

## Privacy Management Annual Report 2018-2019

### Statutory requirements

This report is produced by Western Sydney Local Health District (WSLHD) in accordance with annual reporting requirements regarding privacy matters, as set out in:

- *NSW Annual Reports (Departments) Regulation 2015, Clause 6, and*
- *NSW Annual Reports (Statutory Bodies) Regulation 2015, Clause 8.*

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### Part 1. Compliance activities

WSLHD 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.

WSLHD provides ongoing privacy information and support to its staff through:

- Access to a privacy information leaflet for staff.
- A privacy intranet website which provides staff with access to:
  - NSW privacy legislation
  - NSW Health Privacy Manual for Health Information
  - NSW Health Privacy Internal Review Guidelines
  - NSW Health Privacy Management Plan
  - Privacy training details
  - Links to external resources including the NSW Information and Privacy Commission
- Provision of mandatory on-line privacy training via My Health Learning.
- Face to face privacy training programs in addition to My Health Learning privacy training.
- Access to privacy posters and patient information privacy leaflets, a copy of which is made available to all patients/clients attending WSLHD facilities.
- Privacy information is provided to consumers through an Information Privacy Internet site at:  
[<http://www.wslhd.health.nsw.gov.au/Quality---Patient-Safety/Right-to-Information/Information-Privacy/Information-Privacy>]
- Privacy audits on access to information systems.

The Privacy and Information Compliance Manager (Privacy Contact Officer) provides support and advice to WSLHD staff in relation to compliance with privacy legislation with increasing reference to electronic health records (eMR) and access, use and disclosure of personal health information held in these records. There continues to be a focus on education and training in relation to the use of social media by staff and appropriate staff access to electronic information systems.

The Privacy and Information Compliance Manager (Privacy Contact Officer) actively participates in privacy networking and professional development, and attended privacy information and network sessions during 2018-2019 which were facilitated by the NSW Ministry of Health Regulation and Compliance Unit.

### Privacy complaints

Complaints may be addressed as informal complaints, handled through existing complaints handling and investigation processes.

Alternatively, a complaint may be handled formally under privacy law via the internal review process, in accordance with the NSW privacy legislation and the *NSW Health Privacy Internal Review Guidelines*.

Actions have been undertaken by WSLHD as appropriate resulting from these complaints, including review of policies and practices, staff training and disciplinary action.

## Part 2. 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'.

### **Internal reviews carried over from 2017-2018**

No internal review applications were carried over from 2017/2018.

### **New internal review applications**

During 2018-2019 two new applications for internal review were received.

1. **Date received:** October 2018

**Privacy Principles breached:** No

**Details:** The applicant complained that WSLHD had breached *HPP 10 Limits on use of health information* and *HPP 11 Limits on disclosure of health information* in relation to their health information. The agency undertook an investigation and concluded that no breaches had occurred.

**Further review in NCAT:** Nil

2. **Date received:** February 2019

**Privacy Principles breached:** No

**Details:** The applicant complained that WSLHD had breached *HPP 10 Limits on use of health information* and *HPP 11 Limits on disclosure of health information* in relation to their health information. The agency undertook an investigation and concluded that no breaches had occurred.

**Further review in NCAT:** Yes. The matter is currently in progress.

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<b>Report prepared by:</b>  Privacy Information and Compliance Manager (Privacy Contact Officer) Western Sydney Local Health District  Date:	<b>Approved for publication by:</b>  Chief Executive Officer Western Sydney Local Health District  Date:
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