to collect this information directly from you.

We also collect information from you for administering your accounts, such as credit or debit card details. These details will not be stored by Clear Ears, unless you have specifically requested your account details to be kept for future appointments.

3.3 How does Clear Ears use your information?

Clear Ears only uses your personal information for the purpose you have given the information to us unless one of the following applies:

- The other purpose is directly related to the purpose for which you have given us the information and you would reasonably expect, or we have told you, that

your information is usually disclosed for another purpose or to other individuals, organisations or agencies (see paragraphs (a) – (e) below);

- you have consented for us to use your information for another purpose;
- Clear Ears is required or authorised by law to disclose your information for another purpose (see paragraph (e) below);
- the disclosure of your information by Clear Ears will prevent or lessen a serious and imminent threat to somebody’s life or health; or
- the disclosure of your information by Clear Ears is reasonably necessary for the enforcement of the criminal law or a law imposing a penalty or sanction, or for the protection of public revenue.

(a) Use among health professionals to provide your treatment

Our staff may also refer you to other health service providers for further treatment (for example, to your general practitioner).

These health professionals will share your health information as part of the process of providing your treatment. We will only do this while maintaining confidentiality of all this information and protecting your privacy in accordance with the law.

Your health information will only be disclosed to those health care workers involved in your treatment.

(b) 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 a person exercising your power of attorney under an enduring power of attorney, unless you tell us that you do not wish us to disclose your health information to any such person.

(c) Other Clear Ears entities

Clear Ears may share your health information amongst its clinics. For example, this may occur where you are transferred between any of Clear Ears clinics or to coordinate your care.

(d) Other common uses

In order to provide the best possible environment in which to treat you, we may also use your 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;



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- invoicing, billing and account management;
- to liaise with your health fund, Medicare or the Department of Veteran's Affairs, as necessary; and
- the purpose of complying with any applicable laws – for example, in response to a subpoena or compulsory reporting to State or Federal authorities (for example, for specified law enforcement or public health and safety circumstances).

(e) Other uses with your consent

With your consent we can also use your information for other purposes such as including you on a marketing mail list, fundraising 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.

Please note, Clear Ears may use or disclose your personal information as specified above via electronic processes, where available or relevant.

3.4 Access to and correction of your health information

You have a right to have access to the health information that we hold in your health record. You can also request an amendment to your health record should you believe that it contains inaccurate information.

Clear Ears will allow access or make the requested changes unless there is a reason under the Privacy Act 1988 or other relevant law to refuse such access or refuse to make the requested changes.

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 Clear Ears access and correction procedure.

Please note that Clear Ears may recover reasonable costs associated with supplying this information to you.

3.5 Data Quality

Clear Ears will take reasonable steps to ensure that your personal information which we may collect, use or disclose is accurate, complete and up-to-date.

3.6 Data Security

Clear Ears will take reasonable steps to protect your personal information from misuse, 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.

Clear Ears will destroy or permanently de-identify any of your information which is no longer needed.

3.7 Anonymity

It is not possible to engage Clear Ears without providing us with the personal information that is reasonably requested. We may be able to answer general queries without collecting personal information about you, but if you would like to use our services, we need your personal information.

3.8 Email and SMS Marketing

We will not email or SMS you marketing material unless you have consented to this. Further, you can unsubscribe from our e-newsletter or other bulletins via our website or by writing to our Privacy Officer.

3.9 If you have a complaint about privacy issues

If:

- (a) you have questions or comments about this Privacy Policy;
- (b) Clear Ears does not agree to provide you with access to your personal information; or
- (c) you have or a complaint about our information handling practices,
- (d) you can lodge a complaint with or contact our Privacy Officer on the details below or directly with the Federal Privacy Commissioner.

3.10 How to contact us

- By letter: The Privacy Officer, Clear Ears Pty Ltd, PO Box 180, Malvern, 3144
- By email: info@clearears.com.au
- By telephone: 1300 327 929
- By facsimile: (03) 9011 9615 Attention: The Privacy Officer



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3.11 Currency

This Privacy Policy was last updated in July 2011 and may change from time to time. The most up-to-date copy can be obtained by contacting us using the above-mentioned details.

PART 4 - HOW CLEAR EARS HANDLES YOUR PERSONAL INFORMATION WHEN YOU VISIT OUR WEBSITE

This section of our Privacy Policy explains how we handle your personal information which is collected from our website: WWW.CLEAREARS.COM.AU

This Privacy Policy applies to your use of our website and the use of any of the facilities on our website.

4.1 Collection

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:

- make an online booking;
- submit a general enquiry via our contacts page;
- subscribe to our newsletter; or
- send a written complaint or enquiry to our Privacy Officer.

When you use our website, our Internet Service Provider (ISP) will 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 web-site.

We are, however, obliged to allow law enforcement agencies and other government agencies with relevant legal authority to inspect our ISP logs, if

an investigation being conducted warrants such inspection.

4.2 Cookies

A "cookie" is a device that allows our server to identify and interact more effectively with your computer. Cookies do not identify individual users, but they do identify your ISP and your browser type.

This website uses temporary cookies. This means that upon closing your browser, the temporary cookie assigned to you will be destroyed and no personal information is maintained which will identify you at a later date.

Personal information such as your email address is not collected unless you provide it to us. We do not disclose domain names or aggregate information to third parties other than agents who assist us with this website and who are under obligations of confidentiality. You can configure your browser to accept or reject all cookies and to notify you when a cookie is used. We suggest that you refer to your browser instructions or help screens to learn more about these functions. However, please note that if you configure your browser so as not to receive any cookies, a certain level of functionality of the Clear Ears website and other websites may be lost.

4.3 Links to third party websites

We may create links to third party websites. We are not responsible for the content or privacy practices employed by websites that are linked from our website.

4.4 Use and disclosure

We will only use personal information collected via our website for the purposes for which you have given us this information.

We will not use or disclose your personal information to other organisations or any one else unless:

- you have consented for us to use or disclose your personal information for this purpose;
- you would reasonably expect or we have told you that your information is usually used or disclosed to other organisations or persons in this way;
- the use or disclosure is required or authorised by law;
- the use or disclosure will prevent or lessen a serious or imminent threat to somebody's life or health; or



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- the disclosure is reasonably necessary for law enforcement functions or for the protection of public revenue.

If we receive your email address because you sent us an email message, the email will only be used or disclosed for the purpose for which you have provided and we will not add your email address to an emailing list or disclose this to anyone else unless you provide us with consent for this purpose.

4.5 Data quality

If we collect your personal information from our website, we will maintain and update your information as necessary or when you advise us that your personal information has changed.

4.6 Data Security

Clear Ears is committed to protecting the security of your personal information. We use technologies and processes such as access control procedures, network firewalls, encryption and physical security to protect the privacy of information. We will take all reasonable steps to prevent your information from loss, misuse or alteration.

If you choose to complete our online forms or lodge enquiries via our website, we will ensure that your contact details are stored on password protected databases.

Staff members associated with website maintenance have access to our website's backend system. This is password protected. Our website service is also password protected.

4.7 Access and correction

If you wish to obtain information about how to access or correct your personal information collected via our website, please refer to Access and Correction at Item 2.4 of Part 2 of this document.

SCHEDULE

This Privacy Policy applies to the Clear Ears Pty Ltd group of Companies.

Clear Ears Holdings Pty Ltd ACN: 151 692 812

Clear Ears Pty Ltd ACN: 151 268 969