

# RAMSAY PHARMACY FRANCHISEES

## PRIVACY POLICY

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# 1 ABOUT THIS POLICY

## 1.1 Purpose

Ramsay Pharmacy Retail Services Pty Ltd (**Franchisor**) is the Franchisor of Ramsay and Malouf (retail) Pharmacies, which are independently owned by a Franchisee. Collectively, the Franchisor and Franchisees of each Ramsay and Malouf Pharmacy make up the Ramsay Pharmacy Network.

This Privacy Policy applies to the Franchisees within the Ramsay Pharmacy Network who have elected to adopt this policy (**the Franchisee/s**). A list of the Ramsay and Malouf Pharmacies who have adopted this policy is contained on the Ramsay Pharmacy website [www.ramsaypharmacy.com.au](http://www.ramsaypharmacy.com.au). If a Ramsay or Malouf Pharmacy has not adopted this policy, you will need to contact the relevant Pharmacy directly to obtain a copy of their Privacy Policy.

The Franchisees are committed to ensuring the privacy and confidentiality of your personal information. The Franchisees must comply with the Australian Privacy Principles (**APPs**) under the *Privacy Act 1988* (Cth) and other privacy laws that govern how private sector organisations handle your personal information.

The purpose of this Privacy Policy is to clearly communicate to you how the Franchisees handle your personal information. It will give you a better and more complete understanding of the type of personal information that the Franchisees hold about you and the way they handle that information.

## 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 the Franchisees' 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 the Franchisees' information handling practices, you can view the 'condensed' privacy policy. This is a summary of how the Franchisees collect, use and disclose your personal information.

If you require more detailed information about the Franchisees' information handling practices, then you will need to read this document.

## 1.3 Currency

This Privacy Policy was last updated in September 2019 and may change from time to time. The most up-to-date copy will be published on the Ramsay Pharmacy website [www.ramsaypharmacy.com.au](http://www.ramsaypharmacy.com.au) or can be obtained by contacting the relevant Franchisee or the Franchisor on the details set out at the end of this policy.

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# 2 HOW A FRANCHISEE HANDLES YOUR PERSONAL INFORMATION

## 2.1 Legal Obligations

As foreshadowed in Part 1 of this Privacy Policy, as private sector health service providers, the Franchisees are required to comply with the APPs under the *Privacy Act 1988* (Cth).

The APPs regulate how the Franchisees may collect, use, disclose and store personal information and how individuals may access and correct personal information which the Franchisee holds about them. For ease of reference, this Privacy Policy sets out the position with respect to customers' and other individuals' personal information separately, although the APPs will apply equally.

## 2.2 Terms used

In this Privacy Policy, the following terms are used:

**“Customer”** means an individual who attends or engages with a Franchisee Pharmacy for the purpose of seeking Pharmacy Services whether or not Pharmacy Services are provided.

**“Health information”** as it is defined in the *Privacy Act 1988* (Cth) 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”** as it is defined in the *Privacy Act 1988* (Cth) means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

Personal information also includes 'sensitive information' which is information such as your race, religion, political opinions or sexual preferences, biometric information used for biometric verification or identification, and biometric templates, and health information. Information which is 'sensitive information' attracts a higher privacy standard under the *Privacy Act 1988* (Cth) and is subject to additional mechanisms for your protection.

**“Pharmacy Services”** includes but is not limited to medication dispensing, management and advice programs, pharmacist advice, home medication reviews, dose administration aids, NDSS supply, blood glucose testing and diabetes support programs, cholesterol testing and support programs, chronic pain management education and support programs, post discharge services and support, Maternal Child Health Nurse consultations, Allied Health consultations and services and sale of health and beauty products.

**“Primary purpose”** means the specific function or activity for which the information is collected. Any use or disclosure of the personal information for another purpose is known as the **“secondary purpose”**.

## 2.3 Who do Franchisees collect information from?

This Privacy Policy applies to the collection and use of personal information from customers or their appointed nominee, medical practitioners, trainees or students undertaking training placements in a Franchisee Pharmacy, contractors engaged to provide services to Franchisees, suppliers, contracted service providers and other individuals engaged by or providing services to a Franchisee.

### 2.3.1 Customers

In order to provide you with the Pharmacy Services that you have requested, the Franchisee may need to collect and use your personal information. If you provide incomplete or inaccurate information to the Franchisee or withhold personal information, the Franchisee may not be able to provide you with the Pharmacy Services you are seeking.

### 2.3.2 Other individuals

In order to enable a Franchisee to engage with you for the primary purpose, the Franchisee may need to collect and use your personal information. If you provide incomplete or inaccurate information to the Franchisee or withhold personal information, the Franchisee may not be able to engage with you as required to meet the primary purpose.

### 2.3.3 Anonymity and pseudonymity

You have the option of dealing with a Franchisee anonymously or by using a pseudonym however, note that this may limit the services that the Franchisee can provide to you if it is impracticable for the Franchisee to deal with you in such an unidentified manner.

## 2.4 What information do Franchisees collect?

### 2.4.1 Customers

Franchisees collect personal information from you that is reasonably necessary to provide you with Pharmacy Services and for administrative and internal business purposes related to your attendance at a Franchisee Pharmacy.

Franchisees collect personal information about you in a number of ways, including via:

- (a) direct interaction with you, either in person, over the telephone or electronically;
- (b) completion of any administrative, competition or health related forms by you or provision of any documentation by you or your health care provider;
- (c) your MyHealth record;
- (d) registration for and use of the *better rewards* program; and
- (e) mobile and tablet applications used in providing Pharmacy Services to you, such as the MedAdvisor platform (“**Applications**”).

(collectively “**Collection Channels**”)

The personal information a Franchisee collects may include:

- (a) your name, gender, email address, postal/residential address, date of birth, phone

number, signature, payment method, social media handles and other identifying information provided via a particular Collection Channel;

- (b) your health history, family history, your ethnic background or your current lifestyle;
- (c) information about your use of Pharmacy products and services;
- (d) details in relation to your purchases at the Franchisee Pharmacy;
- (e) details of communications between you and the Franchisee Pharmacy;
- (f) your registration for, or participation in, health services offered at the Franchisee Pharmacy and the results of health checks relating to those services;
- (g) any allergies and health related conditions you may have;
- (h) your doctor's or health care provider's contact details;
- (i) your Medicare number and any concession card number;
- (j) your opinion and preferences on specific Pharmacy products and services.

Franchisees will usually collect your personal information directly from you. Sometimes, Franchisees may need to collect information about you from a third party (such as a relative or a health service provider, including a Ramsay Hospital). A Franchisee will only do this if you have consented to them collecting your information in this way or where it is not reasonable or practical for them to collect this information directly from you.

#### **2.4.2 Other individuals**

Franchisees collect personal information from you that is reasonably necessary to engage with you for the primary purpose, including the provision of services by or to the Franchisee Pharmacy, for their functions or activities and for administrative and internal business purposes related to your dealings with them.

Franchisees will usually collect your personal information directly from you. Sometimes a Franchisee may need to collect information about you from a third party however, the Franchisee will only do this where it is not reasonable or practical for them to collect this information directly from you. Sensitive information will not be collected without your consent.

### **2.5 How do Franchisees store your information?**

Franchisees may store the personal information they collect from you in various forms. Franchisees will comply with the APPs, and this Privacy Policy, in respect of your personal information in whatever form that information is stored by them.

#### **2.5.1 Customers**

Storage of personal information may include by a secure storage facility (such as lockable filing cabinet) or electronically via various data management software or systems in accordance with usual business practices and depending on the type of Pharmacy Services sought by you.

#### **2.5.2 Other individuals**

Storage of personal information may include by a secure storage facility (such as filing

cabinet) or electronically via various data management software or systems in accordance with usual business practices and depending on the primary purpose of your engagement with a Franchisee.

## **2.6 How do Franchisees use your information?**

Franchisees only use your personal information for the primary purpose for which you have given the information to them unless one of the following applies:

- The secondary purpose is related (or for sensitive information, directly related) to the primary purpose for which you have given the Franchisee the information and you would reasonably expect, or the Franchisee has told you, that your information is usually disclosed for another purpose or to other individuals, organisations or agencies (see related secondary purposes set out below);
- You have consented for the Franchisee to use your information for another purpose;
- The Franchisee is required or authorised by law to disclose your information for another purpose (see related secondary purposes set out below);
- The disclosure of your information by the Franchisee will prevent or lessen a serious and/or imminent threat to somebody's life, health or safety or to public health or public safety; or
- The use or disclosure of your information by the Franchisee is reasonably necessary for an enforcement related activity.

Franchisees may use or disclose your personal information as specified above via electronic processes, where available or relevant.

### **Related secondary purposes include:**

#### **Customer specific examples:**

##### **(a) Assessment for provision of pharmacy services**

Franchisees may collect your personal information for the purpose of assessing your suitability for the provision of pharmacy services by a Franchisee Pharmacy. Where personal information is collected and you do not become a customer of the Pharmacy, your personal information may be stored for a limited period of time before destruction. Where your assessment has been conducted at the request of a Health Practitioner, (for example referral for a particular script) the Franchisee may report the outcome of the assessment to that Health Practitioner as it may be relevant to any ongoing treatment or care provided to you by them.

##### **(b) Your doctor**

Franchisees may engage with your doctor in relation to Pharmacy Services provided to you in accordance with long-standing health industry practice and where this engagement is intended to inform your doctor or the Pharmacist of information that may be relevant to any ongoing care or treatment provided to you.

If you do not want the Franchisee to engage with your doctor you must let them know. Please

note that if you do not consent to the Franchisee contacting your doctor for this purpose, the Franchisee may not be able to provide the Pharmacy Services to you. At the discretion of the Pharmacist on duty, a note of this refusal may be placed in your file on the dispensary system.

#### **(c) Other health service providers**

If in the future you are being treated by a doctor or health care facility (including a Ramsay Hospital) that needs to have access to your pharmacy prescription or other records, a Franchisee will generally require an authorisation from you to provide a copy of your Pharmacy record to that doctor or health care facility.

The only time a Franchisee would provide information about your pharmacy prescription or other records to another doctor or health facility (other than as discussed in this policy) without your consent is in the event of an emergency where your life is at risk and you are not able to provide consent or as approved or authorised by law.

#### **(d) *better rewards* program**

Participating Ramsay Pharmacies offer membership to a loyalty and reward program called *better rewards*.

The *better rewards* platform is operated by the Franchisor and all information that is collected, used and disclosed is done so in accordance with the Franchisor's Privacy Policy and the *better rewards* program terms and conditions. Further information on the *better rewards* program can be found at [ramsaypharmacy.com.au/rewards](https://ramsaypharmacy.com.au/rewards)

At your request, a Franchisee may collect personal information directly from you including your name, contact details and date of birth for the purpose of registration for the *better rewards* program. This information will be input directly into the *better rewards* program platform and will be accessible by any Ramsay or Malouf Pharmacy, together with your *better rewards* points balance, when you present your card at the time of purchase or when redeeming *better rewards* dollars. Collection, use and disclosure of your limited personal information displayed by the *better rewards* program platform by a Ramsay or Malouf Pharmacy will be subject to that Pharmacy's Privacy Policy (which in most cases, means this Policy).

#### **(e) MedAdvisor App**

Some Franchisee Pharmacies utilise a software platform known as the MedAdvisor Platform, which provides customers who choose to participate with the ability to manage their prescriptions and medications by downloading an application onto their mobile device.

You should ensure that you are satisfied with MedAdvisor's Terms and Conditions and Privacy Policy before downloading the Application, both of which can be found at [www.medadvisor.com](https://www.medadvisor.com).

By linking a Franchisee Pharmacy to the MedAdvisor Application, you consent to the Franchisee Pharmacy sharing personal information about you with MedAdvisor, including transaction details of the medication dispensed, dates dispensed, cost of medication and repeats left.

#### **(f) Students and trainees**

The Franchisees may support the placement of students and trainees at Ramsay Pharmacies and these students may have access to your personal information for the purpose of the placement. Students and trainees on placement at a Franchisee Pharmacy are required to comply with the *Privacy Act 1988* (Cth) (or other relevant privacy legislation) and where applicable this Privacy Policy.

#### **(g) Relatives or guardians**

Franchisees may provide information about Pharmacy Services provided to you to your relatives or guardians, or a person exercising your power of attorney under an enduring power of attorney or who you have appointed your enduring guardian, unless you tell them that you do not wish them to disclose your personal information to any such person.

#### **(h) MyHealth Record**

If you have chosen to participate in the MyHealth Record program operated by the Commonwealth Department of Health, a Franchisee may access your MyHealth Record to download or upload your personal information in accordance with the access controls that you have set within that system. If you do not want the Franchisee to access or upload personal information in your MyHealth Record, it is your responsibility to modify the access controls as required. The Franchisee will only access information stored in your MyHealth Record to the extent required to provide you with the Pharmacy Services.

#### **(i) Other common uses**

In order to provide the best possible environment in which to provide the Pharmacy Services to you, Franchisees may also use your personal information where necessary for:

- activities such as quality assurance processes, accreditation, audits, risk and claims management, customer satisfaction surveys and staff education and training;
- invoicing, billing and account management, including storage of details on the Franchisee's billing software or engagement of third-party providers to assist with debt collection;
- to liaise with your health care provider, Medicare or the Department of Veteran's Affairs and, where required, provide information to your health care provider, Medicare or the Department of Veteran's Affairs to verify treatment provided to you, as applicable and as necessary;
- 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);
- the purpose of sending you standard reminders, for example for script dispensation and expiry, by text message or email to the number or address which you have provided to a Franchisee.
- the purpose of carrying out customer, service, health outcome and other business analytics. With your consent, we may share this information with the Franchisor. Other uses with your consent

Franchisees may also use your information for other purposes such as including you on a marketing mail list, fundraising or research, statistical analysis, to promote Ramsay Pharmacy goods and services and to improve and personalise service offerings. Please note, however, that unless you join as a member of the better rewards program or provide them with your express consent for this purpose, they will not use your information in this way. If you join as a member of the better rewards program, you will have the option to unsubscribe from receiving marketing materials.

### **Other non-Customer specific examples:**

#### **(j) Ramsay Pharmacy Retail Services Pty Ltd**

As the Franchisor of Ramsay Pharmacy, Ramsay Pharmacy Retail Services Pty Ltd may have access to your personal information that has been collected by Franchisee Pharmacies where it is reasonably necessary for administrative and internal business purposes related to your attendance at a Franchisee Pharmacy. The Franchisor will handle your personal information in accordance with its Privacy Policy, which can be found at [www.ramsayhealth.com.au](http://www.ramsayhealth.com.au).

#### **(k) CCTV**

Many Franchisee Pharmacies use camera surveillance systems (commonly referred to as CCTV), for the purpose of maintaining the safety and security of staff and customers. The CCTV systems may, but will not always, collect and store personal information. Franchisees will comply with the APPs and this Privacy Policy in respect of any personal information collected via its CCTV systems.

#### **(l) Contractors under agreement**

Franchisees may provide, or allow access to, personal information to contractors engaged to provide professional services to them (e.g. Information Communication Technology, Marketing providers) or to contractors to whom aspects of their services are outsourced (e.g. Webster Packing). Franchisee Pharmacies require those contractors to also comply with the *Privacy Act 1988* (Cth) (or other relevant privacy legislation) and where applicable this Privacy Policy.

#### **(m) Job applications / placement of students and trainees**

Franchisees may collect personal information of job applicants for the primary purpose of assessing and (if successful) engaging applicants. Franchisees may also collect personal information of students or trainees on placement for the primary purpose of providing the placement and facilitating assessment. The purpose for which the Franchisee uses personal information of job applicants or students or trainees includes:

- employment or engagement suitability checks;
- managing the individual's employment, engagement or placement;
- insurance purposes; and
- ensuring that it holds relevant contact information.

Franchisees may also store information provided by job applicants or students/trainees where applicants or student/trainees were unsuccessful, for the purposes of future recruitment or

employment opportunities.

#### **(n) Educational events or community engagement**

Franchisees may offer opportunities for you to participate in educational events or for the purpose of community engagement. When you register for or attend an event, the Franchisee may collect your personal information for the purpose of providing the service and recording your attendance.

Franchisees may disclose your personal information to third parties for the purpose of confirming your attendance at the event including the provision of attendance records or certification. Other common uses

Franchisees may also use your personal information where necessary for:

- activities such as quality assurance processes, accreditation, audits, statistical analysis, risk and claims management;
- invoicing, billing and account management, including storage of provider details on the Franchisee's billing software;
- 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); and
- the purpose of carrying out customer, service and other business analytics.

#### **(o) Other uses with your consent**

Franchisees may also use your information for other purposes such as including you on a marketing mail list, fundraising or research, statistical analysis, to promote Ramsay Pharmacy Network goods and services and to improve and personalised service offerings. Unless you join as a member of the better rewards program or provide the Franchisee with your express consent for this purpose, they will not use your personal information in this way. If you join as a member of the better rewards program, you will have the ability to unsubscribe from receiving marketing materials.

## **2.7 Access to and correction of your personal information**

You have a right to have access to the personal information that a Franchisee and the Franchisor holds about you. You can access personal information that the Franchisor holds about you, in accordance with the Franchisor's Privacy Policy.

You can request an amendment to personal information that a Franchisee holds about you should you believe that it contains inaccurate information.

The Franchisee will allow access or make the requested changes unless there is a reason under the *Privacy Act 1988* (Cth) or other relevant law to refuse such access or refuse to make the requested changes.

If the Franchisee does not agree to change your personal information in accordance with your request, they will permit you to make a statement of the requested changes and will enclose the statement with your personal information.

Should you wish to obtain access to or request changes to your personal information held by a Franchisee you can contact them directly or you can contact the Franchisor on the details below.

## 2.8 Data quality

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

## 2.9 Data security

Franchisees will take reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or disclosure. Franchisees use technologies and processes such as access control procedures, network firewalls, encryption and physical security to protect your privacy.

Franchisees will destroy or permanently de-identify any of your information which is in its possession or control and which is no longer needed for the purpose for which it was collected provided they are not required under an Australian law or court/tribunal or otherwise to retain the information.

## 2.10 Cross border disclosure

At times Franchisees may enter into arrangements with third parties to store data they collect or to access the data to provide services (such as data processing), and such data may include disclosure of personal information, outside of Australia. Franchisees will take reasonable steps to ensure that the third parties do not breach the APPs. The steps a Franchisee will take may include ensuring the third party is bound by privacy protection obligations which are the same (or substantially the same) as those which bind the Franchisee and requiring that the third party has information security measures in place which are of an acceptable standard and approved by the Franchisee.

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## 3 HOW TO CONTACT US ABOUT PRIVACY ISSUES

### 3.1 Franchisee Pharmacy

You can contact the Pharmacist-In-Charge of your local Franchisee Pharmacy on the contact details available <https://www.ramsaypharmacy.com.au/Store-Finder> .

### 3.2 Ramsay Pharmacy Retail Services Pty Ltd

Website	<a href="http://www.ramsaypharmacy.com.au/contact-form.html">http://www.ramsaypharmacy.com.au/contact-form.html</a>
Email	<a href="mailto:bettercare@ramsaypharmacy.com.au">bettercare@ramsaypharmacy.com.au</a>
Mail	PO Box 7568, Melbourne Vic 3000
Phone	03 99162111

### 3.3 Complaints

If:

(a) the Franchisee Pharmacy does not agree to provide you with access to your personal information; or

(b) you have or a complaint about our information handling practices,

you can lodge a complaint with your local Franchisee Pharmacy or contact Ramsay Pharmacy Retail Services Pty Ltd on the details above or directly with the Office of the Australian Information Commissioner. Full contact details can be found on the website [www.oaic.gov.au](http://www.oaic.gov.au)