

## ST BRENDAN'S CATHOLIC PARISH

### PRIVACY POLICY

#### 1 Introduction

This Parish as part of the Catholic Diocese of Sandhurst shares in the evangelising mission of the universal church which is to preach the Gospel in word and deed, to bring the Good News to the men and women of our time, and to witness authentically to the person of Jesus. The exercise of this mission often requires the collection, use and storage of personal information.

The Parish is committed to managing all the personal information it handles in accordance with the Privacy Act 1988 ("the Act") and all relevant State legislation ("Privacy Legislation").

The Act contains the Australian Privacy Principles ("APPs") which, in conjunction with other Privacy Legislation, set the standards for the way in which personal information is collected, used, stored, disclosed, identified and accessed by the Diocese.

This Privacy Policy contains the Parish's practices in relation to the collection, use, disclosure and storage of personal information.

#### 2 Definitions

*Employee Records* – means a record of personal information obtained and held by an employer (the Parish) in relation to a past, current or future employee in the context of their employment.

*Volunteer Records* – means a record of personal information obtained and held by the Parish in relation to a past, current or future volunteer in the context of their duties as a volunteer.

*Personal Information* – means information or an opinion about an individual whose identity could be reasonably determined from that information or opinion. Some personal information is also classified as 'sensitive information'.

*Sensitive information* – means specific personal information in relation to an individual that may be subject to discrimination legislation. Includes any personal information concerning a person's race or ethnicity, their religious, political or philosophical beliefs or affiliations or sexual preferences. Sensitive information is afforded a higher degree of privacy protection and is subject to additional standards under the Privacy Act in relation to its handling.

*Collection* – means the process of gathering, acquiring or obtaining personal information from any source and by any means.

*Use* – means how personal information is used within the Parish.

*Disclosure* – means transmission of personal information outside the Parish.

*Children* – means children and young people who are under the age of 18 years of age.

#### 3 Scope

This policy applies to all Parish activities as determined by the canonical administrator of that parish. It does not relate to records collected and held by the Parish school. The school has a separate policy Contact: Notre Dame College – 5822 8400; St Luke's Primary School – 5822 1834; St Brendan's Primary School – 5821 1926.

The policy applies where personal information is collected, used, disclosed, or otherwise handled by the Parish.

The policy does not apply to records or information held or collected on behalf of or relating to existing and former employees of the Parish.

#### **4 Information collected by Parish**

The Parish collects and holds personal information about individuals including employees, job applicants, contractors, vendors and suppliers and volunteers. This information includes (but is not limited to):

- your name, address, telephone number, facsimile number, email address and other contact details;
- date of birth, gender, marital status and occupation;
- financial information, such as donation history and credit card details (for example, collection envelopes at parishes or donation forms);
- identification documents, including driver license, passport, National Police Check, Working with Children Check card or proof of age card;
- your affiliation with and belief in the Catholic Church and your sacramental records; and
- photographs, videos, and news stories in respect of Catholic Church related events and activities.

##### **4.1 How does the Parish collect personal information?**

The Parish's usual practice is to collect personal information directly from application forms and registration forms completed by you or your guardian/responsible person, from face to face meetings, interviews, telephone calls, via our web site or by some other method (such as by post or email).

In the case of children, personal information will ordinarily be collected from their parents or guardians, unless specific and/or unusual circumstances require that the collection be made directly from the child in accordance with the law.

In addition to collecting personal information from you, sometimes the Parish may be provided with your personal information from a third party including other parishes e.g., a reference about an applicant for a position.

In some circumstances you will be able to provide the information requested anonymously or under a pseudonym. However, we will need to identify you in many circumstances for example to administer sacraments or to provide you with services or goods.

##### **4.2 Your Consent**

The Parish requires you to consent to any collection, use or disclosure of your personal information by the Parish either explicitly in writing or orally or implied by conduct. Normally your consent will be implied by conduct.

If you do not provide us with your personal information or the information you provide is incomplete or inaccurate, we may be unable to provide you, or a person nominated by you with the information, services or goods you or they are seeking.

### 4.3 How does the parish store your information?

The Parish may store your information in a range of mediums including electronic systems, paper files, or images. Due consideration should be given to:

- The appropriate and safe storage of files to ensure that records are secure (e.g., locked filing cabinet, secure electronic storage, not lost, damaged, altered, or corrupted).
- Privacy and confidentiality.
- Access arrangements that are monitored and recorded.
- Maintenance and currency of files.
- Where personal information is stored by a third party, the Parish requires them to comply with the Privacy Act and the Parish Privacy Policy.

### 4.4 Record keeping - Safeguarding.

The Parish has an obligation to maintain a range of records that demonstrate their compliance with the requirements of the Child Safe Standards in Victoria including the Reportable Conduct Scheme.

The following sets out a broad range of categories that are to be kept demonstrating the Parish approach to child safety:

- Safeguarding Children and Young People Policy.
- Procedures that relate to child safety.
- Safeguarding Committee document – Meeting minutes, quarterly reports.
- Personnel files – recruitment and selection documentation, personnel files, WWCC and Police Check, Code of Conduct declarations, training records, visiting clergy register.
- Reporting – concerns, allegations, and reports documentation (e.g., Child Safety reporting form).
- Registration forms for children/young people participating in activities and programs such as registration forms, sign-in-sign out sheets, parental permission/photographic permission forms and medical management forms.

It is a requirement of the Diocese that all safeguarding records are maintained for a minimum of 50 years.

## 5 Retention of Sacramental registers

Where there may be significant loss or damage to historical sacramental records held by a parish, the decision may be taken to move these records to secure holding in the Diocesan archives.

- Parish Registers should always be permanently retained in their original form.
- Current Sacramental registers are registers that currently are in use. Current Sacramental registers should be kept within their parish.
- Historic registers are registers that have been completed and are no longer in use. Historic registers can be kept within their parish, or if digitised, the digitised version can be held within the parish and a digital copy as well as the original register, in the Diocesan Archive.

- Where there is a foreseeable risk to the safe keeping of parish registers, and at the discretion of the Bishop, sacramental registers may be removed and placed in the diocesan archive for appropriate conservation and preservation. A risk can be defined as; where the register is aged and in disrepair and at risk of disintegration if the register is not being stored according to diocesan conservation and preservation guidelines (such as within a fire safe) and if the register is being stored within a parish that has effectively closed and is being administered by another parish.
- It has been common practice in the past that requests to transcribe registers have been made by parishioners, historians and members of the public. Such requests must always be viewed for the risk this poses, particularly with concern to copyright, which must always remain with the diocese.

The Sandhurst Diocese follows Victorian Legislation applied by Births, Deaths and Marriages, Victoria when requests for access to Sacramental registers are made.

### **5.1 Restricted Information:**

- Information regarding Baptisms is restricted for 100 years after the date of birth.
- Information regarding Marriages is restricted for 60 years after the date of marriage.
- Information regarding Deaths is restricted for 30 years after the date of death.

### **5.2 Access for records requested during restricted periods: Proof of identity is usually required:**

- Self. A person may request a copy of their own Baptism or Marriage record.
- The parent or guardian of a minor (if the person is under 18) may request a copy of his or her Baptism record.
- Next-of-kin may ask for a record of the registered person's death.
- Attorney under a power of attorney. May access information relating to the registered person by providing a copy of the Power of Attorney.
- The legal practitioner of a client – will need to register their details as a legal practitioner and prove their identity.

Information regarding access to Sacramental registers will be provided to all parishes annually.

The diocesan archivist regularly assesses potential risks to parish registers and has information regarding the Sacramental registers of each parish in the diocese.

The diocesan archivist can be contacted via email on [archives@sandhurst.catholic.org.au](mailto:archives@sandhurst.catholic.org.au)

## **6 Use and disclosure**

The Parish will only use or disclose your personal information for the primary purposes for which it was collected. The purposes for which we may use or disclose your personal information include the following:

- administer the sacraments and to provide spiritual and pastoral care;
- place your contact details on mailing lists and in computer databases in order to provide you with information about Catholic Church related activities, workshops, lectures, seminars, retreats, events, issues and initiatives;
- provide services or goods to you or a person nominated by you;
- seek, receive and administer offerings and donations from you;
- enable the Parish to provide services;
- assess your employment and volunteer application; and
- manage our volunteers.

### **6.1 Employees**

The Parish collects, uses, and discloses personal information about its employees in order to perform its obligations as an employer and as required by law. However, the handling of past and current employee records are exempt from the Privacy Act where there is a direct relationship between the Parish and the past/current employee. Despite this exemption, the Parish applies similar principles as if the handling of employee records were covered by the Privacy Act. We retain employee records for seven years as stipulated in the Fair Work Act 2009.

### **6.2 Volunteers**

We also collect personal information of volunteers for the primary purpose of assessing their suitability for undertaking work or providing other relevant assistance. The Parish collects, uses and discloses personal information about its volunteers in order to perform its obligations as an employer and as required by law. However, the handling of past and current volunteer records are exempt from the Privacy Act where there is a direct relationship between the Parish and the past/current volunteer. Despite this exemption, the Parish applies similar principles as if the handling of volunteer records were covered by the Privacy Act. We retain employee records for seven years as stipulated in the Fair Work Act 2009.

### **6.3 Communications to you from the Parish**

With your consent we will send you emails or other communications, such as a newsletter, about the Parish and our activities (including information about marketing, promotional, and research purposes), along with communications about Catholic Church related activities, workshops, lectures, seminars, retreats, events, issues and initiatives from time-to-time.

Please be aware that you are free to unsubscribe to any publication or marketing or promotional communication that you receive from the Parish at any time.

### **6.4 Does the Parish disclose personal information to anyone?**

The Parish may disclose your personal information in a number of circumstances, for instance:

- (i) where you have consented to us doing so (for example, in providing us with your contact details, you may have consented to the Parish providing those details to another group. Such as a parish school.
- (ii) where required or authorised by law (for instance, in response to a subpoena or other court order); or
- (iii) to consultants, advisers or other third parties (in Australia or overseas) where that party has been contracted to provide administrative or other services to the Parish (and on the basis that the third party agrees to abide by this Privacy Policy).

### **6.5 Cross-border disclosure**

Personal information will only be disclosed by the Parish to recipients outside Australia with your express consent. If we are required to disclose your personal information overseas, we will take reasonable steps to ensure that the overseas recipient will not handle your personal information that would result in breaching the APPs. We will usually enter into a written agreement with the overseas recipient that requires the recipient to comply with the APPs.

## 7 Data security

We take all reasonable precautions to protect the personal information we hold against interference, misuse, loss and unauthorised access. The Parish has data protection and security measures including administrative, physical and technical access, with only authorised people able to access this information.

When personal information is no longer required the Parish will take reasonable steps to destroy, delete or de-identify that personal information where it is lawful to do so.

## 8 Requests for correction and access

### 8.1 Requests for correction

The Parish will take reasonable steps to update or correct, any personal information we hold about you to ensure it is accurate, complete, up-to-date, relevant and not misleading if we are satisfied this is required or if you request us to do so. The Parish will take reasonable steps to ensure the information is accurate as well as responding to correction requests.

If you wish to change or modify your personal information, you should make a request in writing to the Privacy Officer. Your written request should set out the changes that you wish to be made. You may request that the amended information be forwarded to other related organisations. Your written request should name the organisation to which you want the information forwarded. We will need to verify your identity before we make the changes. If we do not agree that some or all of the changes you have requested are required, we will let you know of our reasons for this in writing and how to complain if you are not satisfied with the decision.

### 8.2 Requests for access

You may request access to personal information that the Parish holds about you using the contact details below.

The Parish will respond to all requests for access within a reasonable period and usually within 30 working days. The Parish may need to verify your identity before providing you with access or correcting your personal information.

The Parish will generally provide access unless an exception in the Privacy Act or the Health Records Act applies. If the Parish refuses your request, we will let you know our reasons for this in writing and how to complain if you are not satisfied with the decision.

## 9 Questions or complaints

If you have any questions or concerns about this Privacy Policy, you wish to lodge a request to access or correct your personal information, or if you have a privacy complaint, please contact the Parish Privacy Officer at:

**Email:** [shepparton@cdos.org.au](mailto:shepparton@cdos.org.au)

**Telephone:** (03) 5821 2633

**Post:** 121 Knight Street, Shepparton

If you make a complaint, the Parish will review and investigate it internally and will endeavor to resolve your issue efficiently.

If you are still not satisfied with the response you can contact the Office of the Australian Information Commissioner (OAIC) to enquire about your privacy rights,

Email: [www.oaic.gov.au](http://www.oaic.gov.au) for more information about how to lodge a complaint.

Phone: 1300 363 992,

Post: GPO Box 5218, Sydney NSW 2001

**The OAIC has the power to investigate the matter and make a determination.**

## 10 Approval

Approved by	Date
Bishop Shane Mackinlay	14 June 2021

Version	Date	Revised By	Description of Revision	Next Review
1.1	15/06/17	Child Safety Officer	Endt. to 3. And 4.1	15/06/18
Version	Date	Revised By	Description of Revision	Next Review
1.1	17/10/2018	Professional Standards Committee	2 year review - No Change	17/10/2020
Version	Date	Revised By	Description of Revision	Next Review
1.2	14/05/2021	Diocesan Safeguarding Committee	Amended 4.3. Included 4.4 Included 5 Parish Sacramental Registers. Added signing block.	14/05/2023

**Policy:** Privacy policy  
**Version 1.2**  
**Parish Name:** St Brendan's Catholic Parish  
**Authorised by:** Parish Priest  
**Signature:** Fr Joe Taylor  
**Date:** 24<sup>th</sup> June 2021