

Privacy Management Annual Report 2022-23

This report is produced by Western Sydney Local Health District in accordance with Ministry of Health annual reporting requirements regarding privacy matters.

Part 1. Compliance activities

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

Western Sydney Local Health District provides ongoing privacy information and support to its staff through:

- Privacy awareness training at staff and volunteer orientation.
- 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
 - Links to mandatory privacy training
 - Links to external resources including the NSW Information and Privacy Commission
- Guided on-line privacy training and provided on-demand, tailored face to face programs.
- Access to a privacy information leaflet for staff.
- Access to privacy information posters and patient information leaflets, a copy of which is available to all patients/clients attending any of Western Sydney Local Health District's facilities.
- Privacy information is provided to consumers through an Information Privacy Internet site at: <https://www.wslhd.health.nsw.gov.au/right-to-information/wslhd-privacy>
- Proactive and reactive privacy audits on access to patient information systems.
- Western Sydney Local Health District's Privacy Contact Officer has continued to provide policy and compliance support and advice to health service staff, particularly in relation to access to, and disclosure of, personal health information and electronic medical records.
- The Privacy Contact Officer and the Information Access Officer have actively participated in privacy networking and professional development and attended privacy information and network sessions during 2022-23 which were facilitated by the NSW Ministry of Health Regulation and Compliance Unit.

Part 2. Internal review

Privacy complaints are managed in accordance the NSW Health Privacy Internal Review Guidelines.

The PPIP Act provides a formal structure for managing privacy complaints relating to this Act and to the HRIP Act. This process is known as 'internal review'.

For the 2022-23 reporting year, internal review applications and outcomes can be summarised as follows:

Internal review applications carried over

Nil privacy internal review matters were carried over from 2021-22.

Internal review applications received 2022-23

During 2022-23, Western Sydney Local Health District received 8 applications for Internal Review.

Date received	18 July 2022
Privacy Principle breached	No
Details	<p>In relation to their health information, two applicants complained that the agency had breached:</p> <p>Health Privacy Principle 1 – Purposes of collection of health information</p> <p>Health Privacy Principle 2 – Information must be relevant, not excessive, accurate and not intrusive</p> <p>Health Privacy Principle 3 – Collection to be from individual concerned</p> <p>Health Privacy Principle 5 – Retention and Security</p> <p>Health Privacy Principle 10 – Limits of use of health information</p> <p>Health Privacy Principle 11 – Limits on disclosure of health information</p> <p>The agency undertook an investigation and concluded that no breaches had occurred.</p>
Further review in NCAT	Nil

Date received	1 November 2022
Privacy Principle breached	No
Details	<p>In relation to their health information, the applicant complained that the agency had breached:</p> <p>Health Privacy Principle 5 – Retention and Security</p> <p>Health Privacy Principle 10 – Limits of use of health information</p>

	Health Privacy Principle 11 – Limits on disclosure of health information The agency undertook an investigation and concluded that no breaches had occurred.
Further review in NCAT	Nil

Date received	9 January 2023
Privacy Principle breached	No
Details	In relation to their health information, the applicant complained that the agency had breached: Health Privacy Principle 5 – Retention and Security Health Privacy Principle 10 – Limits of use of health information Health Privacy Principle 11 – Limits on disclosure of health information The agency undertook an investigation and concluded that no breaches had occurred.
Further review in NCAT	Nil

Date received	19 January 2023
Privacy Principle breached	Yes
Details	In relation to their health information, the applicant complained that the agency had breached: Health Privacy Principle 1 – Purposes of collection of health information Health Privacy Principle 2 – Information must be relevant, not excessive, accurate and not intrusive Health Privacy Principle 3 – Collection to be from individual concerned Health Privacy Principle 10 – Limits of use of health information Health Privacy Principle 11 – Limits on disclosure of health information The agency undertook an investigation and concluded that a breach of HPP 3, HPP 10 and HPP 11 had occurred. Outcome: A formal apology was offered to the applicant. Staff were re-educated on the processes for collecting patient information. Compensation was paid.

Further review in NCAT	Nil
Date received	23 January 2023
Privacy Principle breached	No
Details	<p>In relation to their personal and health information, the applicant complained that the agency had breached:</p> <p>Information Privacy Principle 5 – Retention and security of personal information</p> <p>Information Privacy Principle 10 – Limits on use of personal information</p> <p>Health Privacy Principle 4 - Individual to be made aware of certain matters</p> <p>Health Privacy Principle 5 – Retention and security</p> <p>Health Privacy Principle 10 – Limits of use of health information</p> <p>The agency undertook an investigation and concluded that no breaches had occurred.</p>
Further review in NCAT	Nil

Date received	22 February 2023
Privacy Principle breached	Yes
Details	<p>In relation to their health information, the applicant complained that the agency had breached:</p> <p>Health Privacy Principle 1 – Purposes of collection of health information</p> <p>Health Privacy Principle 2 - Information must be relevant, not excessive, accurate and not intrusive</p> <p>Health Privacy Principle 3 – Collection to be from individual concerned</p> <p>Health Privacy Principle 9 - Accuracy</p> <p>Health Privacy Principle 11 – Limits on disclosure of health information</p> <p>The agency undertook an investigation and concluded that a breach of HPP 2, HPP 9 and HPP 11 had occurred.</p> <p>Outcome: A formal apology was offered to the applicant. Staff were re-educated on the importance of verifying the accuracy of patient information. Compensation was paid.</p>
Further review in NCAT	Nil

Date received	21 April 2023
Privacy Principle breached	No
Details	<p>In relation to their personal and health information, the applicant complained that the agency had breached:</p> <p>Health Privacy Principle 1 – Purposes of collection of health information</p> <p>Health Privacy Principle 2 – Information must be relevant, not excessive, accurate and not intrusive</p> <p>Health Privacy Principle 3 – Collection to be from individual concerned</p> <p>Health Privacy Principle 5 – Retention and security</p> <p>Health Privacy Principle 11 – Limits on disclosure of health information</p> <p>The agency undertook an investigation and concluded that no breaches had occurred.</p>
Further review in NCAT	Nil

Date received	21 April 2023
Privacy Principle breached	No
Details	<p>In relation to their child’s personal and health information, the applicant complained that the agency had breached:</p> <p>Health Privacy Principle 1 – Purposes of collection of health information</p> <p>Health Privacy Principle 2 – Information must be relevant, not excessive, accurate and not intrusive</p> <p>Health Privacy Principle 3 – Collection to be from individual concerned</p> <p>Health Privacy Principle 5 – Retention and security</p> <p>Health Privacy Principle 9 – Accuracy</p> <p>Health Privacy Principle 11 – Limits on disclosure of health information</p> <p>The agency undertook an investigation and concluded that no breaches had occurred.</p>
Further review in NCAT	Nil

Report prepared by:

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Date: 04/09/2023

Approved by:

Graeme Loy, Chief Executive

Date: 25/09/2023