



Privacy Management Annual Report 2015-16

Nepean Blue Mountains Local Health District (NBMLHD) provides ongoing privacy information, training and support to staff through:

- Access to a privacy information leaflet for staff
- Provision of privacy awareness sessions at new staff and volunteer orientation
- A privacy Intranet website which provides staff with access to:
 - NSW privacy legislation
 - NSW Health privacy policies (Privacy Manual for Health Information, Privacy Management Plan and Privacy Internal Review Guidelines)
 - Privacy training
 - FAQs
 - Links to external resources including the NSW Information and Privacy Commission
- Provision of privacy training, available either on-line as mandatory training or face to face
- Provision of legislation, policy and compliance support/advice to health service staff by the LHD Privacy Contact Officer and other delegated staff
- Access to privacy information posters and patient information leaflets, a copy of which is available to all patients/clients attending a Nepean Blue Mountains facility
- Privacy Audits on access to information systems.

Privacy information is provided to consumers through an Information Privacy Internet site at <http://www.nbmlhd.health.nsw.gov.au/right-to-information/information-privacy>.

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*.

During 2015-16, Nepean Blue Mountains Local Health District received two new information privacy complaints via the process of statutory Internal Review and one privacy internal review was carried over from 2014-15. In addition, a matter before the NSW Civil and Administrative Tribunal was decided during this reporting period. Actions have been undertaken by NBMLHD as appropriate resulting from these complaints, including review of policies, practices and staff training.

1. An internal review application was received in March 2015 alleging that NBMLHD had breached the terms of Health Privacy Principles relating to use and disclosure of the applicant's personal health information. The review considered the relevant principles and in October 2015 concluded that no breach had occurred.
2. An internal review application was received in September 2015 alleging that NBMLHD had breached the terms of Health Privacy Principles (HPPs) relating to use of the applicant's personal health information. The review considered HPP10 and it was found that a breach had not occurred.

3. An application for internal review was received in January 2016 alleging that NBMLHD had breached several Health Privacy Principles relating to access, amendment and accuracy of personal health information. The review considered the relevant principles and breaches of HPP 7 Access to Personal Health Information, HPP 8 Amendment of Personal Health Information and HPP 9 Accuracy of Health Information were identified.
4. An internal review application received in March 2014 was decided by the NSW Civil and Administrative Tribunal in September 2015 following an application for external review. The original application had alleged that NBMLHD had breached the terms of Information Protection Principles (IPPs) 5, 10 and 11 and Health Privacy Principles (HPPs) 5, 10 and 11 – security, use and disclosure principles. The internal review was completed in July 2014 and concluded that the breaches of the relevant IPPs and HPPs has not occurred. The applicant was dissatisfied with this outcome and sought further review from the NSW Civil and Administrative Tribunal in September 2014. The Tribunal decided in September 2015 not to take any action on the matter, with the Tribunal Member not being satisfied that the respondent (NBMLHD) contravened a HPP or an IPP.

**Lynne Paine, Privacy Contact Officer
Nepean Blue Mountains Local Health District**