

PRIVACY POLICY

For In-Person & Online Therapy Sessions

Jason Stuart

Counselling and Psychotherapy

Privacy

I am committed to providing quality services to you and this policy outlines my ongoing obligations to you in respect of how I manage your Personal Information.

I have adopted the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act). The APPs govern the way in which I collect, use, disclose, store, secure and dispose of your Personal Information.

A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at www.oaic.gov.au

What is Personal Information and why do I collect it?

Personal Information is information that identifies an individual. Examples of Personal Information I collect include: your name, address, email address and phone number.

This Personal Information is obtained in many ways including assessments, correspondence, telephone, email, and via my website and intake forms. I do not guarantee the website links or policies of authorised third parties.

I collect your Personal Information for the primary purpose of providing therapy and/or other services to you. I may also use your Personal Information for secondary purposes closely related to the primary purpose.

You may unsubscribe from my mailing/marketing lists at any time by contacting me in writing or by clicking the unsubscribe link at the bottom of my communications.

When I collect Personal Information I will, where appropriate and where possible, explain to you why I am collecting the information and how I plan to use it.

Sensitive Information

Sensitive information is defined in the Privacy Act to include information or an opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record, or health information.

Sensitive information will be used by me only:

- For the primary purpose for which it was obtained
- For a secondary purpose that is directly related to the primary purpose
- With your consent; or where required or authorised by law

Confidentiality and Its Limits

Everything you share with me is treated as strictly confidential. I will not disclose your information to anyone without your written consent, except in the following circumstances:

- **Risk of harm** – If I believe there is a serious and imminent risk to your life or the life of another person, I may need to take action to keep you or others safe. This may include contacting emergency services.
- **Mandatory reporting** – I am a mandatory reporter under child protection legislation. If I have reasonable grounds to suspect a child is being, or is at risk of being, abused or neglected, I am legally required to report this to the relevant state authority.
- **Court orders and subpoenas** – I may be required by law to disclose information in response to a court order, subpoena, or other legal obligation.
- **Your consent** – If you give me written permission to share information with another person or organisation (e.g. your GP or another health professional), I will do so only to the extent you have authorised.

Where possible, I will discuss with you before disclosing any information.

Clinical Supervision

As part of my professional obligations and commitment to providing high-quality care, I engage in regular clinical supervision with a qualified supervisor. I may discuss aspects of our work together during supervision to support my professional practice.

Any information shared in supervision is kept confidential within that professional relationship. Your identifying details will not be disclosed; information is shared in a de-identified way wherever possible.

Third Parties

Where reasonable and practicable to do so, I will collect your Personal Information only from you. However, in some circumstances I may be provided with information by third parties such as EAP counselling organisations or insurance companies, if you choose to engage either of these parties. In such a case I will take reasonable steps to ensure you are made aware of the information provided to me by the third party.

Disclosure of Personal Information

Your Personal Information may be disclosed in a number of circumstances, including the following:

- Third parties where you consent to the use or disclosure
- Where required or authorised by law
- Where necessary to prevent or lessen a serious and imminent threat to a person's life, health, or safety

Online Sessions and Platform Privacy

For online therapy sessions, I use a secure telehealth platform. The platform I use has its own privacy policy, and I encourage you to familiarise yourself with it. I take reasonable steps to ensure any platform I use meets appropriate security and privacy standards.

Please be aware that if you are using a shared device or network, there may be additional privacy considerations on your end. I recommend using a private device and secure internet connection for online sessions.

Notifiable Data Breaches

In the event of a data breach that is likely to result in serious harm to you, I am required under the Notifiable Data Breaches scheme (Privacy Act 1988, Cth, as amended by the Privacy and Other Legislation Amendment Act 2024) to:

- Notify the Office of the Australian Information Commissioner (OAIC)
- Notify affected individuals as soon as practicable

I will take all reasonable steps to prevent data breaches from occurring. If a breach does occur, I will act promptly in accordance with my legal obligations.

Security of Personal Information

Your Personal Information is stored in a manner that reasonably protects it from misuse, loss, and from unauthorised access, modification or disclosure.

When your Personal Information is no longer needed for the purpose for which it was obtained, I will take reasonable steps to destroy or permanently de-identify it. However, most Personal Information will be stored in client files, which I am required to retain as follows:

- For adult clients: at least 7 years from the date of last service
- For clients who were under 18 at the time of service: until the client turns 25, or for 7 years from the date of last service, whichever is longer

Access to your Personal Information

You may access the Personal Information I hold about you and request that it be updated or corrected, subject to certain exceptions. If you wish to access your Personal Information, please contact me in writing.

I will not charge any fee for your access request, but may charge an administrative fee for providing a copy of your Personal Information. In order to protect your Personal Information, I may require identification from you before releasing the requested information.

Maintaining the Quality of your Personal Information

It is important to me that your Personal Information is up to date. I will take reasonable steps to ensure your Personal Information is accurate, complete and current. If you find that the information I hold is not up to date or is inaccurate, please advise me as soon as practicable so I can update my records and continue to provide quality services to you.

Policy Updates

This Privacy Policy may change from time to time and is available on my website. I will notify you of any significant changes.

Privacy Policy Complaints and Enquiries

If you have any queries or complaints about my Privacy Policy or how I handle your Personal Information, please contact me directly:

Jason Stuart

Email: jasonjstuart@gmail.com

Phone: 0434 680 087

If you are not satisfied with my response to your complaint, you may contact the Office of the Australian Information Commissioner (OAIC):

www.oaic.gov.au

Phone: 1300 363 992

PRIVACY POLICY – INFORMED CONSENT

Jason Stuart Counselling and Psychotherapy

By signing this form, I confirm that:

- I have read and understood the Privacy Policy for In-Person & Online Therapy Sessions.
- I understand how my Personal Information, including sensitive health information, will be collected, stored, used and disclosed.
- I understand the limits of confidentiality, including that information may be disclosed where there is a risk of serious harm, for mandatory reporting obligations, or as required by law.
- I understand that de-identified information may be discussed in clinical supervision as part of my therapist's professional obligations.
- I understand that I may access, update or request correction of my Personal Information at any time.
- I understand that if I have concerns about how my information is handled, I may contact Jason Stuart directly or the Office of the Australian Information Commissioner (OAIC).

Client Name:

Signature:

Date:
