

## Privacy Management Annual Report 2022-23

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

### Part 1. Compliance activities

Nepean Blue Mountains Local Health District is committed to meeting its privacy obligations under the *Privacy and Personal Information Protection Act 1998* (PPIP 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.

The Nepean Blue Mountains 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 Nepean Blue Mountains Local Health District.
- Privacy information is provided to consumers through an Information Privacy Internet site at: <https://www.nsw.gov.au/health/nbmlhd/patients-carers-visitors/privacy>
- Privacy audits on access to information systems.
- The Nepean Blue Mountains Local Health District 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 actively participates 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

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

<b>Date received</b>	8 March 2021
<b>Privacy Principle breached</b>	No
<b>Details</b>	The applicant had applied for Internal Review previously. Following a review of the new application, the agency found no new reviewable conduct related to a HPP or IPP which had not previously been decided by Nepean Blue Mountains Local Health District, and declined to accept the application.
<b>Further review in NCAT</b>	YES The matter was dismissed on appeal.

<b>Date received</b>	15 December 2021
<b>Privacy Principle breached</b>	Yes
<b>Details</b>	<p>The applicant complained that the agency had breached Health Privacy Principle 5 - retention and security, Health Privacy Principle 7 - access to personal health information, Health Privacy Principle 9 - accuracy of health information, Health Privacy Principle 10 - use of health information and Health Privacy Principle 11 - disclosure of health information.</p> <p>The agency undertook an investigation and concluded that breaches of Health Privacy Principle 7 Access and Health Privacy Principle 9 Accuracy had occurred. It was also concluded that breaches of HPP 5 and HPP 10 had not occurred.</p>
<b>Further review in NCAT</b>	YES The matter was settled.

### Internal review applications received 2022-23

During 2022-23, Nepean Blue Mountains Local Health District received one application for Internal Review.

<b>Date received</b>	29 August 2022
<b>Privacy Principle breached</b>	No

<b>Details</b>	<p>The applicant complained that the agency had breached Health Privacy Principles 1, 2, 3 and 4 – collection, Health Privacy Principle 10 – use, and Health Privacy Principle 11 - disclosure in relation to their health information. Health Privacy Principle 5 – retention and security was also considered relevant.</p> <p>The agency undertook an investigation and concluded that a breaches of Health Privacy Principles 5, 10 or 11 could not be substantiated. The Health Privacy Principles for collection (HPP 1-4) were deemed not relevant to the conduct being investigated.</p>
<b>Further review in NCAT</b>	NIL

**Report prepared by:**



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*Lynne Paine*  
*Privacy Contact Officer*

*Date: 19 September 2023*

**Approved by:**



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*Lee Gregory*  
*Chief Executive*

*Date: 13 October 2023*