

## Privacy Annual Report

<b>Topic</b>	NSW Ambulance Privacy Annual Report for 2016/17
<b>Analysis</b>	Annual report drafted addressing the requirements of: statement of action taken by the agency in complying with the legislation; and, statistical details of any internal reviews conducted

### Recommendation

1. That the Chief Executive approves the Privacy Annual Report
2. That the Privacy Annual Report be published on the NSW website

Chief Executive's  
signature



Date 15/8/14

### Key reasons

Section 9(1)(d) of the *Annual Reports (Departments) Act 1985* and section 7(1)(a)(v) of the *Annual Reports (Statutory Bodies) Act 1984* requires each agency to submit a report of privacy matters annually.

The report must include a statement of action taken by the agency in complying with the requirements of the *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002*.


The report must include statistical details of any Internal Review conducted by the agency including when the application for Internal Review was received; whether it was found that any privacy principles were breached; and, whether the applicant sought further review in the NSW Civil and Administrative Tribunal.

A requirement of the Ministry is that the report be published with Chief Executive approval on the agency's website privacy page by 31 October of the year to which the report relates.

The 2016/17 Privacy Annual report (attached Tab A) was submitted in October 2017 but no record of the documents reaching the Chief Executive's office can be located. The document is resubmitted for approval.

### Contact and approval

Contact	Position	Phone number
Kathleen Crilly	Senior Legal Officer	9320 7309

Name	Position	Date
Dominic Morgan	Chief Executive NSW Ambulance	
Kathryn Wood	Executive Director, <del>Office of the Chief Executive</del> Engagement & Corporate Governance	 14.8.18

### Attachments

Tab	Title
A	Privacy Annual Report



## **NSW Ambulance Privacy Management Annual Report 2016-17**

NSW Ambulance collects both personal and personal health information from callers initiating contact with NSW Ambulance via a Triple Zero (000) call and from patients when they are attended by treating paramedics. Only information that is relevant and necessary for a patient's treatment and ongoing care and billing is collected. NSW Ambulance observes the information privacy principles set out in the *Privacy and Personal Information Protection Act 1998* and the health privacy principles set out in the *Health Records Information Privacy Act 2002* when dealing with this information and takes all reasonable steps to ensure the information collected is securely stored and appropriate systems are in place to protect information from loss, unauthorised access and misuse.

NSW Ambulance releases personal and personal health information to hospitals, when transporting patients; to State and Commonwealth government agencies to comply with other laws; to Courts and Tribunals in response to lawfully issued subpoenas; to Medicare, private health funds or the Department of Veterans' Affairs for billing purposes; to comply with statutory reporting requirements; and, other purposes required for the operation of the agency.

NSW Ambulance provides ongoing privacy information and support to its staff through:

- Provision of privacy awareness at new staff orientation
- Provision of privacy training to all staff available on-line
- Provision of general privacy information on the NSW Ambulance intranet
- Provision of advice with regards policy and compliance support/advice through the Privacy Contact Officer

NSW Ambulance provides ongoing privacy information and support to patients/clients on the NSW Ambulance website under *Contact Us – Privacy Page*.

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 undertaken by NSW Ambulance resulting from a privacy complaint may include review of policies, staff counselling/disciplinary processes and training.

The following privacy internal reviews were conducted:

1. Review of decision of internal review conducted in 2015. The internal review had concluded that there had been no breach of HPP 5, 10 and 11 as alleged by the Applicant. On 20 June 2016 the Applicant filed a review of the decision before NCAT. Ultimately the parties settled the matter.
2. Application received on 6 March 2017 alleging breach of HPP 7. The review was completed in April 2017 and concluded that a breach of the health

privacy principles was substantiated. The Applicant was provided with a copy of the documents sought and a formal apology given by the Chief Executive. Administrative processes amended to address deficiencies.

3. Application received 14 March 2017 alleging breach of IPP 11. The review was completed in May 2017 and concluded that a breach of the information privacy principles was substantiated. The Chief Executive provided the Applicant with a formal apology and staff were reminded of their responsibilities with regards disclosure of personal information.
4. Application received on 28 April 2017 alleging breach of IPP 1, 4 and 11. The review was completed in July 2017 and concluded that no breaches of the information privacy principles were able to be substantiated. Although no breach was substantiated, the Chief Executive provided the Applicant with an apology for any inconvenience caused.

Kathleen Crilly  
Privacy Contact Officer