



## Privacy Management Annual Report 2020 – 2021

### Statutory requirements

This report is produced by Sydney Local Health District (SLHD) 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.

### Part 1. Compliance activities

SLHD 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 the appropriate governance and the provision of privacy information, training and support to its staff members.

SLHD provides ongoing privacy information and support to its staff members through:

- A privacy information link on the SLHD Intranet home page which gives staff members access to:
  - SLHD Policy Compliance Procedure [SLHD PCP2017 005](#) *Access to Health Information by Client/Patient / Authorised Representatives and Third Parties*
  - SLHD Policy Compliance Procedure [SLHD PCP2017 010](#) *Access to Health Information by Police and Other Investigative Agencies*
  - SLHD Policy Compliance Procedure [SLHD PCP2018 003](#) *Release of Information under Child Protection Law*
  - SLHD Policy Compliance Procedure [SLHD PCP2018 010](#) *Access to Health Information Authorised by Other Laws*
  - SLHD Policy Compliance Procedure [SLHD PCP2017 020](#) *Release of Information under Subpoena*
  - SLHD Policy Compliance Procedure [SLHD PCP2020 041](#) *Release of Health Information to Health Care Professionals for Ongoing Care Purposes*
  - NSW Health Privacy Manual for Health Information, 2015  
<http://www.health.nsw.gov.au/policies/manuals/Pages/privacy-manual-for-health-information.aspx>
  - NSW Health Privacy Intranet page <http://internal.health.nsw.gov.au/privacy/>
  - NSW State Archives and Records *General Retention and Disposal Authorities* (GDAs 17 and 21)
  - Privacy Leaflet for Staff

- SLHD *Application to Access Personal Health Information* form
- SLHD *Consent to Release Information* form
- Mandatory online privacy training during orientation of new staff members
- Regular virtual privacy presentations
- Participation of Privacy Awareness Week (3 - 9 May 2021) with the following events and activities:
  - Virtual Health Information Privacy presentations
  - Privacy discussions at staff meetings
  - Distribution of information sheets
- Privacy awareness during training of electronic systems and requirement to sign a Data Security Declaration form before access is granted
- Regular memorandums from SLHD Chief Executive
- Privacy Audits on access to information systems.

Privacy information is provided to clients/patients through:

- Privacy information on the SLHD Internet website:  
<http://www.slhd.nsw.gov.au/personalInfo.html>
- Privacy Leaflet for Patients

SLHD Privacy Contact Officer has continued to provide legislative, policy and compliance support/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 2020-21 which were facilitated by the NSW Ministry of Health Regulation and Compliance Unit.

### **Privacy complaints**

Complaints may either 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*.

Appropriate action has been undertaken by Sydney Local Health District to address the outcome/s of complaints received, 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'.

1.	Number of internal review applications carried over from the previous reporting year:	1
2.	Number of internal review applications received in the current reporting year:	2 (including 1 carried over to 2021/2022 reporting year)
3.	Number of internal reviews where at least one breach of a privacy principle has been found:	0
4.	Number of internal reviews where no breach of a privacy principle has been found:	0
5.	Number of internal reviews appealed in the NSW Civil and Administrative Court (NCAT):	1
6.	Number of NCAT matters where judgement found in favour of the agency:	0
7.	Number of NCAT matters where judgement found in favour of the applicant:	0
8.	Number of NCAT matters awaiting judgement:	1

**Approved for publication by:**



Dr Andrew Hallahan

Executive Director Medical Services, Clinical Governance and Risk

Sydney Local Health District

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