

Privacy Management Annual Report 2015 - 2016

Northern Sydney Local Health District (NSLHD) meets its privacy obligations through appropriate governance and the provision of privacy information, training and support to staff.

Provision of privacy information training and support to its staff is provided through:

- A privacy Intranet website:
 - NSW privacy legislation
 - NSW Health privacy policies (Privacy Manual, Privacy Management Plan and Privacy Internal Review Guidelines)
 - Privacy training
 - Links to external resources (NSW Information and Privacy Commission)
 - Provision of privacy awareness at new staff orientation, privacy training on-line as annual mandatory training or face to face training as needed
 - Privacy information leaflet for staff
 - Privacy information posters and patient information leaflets, available to patients/clients/carers

The NSLHD Privacy Contact Officer and other delegated staff provide policy and compliance support/advice to health service staff, particularly in relation to electronic health records, and access to, and disclosure of personal information and personal health information. The Privacy Contact Officer and other LHD representatives also attended privacy information and networking sessions during 2015 – 2016.

Operational privacy issues and privacy complaints are addressed as required, either as informal complaints handled through existing complaints handling processes, or as formal complaints under the privacy law via the Internal Review process.

Actions have been undertaken by NSLHD resulting from these complaints, including review of policies, practices and staff training.

Internal Review

The *Privacy and Personal Information Protection Act 1998* provides a formalised structure for managing privacy complaints relating to this Act and to the *Health Records and Information Privacy Act 2002*. This process is known as 'Internal Review'.

During 2015 -16, NSLHD received five new applications for Internal Review.

1. Application received in September 2015, alleging a breach of HPP 11 – disclosure principles. The internal review confirmed a breach had occurred and an apology provided to the applicant. Staff were counselled regarding their privacy obligations.
2. Application received in October 2105, alleging a breach of HPP 10 – Limited principle. The internal review concluded that there had not been a breach of this HPP. The applicant then applied to the NSW Civil & Administrative Tribunal in February 2016 for case conference. The matter was settled.

3. Application for internal review received in October 2015, alleging a breach of HPPs 10 and 11 – use and disclosure principles. The Internal Review confirmed that a breach of these principles had occurred and an apology letter sent to the applicant. The case was then closed. The applicant then followed up in September 2016 requesting that the case be re-opened as certain staff had not been interviewed in the original investigation. The case has therefore, been re-opened.
4. Application for internal review received March 2016. There had been several previous internal reviews undertaken regarding the same alleged breach. As this request for internal review was more than six months after the applicant become aware of the alleged breach, the NSLHD did not accept the late application.
5. Application for internal review received April 2016, alleging breaches of HPPs 1, 2, 5, 7, 9, 10 and 11 – collection, security, access, accuracy, use and disclosure principles. The investigation concluded that there had not been a breach of these HPPs. The applicant applied to the NSW Civil and Administrative Tribunal – the case is ongoing.

Carol Parker
Privacy Officer
31 October 2016