



Privacy Management Annual Report 2020-21

Statutory Requirements

This report is produced by Justice Health and Forensic Mental Health Network 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

Justice Health and Forensic Mental Health Network (The Network) 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 appropriate governance and the provision of privacy information, training and support to staff.

The Network 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.
- During 2020-21 the My Health Learning - *Privacy Module 2: Handling Personal Information and Personal Health Information* was CE mandated for all staff with responsibility for handling and managing personal health information.
- 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 a correctional health care facility.
- Privacy information is provided to consumers through an Information Privacy Internet site at <https://www.justicehealth.nsw.gov.au>
- Electronic notifications on its EMR
- Privacy audits on access to information systems.

The Network'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 actively participates in privacy networking and professional development, and attended updates privacy information and network sessions during 2020-21, including online updates in November and December 2020 as well as a briefing on the NSW Health cyber-attack in May 2021 which were facilitated by the NSW Ministry of Health Regulation and Compliance Unit.

Privacy Complaints

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

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'.

For the 2020-21 reporting year, internal review applications and outcomes can be summarised as follows:

New Internal Review Applications

During 2020-21, the Network received one new application for Internal Review.

1. **Date received:** 18 September 2020
Privacy Principles breached: Yes
Details: The applicant complained the Network had breached Information Protection Principle (IPP) 10 – Limits on use of personal information under the PPIP Act 1998 in relation to their personal information.

The Network undertook an investigation and concluded that a breach of IPP 10 had occurred. A formal written apology was made to the applicant and the staff involved underwent further privacy training to ensure a better understanding of their privacy obligations.

Further Review in NCAT:

Nil

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Date: 02/09/2021

Approved by:

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Chief Executive

Date: 15 Sep. 21