

**Information Technology & Telecommunications**  
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## Privacy Management Annual Report 2017-2018

Hunter New England Local Health District (HNELHD) continues to meet its privacy obligations through appropriate governance and the provision of privacy information, training and support to staff. Oversight for monitoring compliance with privacy legislations continues to be provided by the Chief Information Officer, specifically through the Privacy Contact Officer.

Hunter New England Health provides ongoing privacy information and support to its staff through :-

- A privacy intranet website which provides all staff with access to:
  - NSW privacy legislation
  - NSW Health privacy policies (Privacy Management Plan and Privacy Manual)
  - Local Fact Sheets
  - Frequently Asked Questions (FAQ's)
  - External resources including Privacy and Information Commissioners
- Provision of privacy awareness at new staff orientation
- Provision of privacy training, available as either an online or face to face training programs
- Online privacy training is mandatory for all Hunter New England Health employees.
- Access to privacy information posters and patient information brochures, a copy of which is issued to all patients/clients attending a Hunter New England Health facility.

Hunter New England Health's Privacy Contact Officer has continued to provide policy and compliance support/advice to health service staff, particularly in relation to electronic health records and access to, and disclosure of personal health information. The Privacy Contact Officer also attended privacy information and network sessions during 2017-2018 (November, 2017 and May, 2018) which were facilitated by the NSW Ministry of Health Privacy Officer.

Privacy information is provided to consumers/individuals through an Information Privacy internet site at <http://www.hnehealth.nsw.gov.au/patientprivacy/Pages/Patient%20privacy.aspx>

Operational privacy issues and privacy complaints are addressed as required, either as informal complaints, handled through existing complaints handling processes, or as formal complaints under privacy law via the Internal Review process.

Actions have been undertaken by Hunter New England Health resulting from these complaints, including, review of policies, practices and staff training. These processes have extended beyond the areas of the specific complaint.

### 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'.

Matters carried over from 2016-2017.

- There were no privacy matters carried over from this period.

During 2017-2018, Hunter New England Health received three new applications for Internal Review.

1. Application PIR-17-01 (KA) for internal review was received on 19 December, 2017, alleging a breach of HPP 5 (Security Principle) and HPP 11 (Disclosure Principle). The Internal Review concluded that a breach of both the Security and Disclosure principles did occur. The applicant was provided with a copy of the Internal Review report and subsequently made application to NSW Civil & Administrative Tribunal (NCAT). The matter was settled prior to hearing.
2. Application PIR-18-01 (BK) for internal review was received on 17 January, 2018 alleging a breach of HPP 7 (access to health information). The Internal Review concluded that a breach of HPP 7 did not occur and that no further action was required in this matter.
3. Application PIR-18-02 (SD) for internal review was received on 15 May, 2018 alleging a breach of HPP 5 (Security Principle); HPP 10 (Use Principle) and HPP 11 (Disclosure Principle). The Internal Review concluded that there was a breach of the Security and Disclosure Principles but not of the Use Principle and a copy of the report was released to the applicant.  
A letter of apology was sent from the Chief Executive to the applicant for this conduct. The applicant was dissatisfied with the outcome and subsequently made application to NSW Civil & Administrative Tribunal (NCAT).  
The matter was settled prior to hearing.



**Greg Jackson**  
**Privacy Contact Officer**  
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