

Appendix 1 - List of relevant policies

A.1.1 NSW Health policies, guidelines and information bulletins

Note: the titles and reference numbers are subject to change. Refer to the NSW Health website publications page for current information. Go to: www.health.nsw.gov.au/policies/Pages/default.aspx

A

Aboriginal and Torres Strait Islander Origin – Recording of Information of Patients and Clients (PD2012_042)

Adoption Act 2000 – Release of Information (PD2010_050)

C

Cancer Registry – Notifying Cancer Cases to the NSW Central Cancer Registry (PD2009_012)

Chaplaincy Services and Privacy Law (IB2008_044)

Child Wellbeing and Child Protection Policies and Procedures for NSW Health (PD2013_007)

Client Registration Policy (PD2007_094)

Client Registration Guideline (GL2007_024)

Code of Conduct (PD2012_018)

Communications – Use & Management of Misuse of NSW Health Communications Systems (PD2009_076)

Complaint Management Policy (PD2006_073)

Complaint or Concern about a Clinician – Principles for Action (PD2006_007)

Consent to Medical Treatment – Patient Information (PD2005_406)

Contact Tracing Guidelines for Sexually Transmissible Diseases and Blood Borne Viruses (PD2005_184)

Coroners' Cases and the *Coroners Act 2009* (PD2010_054)

Corporate Governance & Accountability Compendium for NSW Health

D

Data collections – Process for Approval of New or Modified (PD2005_155)

Data collections – Disclosure of unit record data for research or management of health services (PD2012_051)

Disciplinary Process in NSW Health – A Framework for Managing (PD2005_225)

Domestic Violence – Identifying and Responding (PD2006_084)

E

Electronic Information Security Policy – NSW Health (PD2013_033)

F

Framework for Managing the Disciplinary Process (PD2005_225)

G

Goods & Services Procurement Policy (PD2014_005)

H

Health Records and Medical/ Clinical Reports – Charging Policy (PD2006_050)

Health Records and Medical/ Clinical Reports – Rates (IB2014_054)

Health Care Records – Documentation and Management (PD2012_069)

Health Care Workers Infected (PD2005_162)

HIV – Management of people with HIV infection who risk infecting others (PD2009_023)

Home and Community Care Minimum Data Set Version 2 – Collection & Reporting Requirements (PD2008_050)

Human Tissue – Use and Retention including Organ Donation, Post Mortem Examination and Coronial Matters (PD2005_341)

I

Information & Privacy Commission Guideline: Use & disclosure of genetic information without consent (IB2014_065)

Inpatient Statistics Collection (ISC) (PD2005_210)

Interpreters - Standard procedures for working with health care interpreters (PD2006_053)

M

Mandatory Training Requirements in Policy Directives (PD2014_023)

Management of People with HIV Infection Who Risk Infecting Others (PD2009_023)

Mental Health Information and the Health Records and Information Privacy Act 2002 (IB2010_044)

N

Notifiable Conditions Data Security and Confidentiality (PD2012_047)

Notification of Infectious Diseases under the *NSW Public Health Act 2010* (IB2013_010)

NSW Health Internal Review Guidelines (GL2006_007)

NSW Health & Civil Chaplaincies Advisory Committee NSW Memorandum of Understanding (PD2011_004)

P

Privacy Management Plan NSW Health (PD2005_554)

Protecting People and Property: NSW Health Policy and Standards for Security Risk Management (IB2013_024)

S

Subpoenas (PD2010_065)

T

Tuberculosis Management of People Knowingly Placing Others at Risk of Infection (PD2005_068)

W

Work Health and Safety - Better Practice Procedure (PD2013_050)

Z

Zero Tolerance: Response to violence in NSW Health workplace (PD2005_315)

A.1.2 Other government policies

Available via relevant government websites

NSW State Records

- General Disposal Authority (GDA No.17) Public health services: Patient/Client Records
- General Disposal Authority (GDA No. 36) Imaged or microfilmed records
- General Disposal Authority (GDA No. 42) Public Health Services: general practice records
- Record Keeping In Brief 48: Disposal at a Glance
- Record Keeping In Brief 51: Destroying Digital Records - When pressing delete is not enough
- Destruction of Records (Guideline 3)

NSW Department of Premier & Cabinet

- NSW State Digital Information Security Policy
- NSW Government Social Media Policy & Guidelines Family & Community Services (FACS)
- Child Wellbeing and Child Protection - NSW Interagency Guidelines

A.1.3 Policies which govern the private sector

National Health & Medical Research Council:

- Use and disclosure of genetic information to a patient's genetic relatives under section 95AA of the Privacy Act 1988 (Commonwealth) - Guidelines for health practitioners in the private sector.

Office of the Australian Information Commissioner:

- Data breach notification - A guide to handling personal information security breaches (April 2012).
- Australian Medical Association: Clinical images and the use of personal mobile devices, available at: <https://ama.com.au/article/clinical-images-and-use-personal-mobile-devices>

Appendix 2 – List of relevant laws

Note:

Legislation relevant to the operation of NSW Health can be viewed via the Legal Compendium at:

www.health.nsw.gov.au/legislation/Pages/Legal-Compendium.aspx

NSW legislation can be viewed at: www.legislation.nsw.gov.au/

Commonwealth legislation can be viewed at: www.comlaw.gov.au

Acts referred to in Privacy Manual	Privacy Manual Reference
<i>Births, Deaths and Marriages Registration Act 1995</i>	Section 11.3.13
<i>Children and Young Persons (Care and Protection) Act 1998</i>	Section 11.3.2, Section 15.3
<i>Community Services (Complaints, Reviews and Monitoring) Act 1993</i>	Section 11.3.10
<i>Coroners Act 2009</i>	Section 11.3.5
<i>Crimes Act 1900</i>	Section 11.3.4
<i>Evidence Act 1995</i>	Section 11.2.2, Section 12.5, Section 15.13.6, Section 16.2
<i>Government Information (Public Access) Act 2009</i>	Section 4.2, Section 12.2, Section 15.10
<i>Guardianship Act 1987</i>	Section 5.6
<i>Health Administration Act 1982</i>	Section 4.1, Section 11.3.13, Section 15.14.1
<i>Health Care Complaints Act 1993</i>	Section 11.3.2
<i>Health Records and Information Privacy Act 2002</i>	Throughout the Manual
<i>Health Services Act 1997</i>	Section 7.1, Section 11.3.1, Section 11.3.13
<i>Home and Community Care Act 1985 (Commonwealth)</i>	Section 11.3.13
<i>Human Tissue Act 1983</i>	Section 15.9.4
<i>Migration Act 1958 (Commonwealth)</i>	Section 11.3.12.3
<i>Mental Health Act 2007</i>	Section 4.1.2, Section 11.3.9
<i>Ombudsman's Act 1974</i>	Section 11.3.8,
<i>Poisons and Therapeutic Goods Act 1966</i>	Section 11.3.1
<i>Privacy and Personal Information Protection Act 1998</i>	Section 2, Section 4.1, Section 6.5, Section 14
<i>Privacy Act 1988 (Commonwealth)</i>	Section 4.1.4, Section 13.2.1
<i>Private Health Facilities Act 2007</i>	Section 11.3.1, Section 11.3.13, Section 15.14.1
<i>Public Health Act 2010</i>	Section 4.1.1, Section 4.1.3, Section 8.2, Section 11.2.3.3, Section 11.3.13, Section 15.9.3, Section 15.9.5, Section 15.14.1
<i>Social Security (Administration) Act 1999 (Commonwealth)</i>	Section 11.3.12.1
<i>State Records Act 1998</i>	Section 4.2, Section 9.1, Section 15.13.6
<i>Surveillance Devices Act 2007</i>	Section 9.2.2.3
<i>Veterans' Entitlement Act 1986 (Commonwealth)</i>	Section 8.2, Section 11.3.12.2
<i>Work Health and Safety Act 2011</i>	Section 11.3.11