



## Privacy Management Annual Report 2019-20

### Statutory requirements

This report is produced by NSW Ambulance 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

NSW Ambulance 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.

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 to policy and compliance support/advice through the Privacy Contact Officer
- Provision of information and support to patients on the NSW Ambulance website under *Contact us – Privacy Page*.

NSW Ambulance's Privacy Contact Officer has continued to provide legislative, policy and compliance support/advice to NSW Ambulance 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 2019-20 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*.

Actions have been undertaken by NSW Ambulance as appropriate resulting from these complaints, including review of policies and practices, staff training and disciplinary action.



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### 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 2019-20 reporting year, internal review applications and outcomes can be summarised as follows:

#### New internal review applications

During 2019-20, NSW Ambulance received 3 new applications for Internal Review.

- Date received:** 29 January 2020  
**Privacy Principles breached:** NO  
**Details:** The applicants (7 – arising from the same factual situation) complained that the agency had breached Information Protection Principle(s) 18 and 19 in relation to their personal information. The agency undertook an investigation and concluded that breaches of section 18 and 19 had not occurred.  
**Further review in NCAT:** Yes – application for review filed 13 May 2020.
- Date received:** 14 May 2020  
**Privacy Principles breached:** YES  
**Details:** The applicant complained that the agency had breached Health Privacy Principle (HPP) 10 in relation to their health information. The agency undertook an investigation and concluded that a breach of HPP 10 had occurred.  
**Further review in NCAT:** Internal Review process being finalised at close of reporting period.
- Date received:** 28 April 2020  
**Privacy Principles breached:** YES  
**Details:** The applicants (2 – arising from the same factual situation) complained that the agency had breached Information Protection Principle(s) (IPPs) 1, 2, 3, 4, 5 and 10 in relation to their personal information. The agency undertook an investigation and concluded that breaches of IPPs 1, 2, 3, 4, 5 and 10 had occurred.  
**Further review in NCAT:** Appeal period still current at close of reporting period.

#### Kathleen Crilly

Privacy Contact Officer

1 November 2020