



ACT
Mental Health
Consumer Network

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Dear Pip

Review of Canberra Health Services Consumer Privacy Policy

This letter has been prepared by the ACT Mental Health Consumer Network (the Network) in response to the invitation from Canberra Health Services (CHS). It incorporates both written and verbal feedback received from consumers in relation to the CHS Consumer Privacy Policy (the Policy). The Network welcomes the invitation to provide feedback on the Policy.

Consumers emphasised the importance of ensuring particular protections for mental health consumers, especially in light of last year's privacy breaches involving mental health records. Consumers agreed that there needs to be a proactive onus on service staff to inform consumers about how their private information will be stored, used and access protected. Due to the sensitivity of individual mental health information, consumers also stated that there needs to be an elevated level of responsibility and care exercised by all staff involved in the generation, storing and/or review of such information.

Beyond these principled points, consumers made two specific recommendations for improving the Policy, each relating to text under the subheading '*What consumers have a right to expect*' (p.4):

1. the opening statement should be changed from the conditional statement of 'should be informed' to the unconditional statement of 'will be informed'; and
2. an additional bullet point should be added stating that 'upon discharge consumers will be provided with a written statement that details their rights to access their private information, as well as how to access and apply for changes to be made to this information'.

These recommendations reflect consumers' belief that there are no circumstances under which they would not want the option to access their private mental health records. Consumers understood the reasonable need for a more controlled process regarding the management of changing recorded private information in mental health records. However, they also stressed that the more conditional right to change their private information must not be utilised to justify restricting the unconditional right to access their private information.

If you have any questions or concerns regarding this feedback, please do not hesitate to contact us on (02) 6230 5796 or policy@actmhcn.org.au.

Thank you once again for the opportunity to provide feedback on the Policy. The Network looks forward to receiving further consultation requests in future.

Yours sincerely



Dalane Drexler
Chief Executive Officer