



Health

Nepean Blue Mountains
Local Health District

Privacy Management Annual Report 2017-18

This report is produced by Nepean Blue Mountains Local Health District in accordance with annual reporting requirements regarding privacy matters, as set out in clause 6 of the *Annual Reports (Departments) Regulation 2015* and in clause 8 of the *Annual Reports (Statutory Bodies) Regulation 2015*.

Nepean Blue Mountains Local Health District (NBMLHD) is committed to meeting its privacy obligations under the *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002* through appropriate governance and the provision of privacy information, training and support to staff.

The Local Health District provides ongoing privacy information and support to its staff through

- Provision of privacy awareness sessions at new staff and volunteer orientation
- Access to a privacy information leaflet for staff
- 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 details
 - FAQs
 - Links to external resources including the NSW Information and Privacy Commission
- Delivery of privacy training, available either on-line as mandatory training or on-demand, tailored face to face programs
- 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.

Nepean Blue Mountains Local Health District's Privacy Contact Officer has continued to provide legislative, policy and compliance support/advice to health service staff, particularly in relation to electronic medical records (eMR) and access to, and disclosure of personal health information. The Privacy Contact Officer actively participates in privacy networking and professional development, and attended privacy information and network sessions during 2017-18 which were facilitated by the NSW Ministry of Health Privacy Officer.

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>

Operational privacy issues and privacy complaints are addressed as required, either as informal complaints, handled through existing complaints handling and investigation processes, or as formal complaints under privacy law via the Internal Review process, in accordance with section 53 of the *Privacy and Personal Information Protection Act 1998* and/or section 21 of the *Health Records and Information Privacy Act 2002*, and *NSW Health Privacy Internal Review Guidelines*.

Actions have been undertaken by NBMLHD as appropriate 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'.

Two privacy Internal Review matters were carried over from 2017-18 reporting period.

1. **Date received:** 29 March 2017
Privacy principles breached: HPP 5 and HPP 11
Details: The applicant lodged a privacy internal review application alleging a breach of Health Privacy Principal – Purposes of collection of personal health information (HPP 1), Health Privacy Principal – Retention and security (HPP 5), Health Privacy Principal – Limits on use of personal health information (HPP 10) and Health Privacy Principal – Limits on disclosure of personal health information (HPP 11). The internal review concluded that a breach of the Security and Disclosure principles did occur.
Further review: Nil
2. **Date received:** 24 May 2017
Privacy principles breached: Nil
Details: The applicant lodged a privacy internal review application alleging a breach of Health Privacy Principal – Limits on disclosure of personal health information (HPP 11). The internal review concluded that a breach of the Disclosure health privacy principle did not occur.
Further review: Nil

During 2017-18, Nepean Blue Mountains Local Health District received two new applications for Internal Review.

1. **Date received:** 14 October 2017
Privacy principles breached: Nil
Details: The applicant lodged a privacy internal review application alleging a breach of Health Privacy Principal – Retention and security (HPP 5), Health Privacy Principal – Limits on use of personal health information (HPP 10) and Health Privacy Principal – Limits on disclosure of personal health information (HPP 11). The internal review concluded that a breach of the Security, Use and Disclosure health privacy principles did not occur.
Further review: Nil
2. **Date received:** 10 June 2018
Privacy principles breached: To be determined
Details: The applicant lodged a privacy internal review application alleging a breach of Health Privacy Principal – Limits on use of personal health information (HPP 10) and Health Privacy Principal – Limits on disclosure of personal health information (HPP 11). The investigation into this matter was still being finalised at the close of the reporting period

Lynne Paine
Privacy Contact Officer
Nepean Blue Mountains Local Health District
29 October 2018