



# Freedom / Release of Information Process Responsibilities Procedure

## 1. Guiding Principles

This procedure identifies the key staff responsible, and the key process required for the release of health information requests. All flowcharts have been designed to ensure the WACHS Great Southern meets its obligations under the *Freedom of Information Act 1992*.

## 2. Procedure - Roles and Responsibilities

**Appendix 1** - [Freedom of Information Requests](#)

**Appendix 2** - [Release of Information Requests](#)

**Appendix 3** - [Release of Information - Coroner's Court Requests](#)

**Appendix 4** - [Release of Information - Continuum of Care Requests](#)

**Appendix 5** - [Release of Information - Police](#)

## 3. Definitions / Acronyms

<b>FOI</b>	Freedom of Information
<b>ROI</b>	Release of Information

<b>GP</b>	General Practitioner
<b>PSQU</b>	Patient Safety & Quality Unit

<b>HIM</b>	Health Information Management
<b>CIMS</b>	Clinical Incident Management System

## 4. Compliance

Failure to comply with this procedure may constitute a breach of the WA Health Code of Conduct (Code). The Code is part of the [Integrity Policy Framework](#) issued pursuant to section 26 of the [Health Services Act 2016](#) (WA) and is binding on all WACHS staff which for this purpose includes trainees, students, volunteers, researchers, contractors for service (including all visiting health professionals and agency staff) and persons delivering training or education within WACHS.

WACHS staff are reminded that compliance with all policies is mandatory.

## 5. Evaluation

This procedure is to be reviewed and updated every three years by the Director, Great Southern Business Services.

## 6. Standards

[National Safety and Quality Healthcare Standards – 1.16](#)

## 7. Legislation

[Freedom of Information Act 1992](#)

## 8. References

Great Southern [Release of Information](#) intranet site.

## 9. Related WA Health System Policies

[MP 0010/16 Patient Confidentiality Policy](#)

[MP 0015/16 Information use and Disclosure Policy](#)

## 10. Policy Framework

[Information Management](#)

**This document can be made available in alternative formats on request for a person with a disability**

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## WACHS Great Southern Freedom / Release of Information Process Responsibilities Procedure

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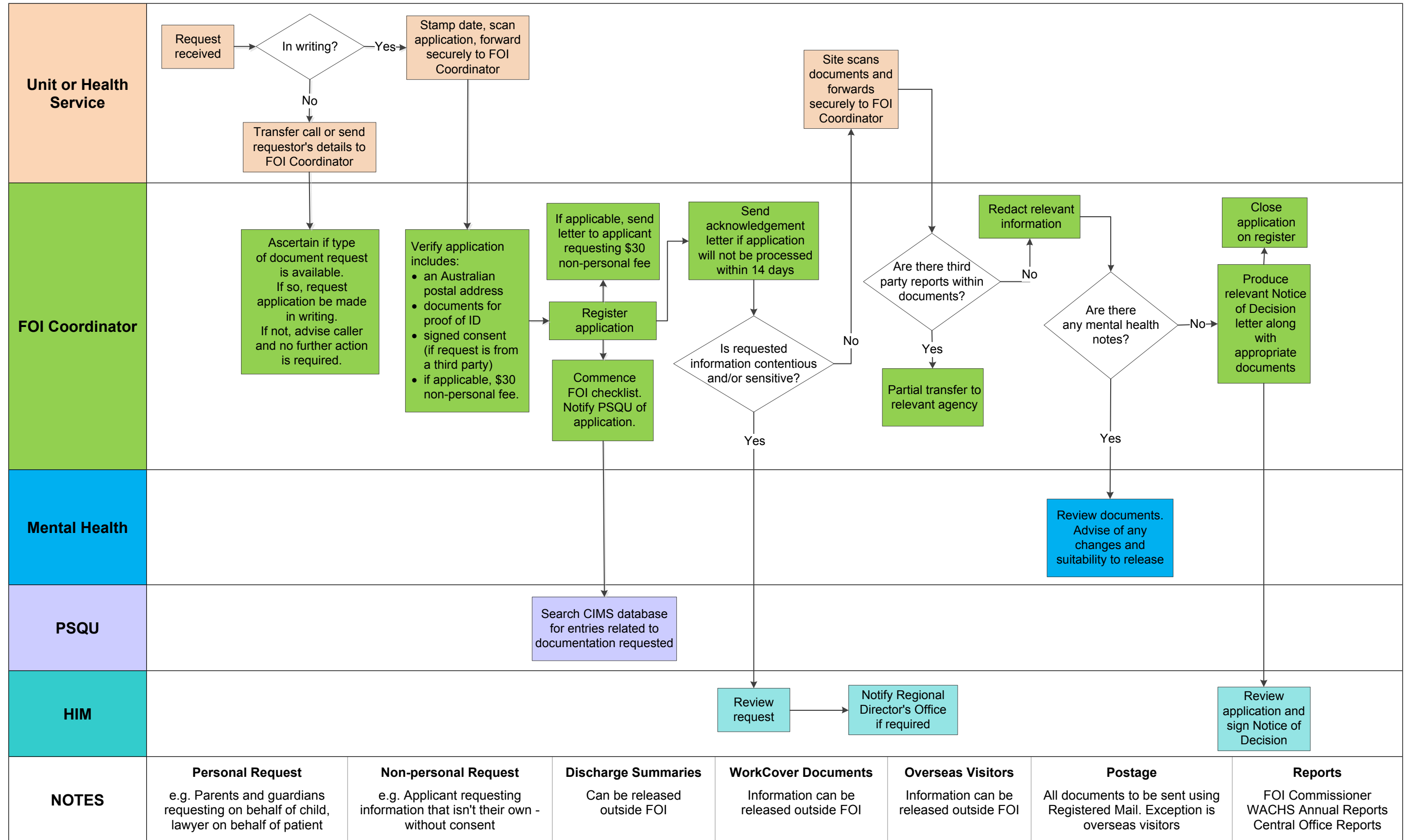
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Appendix 1 - Freedom of Information Requests

The Western Australian *Freedom of Information Act 1992* enables access to:

- your medical record and personal information
- Other documents including records, policy statements, notices, standards, correspondence, communication etc.



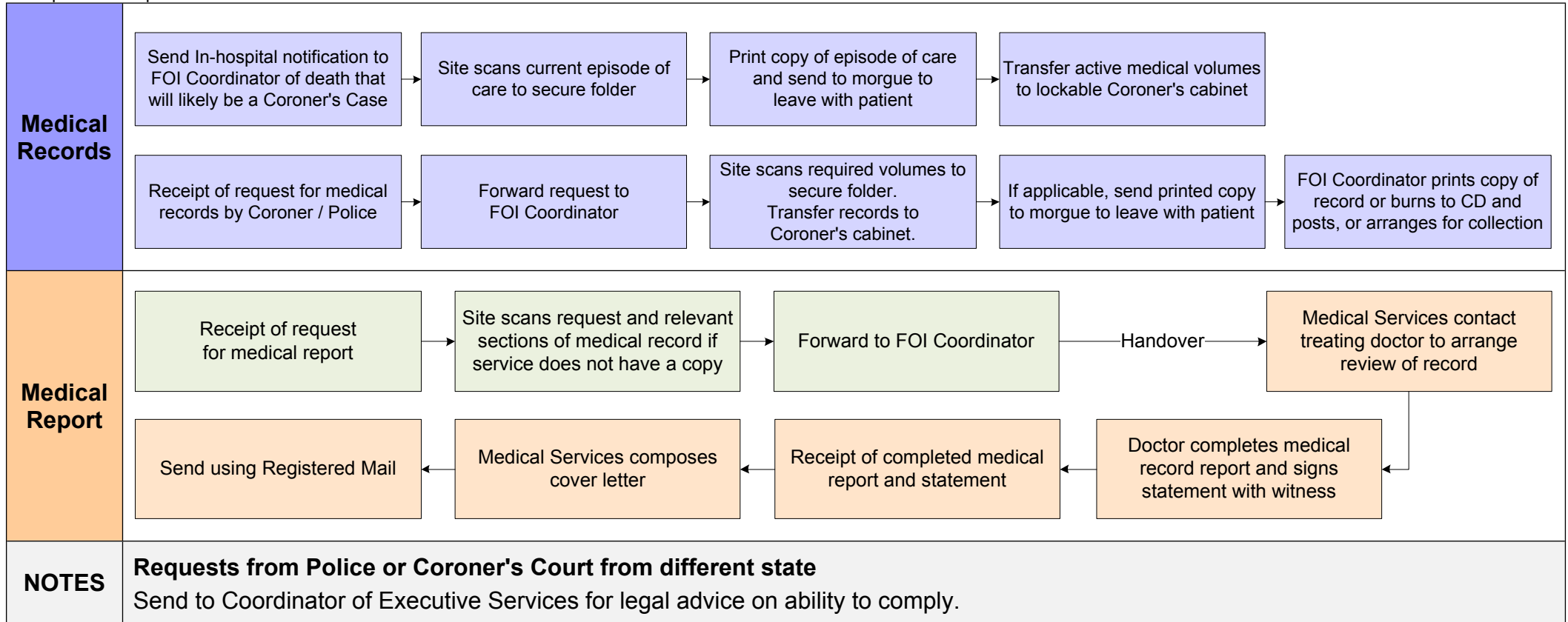
Appendix 2 - Release of Information Requests

Request type / Responsible Dept.

<b>Subpoena (FOI)</b>	<p>Site receives subpoena in post or served on manager → Forward to FOI Coordinator → Confirm subpoena has been served before 'last date of service' → Complete Form 6 Acknowledgement of Service and return to lawyer / representative → Deposit conduct money → Site scans required documents to secure folder → Create volume and label as 'copy' → Compose accompanying letters → Post to appropriate court</p>
<b>Child Protection and Family Support (FOI)</b>	<p>Section 23 request. No patient consent required → If not provided, advise applicant ID is required → Site locates patient records. Recall from off-site storage if necessary → Site scans information relevant to request → Forward information to FOI Coordinator → Fax to requesting office or arrange for collection, or post if too large</p>
<b>Criminal Injuries Compensation (FOI)</b>	<p>Section 19(2) request. No patient consent required → Site locates patient records. Recall from off-site storage if necessary → Site scans information relevant to request → Forward information to FOI Coordinator → Print and send using Registered Post</p>
<b>AHPRA (FOI)</b>	<p>S. 125 request for medical records → Forward to Executive Services and/or Medical Services or Nursing for actioning → No further action required from FOI Coordinator</p>
<b>State Administrative Tribunal (FOI)</b>	<p>S. 34 request for Aged Care Assessment and/or assessment that examines the capacity to make reasonable judgements → Request copy of documents from relevant area → Scan any assessments from progress notes in medical record → Compile documents and cover letter and send using Registered Mail</p> <p>S 34 order for health professional to complete a Service Provider Report → Forward to named professional → Clinician completes the report and returns to FOI Coordinator → Compose cover letter and send using Registered Mail</p>
<b>Registry of Births, Deaths and Marriages (FOI)</b>	<p>Letter requesting confirmation of birth and identity of accoucheur → Compose letter confirming birth and naming health professional → Send using Registered Mail</p> <p>Letter requesting date of death → Compose letter confirming date of death → Send using Registered Mail</p> <p>Letter requesting postal address of parents as not provided on Birth Registration form → Check webPAS for parent's details using child-mother link → Compose letter with postal addresses → Send using Registered Mail</p>
<b>Birth Registration (Manager Maternity)</b>	<p>Parent of guardian requesting they register birth of a child → Refer to Maternity Ward of appropriate hospital</p>
<b>WA Cancer Registry (Clinical Coding)</b>	<p>Letter requesting confirmation of malignancy → Forward letter to Clinical Coders → Coders complete and send in provided envelope. Copy not kept.</p>
<b>NOTES</b>	<p><b>Filing of Requests</b> Requests are <b>not</b> filed within the medical record. The exception to this is requests from WA Cancer Registry, State Administrative Tribunal and Registry of Births, Deaths and Marriages.</p>

**Appendix 3 - Release of Information - Coroner's Court Requests**

Request type /  
Responsible Dept.



Appendix 4 - Release of Information - Continuum of Care Requests (to be managed by original site)

<p><b>Prison Medical Centres</b></p>	<p>Site receives request by fax for clinical notes on prisoner → Site locates medical records / reviews, electronic pathology → Considers size of request → Large requests Contacts medical centre to consider request size → Compose confidential fax cover or letter for Registered Mail and sends → Lodge request on ROI database</p>					
<p><b>GP / Specialist</b></p>	<p>Requests patient's records in writing with consent from patient or patient's parents or legal guardian → Fax relevant information or send via secure internal courier if local → Record information on ROI database</p>					
<p><b>Patient requests results or medical record to be provided to GP, specialist or hospital (excluding radiology)</b></p>	<p>Patient provides request in writing with DOB and address providing specialist's information → Confirm the specialist, doctor, clinic or hospital details with the patient → Send by secure messaging to GP, specialist or hospital e.g. fax with confidential coversheet or Registered Mail → Record information on ROI database</p>					<p>Treating doctor requests copy of his notes. Dr can <b>only</b> request their own notes. All other information on the page cannot be provided.</p>
<p><b>Patient Requests radiology results to specialist (includes dentist, chiropractor, specialist)</b></p>	<p>Patient completes Consent for Release of Information to Third Party and details of practice, and names the specialist → Radiology sends report electronically to specialist service → Record information on ROI database</p>					
<p><b>Finance Department</b></p>	<p>Finance requires missing Private Patient form → Site organises for form to be signed and sent to Finance → Record information on ROI database</p>					
<p><b>NOTES</b></p>	<ul style="list-style-type: none"> <li>- Requests received from authorised third parties relating to the ongoing care of a patient are considered a legitimate use of clinical resources and in most cases, can be met.</li> <li>- Requests should be in writing with appropriate consent, specify the exact information required and advise the purpose of intent.</li> <li>- Duty of confidentiality continues beyond the death of a patient.</li> <li>- Consent for release to external parties must be current (within the last 12 months) and in writing.</li> <li>- In the interest of continuum of care, when a patient is transferred or discharged to another health service or medical practitioner, information on the patient may be released on request, unless the patient specifically requests that the information is not to be forwarded.</li> </ul>					<p>In deciding whether to release information, the following is to be considered:</p> <ul style="list-style-type: none"> <li>• urgency</li> <li>• patient safety and privacy</li> <li>• appropriateness of our service as a source of the information</li> <li>• appropriateness of the content of the information required</li> <li>• quantity of information requested</li> <li>• cost of providing the information.</li> </ul>



Appendix 5 - Release of Information - Police

