

Freedom of Information and you



This document outlines:

- Your rights to access certain information held by the RMH
- How to submit an application under Freedom of Information legislation
- The RMH's legislative requirements for record keeping

What is Freedom of Information (FOI)?

The *Freedom of Information Act 1982 (Vic)* (**the Act**) gives you the right to access certain information, relating to you, that is held by the Royal Melbourne Hospital (**the RMH**). The Act also allows you to request that your records be annotated or amended.

What information does the RMH have about me?

Your medical record at the RMH includes information collected during your inpatient, outpatient, or emergency attendances. The information is used to assist in your ongoing care and treatment. Information held includes, but is not limited to, demographics, medical history, surgical information, investigation results and medication history.

How do I obtain a copy of my information?

Applications under FOI must be made in writing and directed to the RMH FOI department. An application form is available on the [RMH website on the FOI page](#), or can be posted out or emailed to you on request.

Your application must clearly identify the information you are seeking. Any application must be accompanied by both proof of identity and the relevant application fee (except where it has been waived).

How much will it cost me?

The cost involved will vary according to each request. Current fee information is listed on the [RMH website](#), and also available directly from the [Office of the Victorian Information Commissioner \(OVIC\)](#). Charges are updated annually and may include the following:

- Application fee (non-refundable)
- Search fee (if applicable)
- Photocopy fee
- Media fee
- Postage

We may waive or reduce the application fee in some instances (eg financial hardship, Health Care Card and Pension Card holders).

Larger requests may require a 50% deposit.

How long will I have to wait?

We have 30 days to inform you of our decision about your request. During that time, you may receive an invoice for any applicable charges. The charges must be paid in full before we send you any documents.

If a deposit is required, the 30 days restarts upon receipt of payment.

We are required to review all information for exempt information prior to its release as well as consult with third parties. As such, there may be circumstances where we need to communicate with you to extend the 30 day period.

What if I don't agree with an RMH decision?

If you don't agree with a decision we have made (eg redactions applied, denial of a request), you may apply to OVIC for an independent review of the decision.

Applications for review must be made within 28 days of receiving our decision.

Further information on the review process can be obtained directly from [OVIC](#).

Can I obtain someone else's records under FOI?

You may be able to obtain another person's information if:

- You have their written authority to do so
- You can provide evidence that you have sufficient authority to act on behalf of the other person, or sufficient authority to request the information of a deceased person

Can records be released outside of FOI?

Release of records may occur in accordance with due legal process (eg in response to a search warrant, a subpoena or summons, or a request from the Coroner's Court).

Records may also be released to other healthcare services for continuing patient care.

Information retention

Where is my information stored?

Your information may be stored in many ways including paper, x-rays, computer systems, film and tapes. Since 2015, the RMH has transitioned to an electronic medical record. Most records after this date will exist only in electronic form. Older paper files are currently kept in secure storage offsite.

The RMH holds information for patients treated at the RMH, including the Parkville and Royal Park campuses, Inner West Area Mental Health Service and Orygen Specialist Program.

How long does the RMH keep my information?

As a public hospital, the RMH is required to comply with the information retention standards set out by the Public Records Office Victoria. Most major categories of document will be retained for a minimum of 12-15 years, though this can be quite varied.

For further information on patient information retention please see [Public Record Office Standard 11/06](#).

Contact

FOI Department

Phone: 03 9342 7224

Email: FOIRequest@mh.org.au

Further Information

- *OVIC* - ovic.vic.gov.au
- *FOI Act* - legislation.vic.gov.au
- *PROV* - prov.vic.gov.au

