

## Voluntary Assisted Dying Privacy Policy

This Privacy Policy explains how your personal information is handled by participating in the Voluntary Assisted Dying scheme in the Australian Capital Territory (**the Territory Voluntary Assisted Dying Scheme**). This policy will be reviewed and updated regularly and when information handling practices change, to keep you informed.

The *Information Privacy Act 2014* requires that a public sector agency have a clearly expressed and up-to-date privacy policy about how personal information is managed by the agency. The *Health Records (Privacy and Access) Act 1997* requires collectors to ensure you are aware of how your personal health information is used.

This Privacy Policy sets out how the Health and Community Services Directorate (**HCS**), the Voluntary Assisted Dying Oversight Board (**the Board**) and Canberra Health Services (**CHS**) (together, the **Relevant Agencies**) will manage your personal information and personal health information for collection and use in the Territory Voluntary Assisted Dying Scheme. This Privacy Policy refers to personal, health and sensitive information together as personal information.

This Privacy Policy outlines for the following persons, what kinds of personal information is collected, why this information is collected, and how it is handled:

- Persons requesting or seeking voluntary assisted dying services (see [Part A](#) below)
- Contact persons (see [Part B](#) below)
- Health practitioners seeking to participate in the Territory Voluntary Assisted Dying Scheme (see [Part C](#) below)

### Roles and functions of the Relevant Agencies

Each of the Relevant Agencies have distinct roles and functions under the Territory Voluntary Assisted Dying Scheme, and will collect, use and disclose your information for different purposes (referred to as the **Agency Role** in this Privacy Policy). Each Agency Role is outlined below.

HSCD administers and maintains the Voluntary Assisted Dying Online Portal (**the Portal**) on behalf of the other Relevant Agencies. HSCD also have functions under the Territory Voluntary Assisted Dying Scheme by way of the Director-General of HSCD, including but not limited to:

- Managing the authorisation of voluntary assisted dying practitioners, and keeping a register of practitioners.

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- Receiving notifications that specific stages of the voluntary assisted dying process have been completed.
- Considering applications for residency exemptions.

HCSD also supports the implementation of the Territory VAD Scheme by providing access to free clinics where authorised practitioners provide eligibility assessment services to support access to the Territory Voluntary Assisted Dying Scheme.

The Board is an independent statutory body responsible for monitoring and reviewing the operation of the Territory Voluntary Assisted Dying Scheme, monitoring requests for voluntary assisted dying, analysing service delivery, and advising on improvements and safeguards. References to the Board in this Privacy Policy includes reference to the Board Secretariat, which consists of staff members in HCSD who provide secretariat and administrative support to the Board. Administrative support includes compiling Board papers, scheduling, and managing official records and correspondence for the Board.

CHS includes the Voluntary Assisted Dying Pharmacy Service (**VAD PS**) and Care Navigator Service (**CNS**). Pharmacists at the VAD PS manage and track the voluntary assisted dying substance. CNS staff provide patients with support, guidance, and care coordination throughout their voluntary assisted dying journey. CHS also delivers voluntary assisted dying services as part of the delivery of health services and facilities operated by CHS. Additional privacy policies which apply to CHS' collection, use or disclosure of personal information, are available [here](#).

## Authorised voluntary assisted dying practitioners

Authorised voluntary assisted dying practitioners have specific obligations under the *Voluntary Assisted Dying Act 2024*, including requirements to notify and collect information about their patients at each stage of the voluntary assisted dying process. Authorised voluntary assisted dying practitioners consist of health practitioners:

- Employed by HCSD to undertake the role of co-ordinating or consulting practitioner, as part of clinics which support eligibility assessment processes for the Territory Voluntary Assisted Dying Scheme.
- Employed by CHS, delivering voluntary assisted dying services as part of the public health system.
- Private practice practitioners, delivering voluntary assisted dying services as part of their usual practice arrangements.

When this Privacy Policy refers to “your practitioner”, “relevant practitioner”, or “practitioners” it is referring to all three categories of authorised voluntary assisted dying practitioners. Where your practitioner is employed by HCSD or CHS, your practitioner will also access, use or disclose your information on behalf of HCSD or CHS (as relevant). Where your practitioner is a private practice practitioner, they are

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required to have their own privacy policy available. Although this policy describes generally how private practitioners are required to use, collect and disclose your personal information as part of the Territory Voluntary Assisted Dying Scheme, you should contact them directly if you have any questions about their collection, use or disclosure of your personal information.

## The Voluntary Assisted Dying Online Portal

The Portal is a secure cloud-based system used to manage and document the voluntary assisted dying process under the Territory Voluntary Assisted Dying Scheme. The Portal facilitates collection by the Board of all information it requires to monitor the operation of the Act, monitor requests for voluntary assisted dying, and undertake its other functions under the Act. The Portal also facilitates the submission of legally required forms, tracks progress through the voluntary assisted dying process and supports the functions of the Director-General. Each of the Relevant Agencies and your practitioners have access to the Portal to enable their Agency Role and functions under the Territory Voluntary Assisted Dying Scheme.

The Portal is hosted on REDCap, and servers are physically located within the ACT. The Portal is protected by robust security measures, including encryption, access controls, and audit logging to prevent unauthorised access, misuse, or loss.

While HCSD administers and maintains the Portal on behalf of the other Relevant Agencies, each agency interacts with it in distinct ways:

- **HCSD:** manages the Portal's technical operation and ensures its security and integrity. HCSD staff may also use the Portal to receive notifications on behalf of the Director-General.
- **VAD Board:** The Portal is the primary tool through which the Board collects information to monitor the operation of the Territory Voluntary Assisted Dying scheme, monitor requests for voluntary assisted dying and otherwise exercise its statutory oversight functions.
- **CHS:** CHS staff, including those in CNS and VAD PS, use the Portal to support patients and manage the supply and disposal of the voluntary assisted dying substance. Their use of the Portal is limited to their clinical and coordination roles and does not extend to administrative or oversight functions.

Your practitioner will also use the Portal to review your progress through the voluntary assisted dying process, and to submit the legally required forms.

The Portal is accessible only to individuals with a direct role in facilitating the delivery of voluntary assisted dying services. These individuals must undergo specific training before being granted access to the Portal and are bound by strict confidentiality requirements.

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## Protection of your information

Reasonable steps are taken by the Relevant Agencies to protect your personal information against misuse, interference and loss, and from unauthorised access, modification or disclosure. Physical and technological controls are used to ensure your personal information is only accessed by authorised users who need it, including:

- Storing any paper records securely
- Only accessing personal information on a need-to-know basis and by authorised personnel
- Monitoring system access which can only be accessed by authenticated credentials
- Penetration testing of online systems
- Ensuring that agency buildings are secure
- Regularly updating and auditing storage and data security systems

## How collection of your information is authorised

Your personal information is collected, used and disclosed by the Relevant Agencies to fulfil their Agency Role as required or authorised by the following legislation under which the Territory Voluntary Assisted Dying Scheme operates:

- *Voluntary Assisted Dying Act 2024*
- *Voluntary Assisted Dying Regulation 2025*
- *Health Records (Privacy and Access) Act 1997* which includes the Health Privacy Principles
- *Information Privacy Act 2014* which includes the Territory Privacy Principles

## How to access and correct information about you

You have the right to request:

- Access to personal information that is about you held by a Relevant Agency
- That personal information held about you by a Relevant Agency is corrected, if you believe it is inaccurate or out of date

You may make a request to access or correct information about yourself in relation to the Territory Voluntary Assisted Dying Scheme with HCSD. As the administrator of the Portal, HCSD deals with any requests to access and correct information stored in the Portal on behalf of the Relevant Agencies.

### Accessing your personal information

Patients, contact persons, and practitioners participating in the Territory Voluntary Assisted Dying Scheme can access personal information held about them by a Relevant Agency. For patients, they can do so via an online form that will be provided

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to them at the beginning of the application process. Practitioners and contact persons may request access by contacting HCSD directly via email at [VADportal@act.gov.au](mailto:VADportal@act.gov.au).

HCSD will coordinate with the Relevant Agencies to ensure your request is processed and will respond to your request for access to your personal information within 30 days. You will not be charged for making a request to access your own personal information.

## Correcting your personal information

If you notice any errors or issues with your personal information held by a Relevant Agency in relation to the Territory Voluntary Assisted Dying Scheme, you can make a request to HCSD via [VADportal@act.gov.au](mailto:VADportal@act.gov.au). HCSD will then take reasonable steps to correct personal information held about you by the Relevant Agency.

Reasonable steps will also be taken by each Relevant Agency to ensure the information held is accurate, up to date, complete, relevant and not misleading. The reasonable steps taken will depend on the sensitivity of the information, possible adverse consequences for a person, practicability, the likelihood of use or disclosure of the personal information and the purpose for which the information is held.

You will be notified in writing and given reasons if you are refused access to or denied the request to correct your personal information, except where it is unreasonable to do so. You will not be charged for making a request to correct your own personal information.

If you are unable to access and correct your personal information held by a Relevant Agency by contacting HCSD, you can lodge a request under the *Information Privacy Act 2014* (Territory Privacy Principle 13) or the *Freedom of Information Act 2016*.

## How information is shared outside Australia

Your information will not be shared by the Relevant Agencies to overseas bodies, such as foreign governments or agencies.

Any access to information from outside Australia is incidental and occurs only where an authorised user is located overseas. Information contained in the Portal will be accessible to authorised users from locations outside Australia. For example, if an authorised practitioner or staff member is temporarily overseas and accesses the system remotely. This access is strictly controlled and limited to individuals with appropriate authorisation.

## How to make a complaint about privacy

If you are not satisfied with how your personal information has been collected, held, used or disclosed, or another privacy matter in relation to the Territory Voluntary

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Assisted Dying Scheme, you can make a formal complaint to HCSD. HCSD ordinarily deals with any privacy complaints on behalf of the Relevant Agencies. If necessary, complaints may be referred to another Relevant Agency.

You can lodge a complaint about a Relevant Agency by:

- contacting the relevant health practitioner or manager of the service provider or agency who can then contact HCSD on your behalf
- phoning 13 34 27 and clearly stating that your complaint is about the Territory VAD Scheme and your privacy
- emailing [voluntaryassisteddying@act.gov.au](mailto:voluntaryassisteddying@act.gov.au)
- writing to  
**ACT Health and Community Services Directorate**  
**GPO Box 158**  
**Canberra ACT 2601**

Each of the Relevant Agencies treat complaints seriously and will try to resolve them fairly and quickly.

If you make a complaint, HCSD will aim to contact you within 10 working days. HCSD will work with you to resolve your complaint and keep you informed of its progress. If your complaint is referred to another Relevant Agency, HCSD will advise you of the referral and who to contact about your complaint.

If you aren't satisfied with how your complaint is handled, the Discrimination, Health Services, and Disability and Community Services Commissioner, who is appointed as the Territory's Information Privacy Commissioner may be able to help you.

Visit the [ACT Human Rights Commission website](#) for more information or phone [\(02\) 6205 2222](tel:0262052222).

## Part A: Persons requesting or seeking voluntary assisted dying services

### What information is collected

When you request or seek voluntary assisted dying services via the Territory Voluntary Assisted Dying Scheme, information about you is collected by the Relevant Agencies, as relevant to each Agency's Role. This includes:

- Information you provide
- Information your practitioners create about your request, which is collected by the Board when entered into the Portal
- Information about your interactions with the Relevant Agencies

### Information you provide

This includes your:

- Identifying information, including your name and date of birth.
- Contact details, including your home address, phone number and email.
- Health information, including your medical condition or conditions.
- Demographic information (optional), including your gender identity, whether you are an Aboriginal or Torres Strait Islander person, whether you are from a culturally and linguistically diverse background, language used at home, highest level of education obtained, and whether you have a disability.
- Details necessary to provide a service, including if you need support from an interpreter or speech pathologist.
- Other relevant details about your eligibility, including information showing that you have lived in the ACT for at least the past 12 months.

You will need to provide most of this information either to your practitioner or a CNS staff member, who will provide the information to the Board via the Portal, early in the process. This will most likely occur within your first assessment appointment.

You will need to provide or reconfirm some of this information (primarily your identifying information to confirm your identity) again at various stages throughout the voluntary assisted dying process. Each of these stages also typically requires your practitioner to complete a form in the Portal notifying the Board. This includes collection of information from you by:

- Your consulting practitioner during your consulting assessment
- Your coordinating practitioner on the written second request
- Your coordinating practitioner to facilitate a prescription of the voluntary assisted dying substance

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- A staff member of the VAD PS when receiving the voluntary assisted dying substance
- A staff member of the VAD PS if you hand over the voluntary assisted dying substance for disposal

## Information your practitioners create about your request

This includes:

- Information about whether you meet the eligibility requirements to access voluntary assisted dying and why.
- The dates of when specific steps in the process occurred, including the day you made your first request and the day your coordinating practitioner accepted it.

## Information about your interactions with the Relevant Agencies

This includes, in relation to the Territory Voluntary Assisted Dying Scheme:

- Communications you have made such as via calls or emails
- Feedback and complaints

## How your information is collected and stored

Your information will primarily be collected:

- Directly from you, including verbally in an appointment with your practitioner, or via conversation with the CNS.
- By the Board when your information is entered into the Portal by your practitioner or the CNS.

When information is collected from you, by your practitioners and the Board, your practitioners must ensure that:

- You have agreed to create a profile and to provide your information by way of the relevant forms for inclusion in the Portal.
- You are aware of the information contained in this Privacy Policy.
- They have complied with the Health Privacy Principles under the *Health Records (Privacy and Access) Act 1997*, including obligations to ensure that the information is accurate and up to date.

Ad hoc information such as your relevant interactions in relation to the Territory Voluntary Assisted Dying Scheme with the Relevant Agencies will be stored in each agency's secure digital file storage systems in accordance with each agency's approved records management practices.

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## Access and use of your information in the Portal

The Board will access and use your information to undertake its role of monitoring and reviewing the operation of the Territory Voluntary Assisted Dying Scheme and requests for voluntary assisted dying. Information the Board would most frequently access includes:

- Notifications of completion of steps in the voluntary assisted dying process including copies of eligibility decision notices, approval outcomes, death notices, administration certificates, and disposal notices
- Extracts of supply and disposal events
- Trend data for analysis, quality improvement, and annual reporting

To ensure your privacy is protected, the Board Secretariat will ordinarily de-identify the information which is used by the Board to undertake its functions.

HCSD staff will access your information when receiving notifications on behalf of the Director-General.

Pharmacists at the VAD PS, may access your information in the Portal to assist in their role of supplying, managing and tracking the voluntary assisted dying substance.

CNS staff may access your information to provide you with support, guidance, and care coordination throughout your voluntary assisted dying journey.

Your practitioner will also access your information in the Portal to review your voluntary assisted dying journey, assess your eligibility, lodge any legally required forms, and otherwise provide you with services relating to the Territory Voluntary Assisted Dying Scheme.

Your information will be kept in accordance with the record keeping obligations under the *Health Records (Privacy and Access) Act 1997* and will be retained in the Portal, or otherwise securely stored, for a period of 7 years. After this period, your information is securely destroyed in accordance with approved records management practices and in line with the *Health Records (Privacy and Access) Act 1997* and the *Territory Records Act 2002*.

## Why your information is collected

Your information is collected by each of the Relevant Agencies to give effect to their relevant Agency Role. Specifically, your personal information can be accessed and used for the following purposes.

### To deliver voluntary assisted dying services

Your personal information is collected and used by HCSD and CHS for the delivery of voluntary assisted dying services. For example, your personal information may be used to:

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- Confirm your identity
- Communicate with you, including by phone or email
- Fulfil mandatory reporting obligations of your practitioners to the Board
- Provide advice about available support such as translator services or speech pathology services
- Prescribe and dispense the voluntary assisted dying substance to you
- Track and monitor the voluntary assisted dying substance to ensure safe and lawful use
- Maintain accurate records

## To make your request for voluntary assisted dying easier for you

The Portal is administered by HCSD to deliver more convenient and efficient services for you. In doing so, your personal information may be shared between HCSD and CHS so that you get continuity of service. For example, your personal information may be used to:

- Support your application for voluntary assisted dying
- Ensure your preferences and decisions are respected and documented
- Support you in accessing additional health or community services as needed
- Reduce the need for you to repeat information to different practitioners
- Help practitioners collaborate to provide you with seamless and coordinated support

## To improve voluntary assisted dying services

Your personal information is collected and used by the Board to monitor the operation of the Territory Voluntary Assisted Dying Scheme, and requests for voluntary assisted dying. To ensure your privacy is protected, the Board Secretariat will ordinarily de-identify the personal information which is used by the Board to undertake its functions. The Board will also use de-identified personal information collated by the Board Secretariat to conduct statistical analysis and research to improve service delivery. For example, your de-identified personal information may be used to:

- Monitor the operation of the *Voluntary Assisted Dying Act 2024*
- Evaluate the effectiveness and accessibility of voluntary assisted dying services in the Territory
- Identify areas of improvement of the processes and safeguards for voluntary assisted dying in the Territory
- Inform policy development and service planning

## For prevention or investigation

Your personal information may also be used by the Board to:

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- Investigate fraudulent or misleading applications
- Monitor for misuse of the Territory Voluntary Assisted Dying Scheme
- Refer any issues identified to another party for further investigation.

Any use of your information for investigative purposes will be conducted in accordance with relevant privacy laws and only by authorised personnel.

## Other statutory obligations

Your information may also be used by the Relevant Agencies for specific statutory obligations under the *Voluntary Assisted Dying Act 2024* and *Voluntary Assisted Dying Regulation 2025*. For instance, your information will be used to establish a register about supply and disposal of voluntary assisted dying substances.

## How your information is disclosed

Your information will only be disclosed by the Relevant Agencies in accordance with the *Voluntary Assisted Dying Act 2024*, the *Health Records (Privacy and Access) Act 1997*, and the *Information Privacy Act 2014*. Any unauthorised disclosure or misuse of your information is treated seriously and may result in disciplinary action or referral to regulatory authorities.

## Disclosure between Relevant Agencies

Each of the Relevant Agencies have access to the Portal for the purposes of undertaking their Agency Role. Therefore, where your information is collected by or on behalf of one Relevant Agency and is then accessed via the Portal by a second Relevant Agency, it may also be disclosed to the second Relevant Agency. For example, if your practitioner is employed by HCSD, then the Relevant Agency collecting your information would be HCSD. Then, when that information is accessed by the VAD PS (a part of CHS) your information will also be disclosed to CHS. The purposes for which each Relevant Agency may access the Portal are outlined in detail above.

## Disclosure to authorised practitioners not employed by a Relevant Agency

Where your practitioner is not employed by a Relevant Agency (including coordinating, consulting, and administering practitioners), your information will be disclosed to them by Relevant Agencies when they access that information through the Portal. Your practitioner may access the information in the Portal to assess eligibility, ensure all the required steps of the request for voluntary assisted dying have been undertaken, prescribe or administer the voluntary assisted dying substance and fulfil their statutory functions. All practitioners with access to the Portal are bound by confidentiality obligations, strict terms of use and auditing of their access to information.

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## Disclosure to third parties

Your personal information may be disclosed to the following persons or agencies by the Board if they have identified issues relating to voluntary assisted dying and those issues are relevant to the person or agency:

- The Chief Police Officer (for law enforcement or public safety purposes)
- The Coroner (for the investigation of deaths)
- The Director-General (for oversight and administration of health services)
- The Human Rights Commission (for the investigation of complaints or systemic issues)
- The Australian Health Practitioner Regulation Agency (**Ahpra**) (for practitioner regulation and professional standards)
- The Registrar-General (for record-keeping and registration functions)
- The ACT Civil and Administrative Tribunal (**ACAT**), if an affected person applies for review of a reviewable decision

It is the usual practice of some of these agencies to further disclose information, for example:

- Ahpra may share information with other health practitioner boards, regulatory authorities, or law enforcement agencies where required
- The Coroner may disclose information to relevant parties involved in a coronial investigation, including legal representatives and family members
- The Chief Police Officer may share information with other law enforcement agencies or prosecutorial bodies

Your personal information may also be disclosed to the following persons by HCSD, in exceptional circumstances:

- The Register-General (Births, Deaths and Marriages) will not have direct access to the Portal but relevant information may be shared to fulfil their statutory functions.
- Medicines and Poisons inspectors may receive certain information from the Portal where relevant to their functions. The Medicines and Poisons Inspectors will not have direct access to the Portal.

## Disclosure for transparency and public interest

De-identified information may be provided to the media by the Board, subject to a formal approval process and only where there is no reasonable likelihood of re-identification.

The Board will disclose de-identified, collated information about people who access voluntary assisted dying, for its required annual reporting to the Minister for Health and the Legislative Assembly.

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De-identified information may also be released by the Relevant Agencies in response to freedom of information (FOI) requests, in accordance with the *Freedom of Information Act 2016*.

## When your information may be pre-filled

To improve your experience and reduce the need to repeatedly provide the same information, certain details may be pre-filled from initial forms throughout the Portal. It is the responsibility of the practitioners completing the forms to ensure that these details are correct. Pre-filled information is only accessible to authorised users and can be updated by HCSD if it is no longer accurate.

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## Part B: Contact persons

### What information is collected

If you are nominated as a contact person under the Territory Voluntary Assisted Dying Scheme, certain personal information about you will be collected by the Relevant Agencies, as relevant to each Agency's Role. This includes:

- Information you provide
- Information created about you by the Relevant Agencies

#### Information you provide

You will be asked to provide:

- Your full name
- Date of birth
- Your home or business address
- Your telephone number and/or email address
- Personal details that pertain to your communication and support needs

This information is required under the *Voluntary Assisted Dying Act 2024* and *Voluntary Assisted Dying Regulation 2025* to enable your role in supporting the person accessing voluntary assisted dying, particularly in relation to:

- The safe handling, return, or disposal of the voluntary assisted dying substance
- Communications with the Voluntary Assisted Dying Pharmacy Service (VAD PS) and authorised practitioners
- Fulfilling obligations after the person's death, including notifying relevant parties

You will need to provide this information to the relevant practitioner, who will provide the information to the Board via the Portal. This will occur when the person accessing voluntary assisted dying (or another person on their behalf) completes the contact person appointment form.

You will need to provide or reconfirm some of this information (primarily your identifying information to confirm your identity) again at various stages throughout the process, primarily to relevant practitioners and the VAD PS.

#### Information created about you

Additional information may be created by the Relevant Agencies in relation to your involvement, such as:

- Records of your interactions with the Relevant Agencies in relation to the Territory Voluntary Assisted Dying Scheme

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- Notes regarding your role in the storage, administration or disposal of the voluntary assisted dying substance
- Confirmation of your responsibilities and any actions taken under the *Voluntary Assisted Dying Act 2024*

## How your information is collected and stored

Your information will primarily be collected:

- Directly from you when the person accessing voluntary assisted dying (or another person on their behalf) completes the contact person appointment form and gives it to their practitioner.
- By the Board when your information is entered into the Portal by the relevant practitioner.

Ad hoc information such as your relevant interactions in relation to the Territory Voluntary Assisted Dying Scheme with the Relevant Agencies will be stored in each agency's secure digital file storage systems in accordance with each agency's approved records management practices.

### Access and use of your information in the Portal

Select staff members of the HCSD may access your information in the Portal when receiving notifications on behalf of the Director-General.

The Board will access and use your information via the Portal to undertake its role of monitoring and reviewing the operation of the Territory Voluntary Assisted Dying Scheme, and to monitor requests for voluntary assisted dying.

Pharmacists at the VAD PS, may access your information in the Portal to assist in their role of managing and tracking the voluntary assisted dying substance. They may also use your information to validate your identity if you are in possession of the voluntary assisted dying substance.

CNS staff may access your information to provide you with support and guidance related to your responsibilities as a contact person.

A relevant practitioner may access your information to confirm your role, communicate with you, and ensure the safe handling of the voluntary assisted dying substance. Access is limited to those directly involved in the care of the person accessing voluntary assisted dying.

### Protection of your information

Reasonable steps are taken by the Relevant Agencies to protect your personal information against misuse, interference and loss, and from unauthorised access,

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modification or disclosure. Physical and technological controls are used to ensure your personal information is only accessed by authorised users who need it, including:

- Storing any paper records securely
- Only accessing personal information on a need-to-know basis and by authorised personnel
- Monitoring system access which can only be accessed by authenticated credentials
- Penetration testing of online systems
- Ensuring that agency buildings are secure
- Regularly updating and auditing storage and data security systems

Your information will be kept in accordance with the record keeping obligations under the *Health Records (Privacy and Access) Act 1997* and will be retained in the Portal, or otherwise securely stored, for a period of 7 years. After this period, your information is securely destroyed in accordance with approved records management practices and in line with the *Health Records (Privacy and Access) Act 1997* and the *Territory Records Act 2002*.

## Why your information is collected

Your information is collected by each of the Relevant Agencies to give effect to each of their Agency's Role. As a contact person, your role is critical in ensuring the voluntary assisted dying substance is managed appropriately, particularly after the death of the person accessing voluntary assisted dying services. Specifically, your information can be used for the following purposes.

### To support voluntary assisted dying services

Your personal information is collected by the Relevant Agencies when it is reasonably necessary to support the delivery of voluntary assisted dying services. For example, your personal information may be used:

By relevant practitioners and the Relevant Agencies to:

- Confirm your identity and contact details
- Communicate with you, including by phone or email about your legal responsibilities

By relevant practitioners to fulfil mandatory reporting obligations by practitioners to the Board.

By CHS and the Board to:

- Track and monitor the voluntary assisted dying substance, including its return or disposal

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- Maintain accurate records of your involvement in the voluntary assisted dying process

## To fulfil your statutory obligations

Contact persons have specific responsibilities following the death of the person who accessed voluntary assisted dying services. Your information may be used by CHS and Board to:

- Facilitate your obligation to notify relevant parties of the person's death
- Coordinate the return or disposal of the voluntary assisted dying substance
- Contact you about information the Board requires

## To improve voluntary assisted dying services

Your personal information is collected and used by the Board to monitor the operation of the Territory Voluntary Assisted Dying Scheme and requests for voluntary assisted dying. To ensure your privacy is protected, the Board Secretariat will ordinarily de-identify the personal information which is used by the Board to undertake its functions. Your de-identified personal information may be used by the Board to conduct statistical analysis and research to improve service delivery. For example, your de-identified personal information may be used to:

- Monitor the operation of the *Voluntary Assisted Dying Act 2024*
- Evaluate the effectiveness and accessibility of support provided to contact persons
- Identify areas of improvement of the processes, safeguards, training or guidance for voluntary assisted dying in the Territory
- Inform policy development and service planning

## How your information is disclosed

Your information will only be disclosed by the Relevant Agencies in accordance with the *Voluntary Assisted Dying Act 2024*, the *Health Records (Privacy and Access) Act 1997*, and the *Information Privacy Act 2014*. Any unauthorised disclosure or misuse of your information is treated seriously and may result in disciplinary action or referral to regulatory authorities.

### Disclosure between Relevant Agencies

Each of the Relevant Agencies have access to the Portal for the purposes of undertaking their Agency Role. Therefore, where your information is collected by or on behalf of one Relevant Agency, and is then accessed via the Portal by a second Relevant Agency, it will also be disclosed to the second Relevant Agency. For example, if the relevant practitioner is employed by HCSD, then the Relevant Agency collecting your information would be HCSD. Then, when that information is accessed by the

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VAD PS (a part of CHS) your information will also be disclosed to CHS. The purposes for which each Relevant Agency may access the Portal are outlined in detail above.

## Disclosure to authorised practitioners not employed by a Relevant Agency

Where the relevant practitioner is not employed by a Relevant Agency (including coordinating, consulting, and administering practitioners), your information will be disclosed to them when they access that information through the Portal. The relevant practitioner may access the information in the Portal to confirm your role, communicate with you, and ensure the safe handling of the voluntary assisted dying substance.

## Disclosure to third parties

Your personal information may be disclosed to the following persons or agencies by the Board if they have identified issues relating to voluntary assisted dying and those issues are relevant to the person or agency:

- The Chief Police Officer (for law enforcement or public safety purposes)
- The Coroner (for the investigation of deaths)
- The Director-General (for oversight and administration of health services)
- The Human Rights Commission (for the investigation of complaints or systemic issues)
- The Australian Health Practitioner Regulation Agency (**Ahpra**) (for practitioner regulation and professional standards)
- The Registrar-General (for record-keeping and registration functions)
- The ACT Civil and Administrative Tribunal (**ACAT**), if an affected person applies for review of a reviewable decision

It is the usual practice of some of these agencies to further disclose information, for example:

- Ahpra may share information with other health practitioner boards, regulatory authorities, or law enforcement agencies where required
- The Coroner may disclose information to relevant parties involved in a coronial investigation, including legal representatives and family members
- The Chief Police Officer may share information with other law enforcement agencies or prosecutorial bodies

Your personal information may also be disclosed to the following persons by HCSD, in exceptional circumstances:

- The Register-General (Births, Deaths and Marriages) will not have direct access to the Portal but relevant information may be shared to fulfil their statutory functions.

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- Medicines and Poisons inspectors may receive certain information from the Portal where relevant to their functions. The Medicines and Poisons Inspectors will not have direct access to the Portal.

## Disclosure for transparency and public interest

De-identified information may be used for public reporting by HCSD and the Board, including:

- Annual reports to the Minister for Health and the ACT Legislative Assembly
- Responses to Freedom of Information (FOI) requests, in accordance with the Freedom of Information Act 2016
- Media releases, subject to a formal approval process and only where there is no reasonable likelihood of re-identification

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## Part C: Health practitioners seeking to participate in the Territory VAD Scheme

### What information is collected

When you apply to become an authorised practitioner under the Territory Voluntary Assisted Dying Scheme, personal information about you is collected by the Relevant Agencies to assess your eligibility and support your participation. Your information is primarily collected by HCSD, as relevant to the Director-General's role of deciding applications for authorisation as a voluntary assisted dying practitioner, including:

- Information you provide
- Information created about you by HCSD and CHS

#### Information you provide

As part of your application, you will be asked to provide the following information to HCSD:

- Identifying information, including your name, date of birth, and Ahpra registration number.
- Contact details, including your phone number, email, and business address.
- Professional details, including your current registration type, certified copies of relevant qualifications, an up-to-date Curriculum Vitae, any adverse finding or notification made against you, your practice setting, and anticipated location of voluntary assisted dying service delivery
- Professional referees, including names, contact details, and titles
- Statutory declaration, confirming the accuracy of your application and disclosure of any adverse findings or notifications
- Other relevant details, such as languages spoken

#### Information created about you

Additional information may be created about you during and after the process of assessing your eligibility. Information will primarily be created about you by HCSD but other Relevant Agencies may also be involved especially in relation to ad hoc information. Information created about you includes:

- A unique REDCap identification number
- Notes from HCSD staff regarding your eligibility and application status, including the date you are authorised
- Notes from HCSD staff regarding your service offerings, including availabilities and travel radius
- Records of communications with you or your referees
- Verification outcomes from professional registration bodies

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- Training attendance and completion records
- Email or phone communications regarding your application or authorisation status
- Notes about your handling, return, or disposal of the voluntary assisted dying substance
- Feedback or complaints you submit
- Any other ad hoc information about your relevant interactions with the Relevant Agencies

## How your information is collected and stored

Your information is primarily collected directly from you by HCSD through the practitioner application form, supporting documents, and communications with HCSD. Some information may also be created or verified by HCSD during the assessment process.

The completed practitioner application form and supporting documents are stored securely in HCSD's digital file storage systems in accordance with HCSD approved records management practices. The systems are protected by robust security measures, including encryption, access controls, and audit logging to prevent unauthorised access, misuse, or loss. Access to the information is restricted to only select staff members from HCSD.

Ad hoc information such as your relevant interactions in relation to the Territory Voluntary Assisted Dying Scheme with the Relevant Agencies, or notes or complaints will be stored in each agency's secure digital file storage systems in accordance with each agency's approved records management practices. Your information will be kept in accordance with the record keeping obligations under the *Health Records (Privacy and Access) Act 1997* and will be retained for a period of 7 years. After this period, your information is securely destroyed in accordance with approved records management practices and in line with the *Health Records (Privacy and Access) Act 1997*, and the *Territory Records Act 2002*.

If you no longer wish to be an authorised practitioner or if your authorisation is revoked, your information will be retained for 7 years before being destroyed securely.

## Why your information is collected

Your information is collected by HCSD to administer the authorisation process for voluntary assisted dying practitioners under the Territory Voluntary Assisted Dying Scheme and support your role as an authorised practitioner. It may be used by HCSD for the following purposes:

### To assess your eligibility to become an authorised practitioner

Your personal information is used by HCSD to:

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- Confirm your identity and professional registration
- Verify your qualifications and experience
- Contact your referees and assess your eligibility
- Determine your eligibility under the *Voluntary Assisted Dying Act 2024* and *Voluntary Assisted Dying Regulation 2025*

## To support your role as an authorised practitioner

Once authorised, some of your information will be used by HCSD to:

- Provide you access to the Portal
- Facilitate your participation in the voluntary assisted dying process, including conducting assessments, issuing prescriptions, and administration of the voluntary assisted dying substance
- Communicate with you about training, procedural updates, and compliance requirements
- Track your involvement in voluntary assisted dying cases for monitoring and reporting purposes
- If you choose to do so, your contact details may be shared with other practitioners as part of the Voluntary Assisted Dying Community of Practice

## To maintain a register of authorised practitioners

Some of your information will also be used by HCSD to maintain a register of authorised practitioners as required by the *Voluntary Assisted Dying Act 2024*.

The register of authorised practitioners will include your name, business address, telephone number, Ahpra registration number, the day you were authorised, whether you are authorised as an authorised coordinating practitioner, authorised consulting practitioner or authorised administering practitioner, your area of specialisation or area of practice, and any conditions on your authorisation.

The register of authorised practitioners is not a public register and will only be disclosed to the Care Navigator Service and the Board.

## To improve service delivery

Your de-identified information may be used by HCSD to:

- Monitor practitioner participation and performance
- Evaluate training effectiveness
- Inform policy development and workforce planning

## How your information is disclosed

Your information will only be disclosed by HCSD in accordance with the *Voluntary Assisted Dying Act 2024* and the *Information Privacy Act 2014*. Any unauthorised

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disclosure or misuse of your information is treated seriously and may result in disciplinary action or referral to regulatory authorities.

## Disclosure to the Voluntary Assisted Dying Oversight Board

HCSD will disclose your information contained in the register of authorised practitioners to the Board as required by the *Voluntary Assisted Dying Act 2024*. The Board will use your information to fulfil its statutory functions to undertake oversight and compliance activities of the Territory Voluntary Assisted Dying Scheme. The Board may also disclose information to third parties in limited circumstances, as permitted by law (see below).

## Disclosure to Canberra Health Services (Voluntary Assisted Dying Pharmacy Service)

Your information will be disclosed by HCSD to VAD PS only where necessary to supply the substance, or to track and arrange for the return of any unused or left over substance. This includes:

- Identifying information, including your name, date of birth, and Ahpra registration number.
- Contact details, including your phone number, email, and business address.
- Professional details, including your current registration type, unique REDCap identification number, your authorised practitioner role, area of specialisation or area of practice, and any conditions on your authorisation
- Notes about your service offerings and preferences, including availabilities and travel radius

## Disclosure to Canberra Health Services (Care Navigator Service)

HCSD will disclose your information contained in the register of authorised practitioners to CNS as required by the *Voluntary Assisted Dying Act 2024*. CNS will use your information to coordinate care and support service delivery for the Territory Voluntary Assisted Dying Scheme.

In addition to the register of authorised practitioners, certain other information will also be disclosed by HCSD to the CNS so that the CNS can undertake their Agency Role:

- Your unique REDCap identification number
- Your practice setting
- Notes about your service offerings and preferences, including availabilities and travel radius

CNS will only further disclose your information if you have given your consent.

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## Disclosure to other authorised practitioners

Your information will not be disclosed to other authorised practitioners by HCSD (regardless of whether the practitioner is employed by a Relevant Agency or is private practicing). However, where another authorised practitioner is also providing voluntary assisted dying services to the same patient, they will be able to see any of your information on completed assessment forms from the Portal such as your name and contact details. Where the practitioner is not employed by a Relevant Agency (including coordinating, consulting, and administering practitioners), your information on the completed assessment forms stored on the Portal will be disclosed to them by Relevant Agencies.

## Disclosure to third parties

Your personal information kept in the register of authorised practitioners may be disclosed to the following persons or agencies by the Board if they have identified issues relating to voluntary assisted dying and those issues are relevant to the person or agency:

- The Chief Police Officer (for law enforcement or public safety purposes)
- The Coroner (for the investigation of deaths)
- The Director-General (for oversight and administration of health services)
- The Human Rights Commission (for the investigation of complaints or systemic issues)
- The Australian Health Practitioner Regulation Agency (**Ahpra**) (for practitioner regulation and professional standards)
- The Registrar-General (for record-keeping and registration functions)
- The ACT Civil and Administrative Tribunal (**ACAT**), if an affected person applies for review of a reviewable decision

It is the usual practice of some of these agencies to further disclose information, for example:

- Ahpra may share information with other health practitioner boards, regulatory authorities, or law enforcement agencies where required
- The Coroner may disclose information to relevant parties involved in a coronial investigation, including legal representatives and family members
- The Chief Police Officer may share information with other law enforcement agencies or prosecutorial bodies

## Disclosure for transparency and public interest

Your de-identified information may be used by HCSD and the Board for public reporting, including:

- Annual reports to the Minister for Health and the ACT Legislative Assembly

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- Responses to Freedom of Information (FOI) requests, in accordance with the *Freedom of Information Act 2016*
- Media releases, subject to a formal approval process and only where there is no reasonable likelihood of re-identification

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## Version Control

Version	Date	Author	Detail	Approved by
1	14/10/2025	Voluntary Assisted Dying Taskforce	Final approval	Health and Community Services Directorate

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### Accessibility

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