

## 22 PRIVACY & ACCESS TO RECORDS POLICY

### Introduction

St Jude's collects information about people so as to enable communication, promote the Gospel, pray, care and provide other Christian services and to inform people of the work that we do.

The Parish of St Jude's Carlton acknowledges and respects the privacy of individuals. We are committed to protecting the privacy of our congregational members, staff, partners and clients. We support and endorse the Australian Privacy Principles (APPs) contained in the Commonwealth Privacy Amendment (Enhancing Privacy Protection) Act 2012 and will comply with these principles whenever information (both personal and sensitive) as defined by the Act is collected by us. This policy is consistent with the recommendations of the Anglican Diocese of Melbourne.

### Definitions

#### Personal Information

Personal information is information or an opinion (including information or an opinion forming part of a database) whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent or can be reasonably be ascertained, from the information or opinion.

#### Sensitive Information

Sensitive information is information or an opinion about an individual that includes an individual's racial or ethnic origin, health information, political opinions, membership of a political association, professional or trade association or trade union, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices.

For complete definitions please refer to Office of the Australian Information Commissioner ([www.oaic.gov.au](http://www.oaic.gov.au))

### Principles

The following principles are based on The Australian Privacy Principles (please refer to Appendix 1).

- We will only collect personal information from you with your prior knowledge and consent;
- We will only use personal information provided by you for the purposes for which it was collected;
- We will not disclose your personal information to a third party without your consent;
- We will not disclose your personal information to other institutions and authorities except if required by law (for example, confessions of sexual abuse);
- We will remove personal information from our records when it is no longer required (except where archiving is required);
- We have processes to protect the personal information that we have under our control from unauthorised access, improper use or alteration.

### Information St Jude's Collects

The sort of information we may collect includes:

- Name and Address
- Phone numbers and email addresses so we can communicate with you
- Family member details

- Details of donations where receipts for taxation purposes are required
- Communications you have with us (e.g. letters, prayer requests)
- Your involvement in ministries so we can provide a meaningful ministry relationship
- Records of visits, phone calls and notes in regard to pastoral matters
- Records of baptisms, confirmations, weddings, funerals
- Information you provide in surveys, registration forms, conversations, emails and online, in particular, St Jude's online Elvanto database (<https://stjudes.elvanto.com.au>) or other similar online databases

We endeavour to keep personal information up to date and accurate. We will also endeavour to protect your personal information from misuse, loss or unauthorised access, modification or disclosure.

## How we use your Information

We only use your personal, including sensitive information for the reason we collect it as set out above and for the purpose(s) for which it was collected, or as otherwise permitted by law. We will not disclose the above information that we collect to affiliates or third parties without your consent.

## Disclosing Personal Information Overseas

Occasionally we may use overseas facilities or contractors to process or back-up information or to provide other services. As a result, we may disclose your personal information to our overseas facilities or contractors for these purposes. Any disclosure of your personal information overseas does not change our commitment to safeguarding your privacy.

## Access to Records

St Jude's takes steps to ensure the security of personal and sensitive information we hold and to protect it against loss, misuse or unauthorised access, destruction, use, modification or disclosure. Our IT systems are password protected and comply with applicable security standards. Only authorised personnel are permitted to access these details. St Jude's staff are required to respect the confidentiality of personal information and the privacy of individuals.

It is our practice to permanently de-identify personal information where reasonable and possible; and destroy sensitive information once there is no longer a legal or business need for us to retain it.

## Anonymity

It is your right to be dealt with anonymously, provided that it is lawful and practicable. We will try to accommodate a request for anonymity wherever possible, however we note that in some circumstances, this may prevent us from practically and effectively communicating with you. If this is the case we will notify you.

## St Jude's website

When you visit St Jude's web site, our Internet Service Provider may make a record of your visit and may log the following information for statistical purposes:

- your server address (which includes your top level domain name);
- the date and time of your visit to the site;
- the pages you accessed and documents downloaded;
- the previous site you have visited;
- the type of browser you are using.

## Access to information collected

- St Jude's will not make an attempt to identify users or their browsing activities. However, in the unlikely event of an investigation, a law enforcement agency or other government agency may exercise its legal authority to inspect our Internet Service Provider's logs.

## Use of information collected

- We may only record your e-mail address if you send us a message. Your e-mail address will only be used for the purpose for which you have provided it and it will not be added to a mailing list or used for any other purpose without your consent.

## Website security

- We strive to ensure the security, integrity, and privacy of personal information submitted to our website, and we review and update our security measures in light of current technologies. Unfortunately, no data transmission over the Internet can be guaranteed to be totally secure.

## Cookies

- St Jude's website will use only session cookies and only during a search query of the website. Cookies can be either "persistent" or "session" based. Persistent cookies are stored on your computer, contain an expiration date, and may be used to track your browsing behaviour upon return to the issuing web site. Session cookies are short-lived, are used only during a browsing session, and expire when you quit your browser.

## Collection Notices

St Jude's Personal Information Collection Notice (Appendix 2) appears on the church's website and Community Church Builder portal.

St Jude's Prospective Employee/Volunteer Collection Notice (Appendix 3) will be sent to applicants on receipt of their application for employment.

## Complaints

If you are concerned about how St Jude's has collected or managed your personal information please contact the St Jude's office.

## Contact this office

If you would like further information about the way St Jude's manages personal information it holds or you would like access to your personal information held by St Jude's please contact our Church administrator at: [office@stjudes.org.au](mailto:office@stjudes.org.au). Or you can write to us at:

St Jude's Anglican Church, 235 Palmerston St, Carlton Vic 3053.

# Appendix 1

Summary of the Australian Privacy Principles (APP) (refer to [www.oaic.gov.au](http://www.oaic.gov.au))

## **Part 1 — Consideration of personal information privacy (APPs 1 and 2)**

### **APP 1 — open and transparent management of personal information**

The object of this principle is to ensure that APP entities manage personal information in an open and transparent way.

### **APP 2 — anonymity and pseudonymity**

Individuals must have the option of not identifying themselves, or of using a pseudonym, when dealing with an APP entity in relation to a particular matter.

## **Part 2 — Collection of personal information (APPs 3, 4 and 5)**

### **APP 3 — collection of solicited personal information**

Where an APP entity is an organisation, it must not collect personal information (other than sensitive information) unless the information is reasonably necessary for one or more of the entity's functions or activities.

#### **Sensitive information**

*An APP entity must not collect sensitive information about an individual unless, in the case of an organisation that information is reasonably necessary for one or more of the entity's functions or activities.*

### **APP 4 — dealing with unsolicited personal information**

If an APP entity receives personal information and the entity did not solicit the information; the entity must, within a reasonable period after receiving the information, determine whether or not the entity could have collected the information under Australian Privacy Principle 3 if the entity had solicited the information.

### **APP 5 — notification of the collection of personal information**

At or before the time of collection (or as soon as practicable after), an APP entity must take reasonable steps to notify an individual about the purpose and use of information which has been collected from them.

## **Part 3 — Dealing with personal information (APPs 6, 7, 8 and 9)**

### **APP 6 — use or disclosure of personal information**

#### ***Use or disclosure***

If an APP entity holds personal information about an individual that was collected for a particular purpose (the primary purpose), the entity must not use or disclose the information for another purpose (the secondary purpose) unless the individual has consented to the use or disclosure of the information.

**Note:** Australian Privacy Principle 8 sets out requirements for the disclosure of personal information to a person who is not in Australia or an external Territory.

### **APP 7 — direct marketing**

If an organisation holds personal information about an individual, the organisation must not use or disclose the information for the purpose of direct marketing, unless it has the individual's consent. Sensitive information cannot be used for direct marketing purposes without an individual's consent.

**APP 8 — cross-border disclosure of personal information**

Before an APP entity discloses personal information about an individual to a person (the overseas recipient) the entity must take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles (other than Australian Privacy Principle 1) in relation to the information.

**Note:** In certain circumstances, an act done, or a practice engaged in, by the overseas recipient is taken, under section 16C, to have been done, or engaged in, by the APP entity and to be a breach of the Australian Privacy Principles.

**APP 9 — adoption, use or disclosure of government related identifiers**

An organisation must not adopt a government related identifier of an individual as its own identifier of the individual.

***Part 4 — Integrity of personal information (APPs 10 and 11)*****APP 10 — quality of personal information**

An APP entity must take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that the entity collects is accurate, up-to-date and complete.

**APP 11 — security of personal information**

If an APP entity holds personal information, the entity must take such steps as are reasonable in the circumstances to protect the information from misuse, interference and loss; and from unauthorised access, modification or disclosure. When an APP entity no longer needs the personal information it must destroy or de-identify it.

***Part 5 — Access to, and correction of, personal information (APPs 12 and 13)*****APP 12 — access to personal information**

If an APP entity holds personal information about an individual, with limited exceptions, the entity must, on request by the individual, give the individual access to the information.

**APP 13 — correction of personal information**

An APP entity must take reasonable steps to correct any personal information that is inaccurate, out of date, incomplete, irrelevant or misleading. If an entity has disclosed information to another organisation, it must take reasonable steps to notify that organisation of any corrections where the individual has requested the entity to do so.

## Appendix 2 – Collection Notice

### Personal Information Collection Notice

*A requirement of the Australian Privacy Act*

St Jude's Anglican Church, Carlton collects personal information, including sensitive information. The primary purpose of collecting this information is to enable St Jude's to efficiently communicate, promote the Gospel, pray, care and provide other Christian services and to inform people of the work that we do.

If you wish to contact St Jude's regarding your personal information that we hold, or to complain about any instances where you believe St Jude's may have been deemed to infringe any of the Australian Privacy Principles, a complaint should be lodged with the church Administrator: [office@stjudes.org.au](mailto:office@stjudes.org.au) or write to St Jude's Anglican Church, 235 Palmerston St, Carlton, Vic, 3053.

## Appendix 3 – Prospective Employee/Volunteer Collection Notice

### PROSPECTIVE EMPLOYEE/VOLUNTEER COLLECTION NOTICE

*A requirement of the Australian Privacy Act*

In applying for a position at St Jude's Anglican Church you will be providing us with a range of personal information.

Your personal information, for example, your name and address or information contained in your resume will be collected in order to assess your application. If you are not engaged by St Jude's, then this information will not be stored for more than six months.

We will not disclose this information to a third party without your consent.

Where you have provided us with the name and address of referees in connection with your application, you should inform them that you have done so and the reason for it. You should also inform them that the information is to be used solely in connection with your application for employment or engagement. Your nominated referees may be contacted by St Jude's.

#### Last Update

Version	Date	Description of changes
draft01	Jan 2015	Prepared by Peter Williams
Draft02	Mar 2015	Updated for PC and staff review Wayne Rice

#### Responsibility:

Vicar's warden & Church Administrator