

Privacy Management Annual Report 2017-18

Justice Health and Forensic Mental Health Network (The Network) 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 Privacy Contact Officer.

The Network provides ongoing privacy information and support to its staff through:

- A privacy intranet website which provides all staff with access to:
 - Ministry of Health Intranet which gives access to:
 - o NSW privacy legislation
 - o NSW Ministry of Health privacy policies
 - o Local Fact Sheets
 - o FAQs; and
 - o External resources including Privacy and Information Commissioners
- Provision of privacy awareness at new staff orientation.
- Provision of online privacy training being made available through the NSW Government Health Education & Training Institute - HETI on line training.
- Access to privacy information posters and patient information brochures, a copy of which is issued to all patients/clients attending a Network clinic.

The Network Privacy Officer has continued to provide policy and compliance support/advice to health service staff. The Privacy Contact Officer also attended privacy information and network sessions during 2017-18.

Details on information access is provided to consumers/individuals through a GIPA Right to Information link at: http://www.justicehealth.nsw.gov.au/about/public_access_act_2009.html

Operational privacy issues and privacy complaints are addressed as required, either as informal complaints, handled through existing complaints handling processes, or as formal complaints. The Client Liaison Officers manage the complaints process.

Internal Review

The *Privacy and Personal Information Protection Act 1998* provides a formalised structure for managing privacy complaints relating to this Act and the *Health Records and Information Privacy Act 2002*. This process is known as 'Internal Review'.

During 2017-18, Justice Health and Forensic Mental Health Network received two new information privacy complaints via the process of statutory Internal Review. Actions have been undertaken by The Network as appropriate resulting from these complains, including review of staff training.

- Application for internal review was received on 26 September, 2017, alleging a breach of HPP 11 (Disclosure Principle). The internal review confirmed that a breach of HPP 11 probably had occurred. An apology was provided to the applicant and the relevant staff were referred for further privacy training.
- An application for internal review was received on 15 October, 2017, alleging a breach of HPP 11 (Disclosure Principle). The investigation did not substantiate a breach of HPP 11 but on a recommendation from the Information Privacy Commission (IPC), a further investigation was conducted. This further internal review still failed to substantiate a breach. The applicant was dissatisfied with this outcome and sought further review from the NSW Civil and Administrative Tribunal in June 2018. The matter is still before the Tribunal at the close of the 2017-18 reporting period.

Janice Dyer

Privacy Contact Officer

Justice Health and Forensic Mental Health Network

22/10/2018