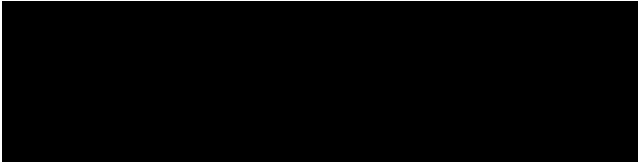


1 February 2019



Dear Hannah

Re Official Information Request for use of smartphones and apps to share record and share clinical information .

I refer to your Official Information Act (OIA) request of 3 December 2018 for the following information:

- 1. Does the DHB have a policy in place regarding the use of smartphones/smartphone apps like WhatsApp, Snapchat, Messenger for the recording and sharing of clinical information?***
- 2. If yes, what is the policy? If no, why not?***
- 3. How frequently would you say this is happening among clinicians?***
- 4. Is it just a sign of the times; a more efficient way of sharing information?***
- 5. What efforts are made to ensure patient privacy if/when sharing information through personal/work smartphones?***
- 6. Have any clinicians been reprimanded for the way they have used their smartphone/tablet to record or share patient information?***

The information you have requested is enclosed below each of the questions you ask.

- 1 Does the DHB have a policy in place regarding the use of smartphones/smartphone apps like WhatsApp, Snapchat, Messenger for the recording and sharing of clinical information? And***
- 2 If yes, what is the policy? If no, why not?***

Auckland DHB operates information Privacy and Security Policy with the purpose of ensuring privacy and security measures are in place to protect patient privacy and safeguard Auckland DHB patients and their personal or business-related information. The policy outlines what is appropriate use of Auckland DHB's information systems, networks, equipment and associated infrastructure.

A copy of the policy is attached and applies to:

- All patient and other personal or business–related information that is collected, created, received, stored, accessed or retained in the course of Auckland DHB business activity, which must be protected according to its level of sensitivity, criticality, or value, regardless of the media on which it is stored or its location.
- All locations from which Auckland DHB information is accessed, including home and offsite/remote use.
- All approved users of Auckland DHB patient and other personal or business–related information.

3 How frequently would you say this is happening among clinicians?

4 Is it just a sign of the times; a more efficient way of sharing information?

These questions require the agency to form an opinion or provide an explanation. They are not therefore requests for official information. Alternatively, they refer to information that does not exist and thus your request is declined under OIA s18(e).

5 What efforts are made to ensure patient privacy if/when sharing information through personal/work smartphones?

Our Privacy and Security Policy outlines the rules by which we operate. In particular, we strictly enforce the following:

Acceptable use

An Auckland DHB staff member allocated a mobile device has the responsibility for ensuring the mobile device is used in a responsible manner for business purposes.

Use of a mobile device email and/or internet access on a capable mobile device is governed by relevant Auckland DHB Policies, such as the Email and Internet Usage Policy .

Appropriate use of clinical images / photography

Clinical image /photography captured on a mobile device form part of the patient record and are subject to the same confidentiality and privacy principles as any other element of the record. Staff must comply with the requirements of the Informed Consent Policy.

All mobile device users must ensure the privacy of all visitors, patients and staff is respected. This means images/photography of individuals (including those appearing in the background) for clinical purposes must only be done with the specific consent of the individuals, or the consent of the carers of the individuals, unless otherwise permitted under legislation.

Recorded images/photography of a patient in the course of their treatment must be documented in the patient's record, including the details of the consent provided by the patient or their representative.

The images/photography may not be used, stored or shared for any purpose other than for which consent was given, or such disclosure as allowed under the Health Information Privacy Code

Security of information, networks and systems

Confidential, sensitive or private information **MUST NOT** be stored or used on any device unless using Auckland DHB approved and provided access and applications.

Clinical Records Management - Storage of clinical records

Patient information from, or for, a clinical record must never be permanently stored on Auckland DHB owned or personal cell phones, computers, portable devices or removable storage media including, but not limited to, smart phones, laptop computers, tablets, personal digital assistants (PDAs), USB/flash drives and memory cards

6 Have any clinicians been reprimanded for the way they have used their smartphone/tablet to record or share patient information?

No breaches of policy have been reported.

I trust this information answers your questions.

You are entitled under the Official Information Act section 28(3) to seek a review of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that this response, or an edited version of this response, may be published on the Auckland DHB website.

Yours faithfully



Ailsa Claire, OBE
Chief Executive

