

# CATHOLIC DIOCESE OF BROKEN BAY PRIVACY POLICY



CATHOLIC  
DIOCESE OF  
BROKEN BAY

## CONTENT

This document contains the Diocese of Broken Bay (**Diocese**) Policy on Privacy.

## APPLICATION & SCOPE

This Policy applies to clergy, employees, contractors, volunteers, work experience students and trainees (**Workers**) including those working in its Parishes. Where an agency within the Diocese (such as the Catholic Schools Office or CatholicCare) has its own policy, the relevant agency policy will apply.

## PURPOSE

The purpose of this policy is to ensure that the Diocese gathers, stores, disseminates and disposes of personal information in such a way as to ensure that:

- personal information is collected, used, stored, disclosed and dispersed in accordance with the law;
- individuals who provide the Diocese with personal information can be assured that it will be protected; and
- the Diocesan Privacy Policy is well documented and easily accessible.

## POLICY

### 1. What is Personal Information?

‘Personal information’ means information or an opinion, whether recorded in material form or not, about an identified individual, or an individual who is reasonably identifiable. Common examples are an individual’s name, signature, address, telephone number, date of birth, medical records, bank account details and commentary or opinion about a person.

### 2. What is Sensitive Information?

‘Sensitive information’ means information or an opinion about an individual’s:

- racial or ethnic origin;
- political opinions;
- membership of a political association;
- religious beliefs or affiliations;
- philosophical beliefs;
- membership of a professional or trade association;
- membership of a trade union;
- sexual preferences or practices;
- criminal record;
- health information; and
- genetic information.

Sensitive information is subject to a higher level of privacy protection than other personal information in that sensitive information:

- may only be collected with consent, except in specified circumstances;
- must not be used or disclosed for a secondary purpose unless the secondary purpose is directly related to the primary purpose of collection and within the reasonable expectations of the individual;
- cannot be used for the secondary purpose of direct marketing; and
- cannot be shared by 'related bodies corporate' in the same way that they may share other 'personal information'.

### **3. How does the Diocese Collect Personal Information?**

The Diocese as part of the Roman Catholic Church conducts a range of activities to fulfil its mission of 'proclaiming the good news of Jesus Christ'. Those activities include parishes, school and welfare agencies as well as charitable works, and conducting activities that require the collection of personal information. The information is collected to enable the Diocese to minister to the faithful and to fulfil its canonical and civil law obligations under the Code of Canon Law and various pieces of legislation (both State and Commonwealth).

### **4. Australian Privacy Principals**

The Diocese is bound by the Privacy Act 1988 (Cth) (the Act). The Act contains thirteen Australian Privacy Principals (**APPs**), which outline how the Diocese must handle, use and manage personal information.

### **5. What Information does the Diocese Hold?**

The personal or sensitive information that the Diocese holds about an individual may include but is not limited to the following:

- personal contact details;
- sacramental records;
- information relating to an application for employment;
- information about an individual that enable the Diocese to satisfy its duty of care to other individuals with whom a volunteer or employee may come into contact in the course of their involvement with the Diocese such as a criminal record or Working With Children Check;
- information relating to pastoral care needs;
- information relating to a child's enrolment at a Diocesan school;
- information relating to the provision of welfare services; and
- any other information about an individual that may be relevant to the contact that the individual might have with the Diocese.

## **6. Purpose of Collection of Personal Information**

The Diocese collects personal information for many purposes, including but not limited to:

- information needed to minister to the faithful and to provide pastoral care;
- information about an individual's educational needs and expectations in Diocesan schools;
- information about an individual's welfare and support needs;
- information to support or promote fundraising activities;
- information needed to administer sacraments;
- information about an individual's employment history or pre-employment screening to assess the employment applications of a prospective employees;
- information about bank accounts that might allow the Diocese to pay an individual; and
- information needed to keep parishioners informed about matters related to the Diocese, Parishes, Agencies and ministries through correspondence, newsletters and magazines.

## **7. How the Diocese Collect Personal Information**

The Diocese collects personal information in various ways, including but not limited to:

- an individual providing personal information about themselves and/or their child to the Diocese, a parish, school, or welfare agency;
- an individual providing the Diocese with their personal information and various documentation relating to possible employment with the Diocese; and
- other means that may arise from time to time.

In addition to collecting personal information from individuals, the Diocese may collect personal information from a third party if it is unreasonable or impracticable to collect the information from the individual directly, for example, where the information is provided to the Diocese by parishes (for instance, personal information contained in collection envelopes).

## **8. Consent**

The Diocese will endeavour to collect personal information directly from the individual or their parent or guardian in the case of a child. Where this is not possible, consent will be sought prior to collecting the personal information from a third party. If consent cannot be obtained, the Diocese will have regard to the requirements and exemptions of the Act before deciding whether to collection personal information indirectly.

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 relevant child.

For prospective Workers, the Diocese may collect personal information by speaking with referees. The Diocese may contact applicants' previous employers who have not been nominated as referees. Should this be the case, applicants will be advised prior to such contact being made.

In some limited circumstances, contractors who have confidentiality agreements in place with the Diocese may have access to personal information stored by the Diocese.

## 9. Website

The Diocesan Privacy Policy is available on the Diocesan website. By using the Website, individuals agree to be bound by this Privacy Policy. Whenever an individual submits personal information to the Diocese, they consent to:

- the collection, use, disclosure and storage of that information in accordance with this Privacy Policy;
- their personal information being used to improve the Site; and
- the receipt of emails or other communications about the Diocese and our activities (including information about marketing, promotional, and research purposes), along with communications about Catholic Church-related activities, functions, issues and initiatives from time-to-time.

## 10. Storage of Information

The Diocese takes reasonable steps to protect and secure personal information from unauthorised access, loss, misuse, disclosure or alteration. These steps include restricted access to Diocesan offices and other areas where personal information is stored, and storage in computer files that can be accessed only by authorised individuals using login names and secret passwords. All parishes, schools, and welfare agencies of the Diocese are required to do the same. The Diocese will store personal information for such a period of time as the Diocese deems necessary.

## 11. Disclosure of Personal Information

The Diocese does not reveal personal information to other organisations other than through the Australasian Catholic Directory which sets out: contact details of clergy; the name of those lay and ordained persons appointed or elected to Diocesan committees and boards and the name and contact details of people in positions of responsibility within Diocesan groups, parishes and associations. The information contained in the Australasian Catholic Directory is updated annually, with details of clergy and laity no longer holding a position on a Diocesan committee/board or within a Parish are removed.

Disclosure of an individual's personal information will only be made, with their consent, to other individuals, agencies or companies outside of the Diocese, unless the Diocese is required to do so by law. In some limited circumstances and providing confidentiality agreements are in place, contractors to the Diocese may have access to personal information.

**Public Prayers.** Information included in public prayers is personal and consideration for the rights of the individual involved must be respected. As far as reasonably practicable the consent of the person to be prayed for will be sought before making it public. If the Parish is unable to obtain the individual's consent, it will only make the prayer request public if it is able to do so in a manner that protects the identity of the person. The Diocese recommends that only the first name of the person for whom the prayer is to be offered should be used.

## 12. Accessing Stored Information

An individual may request access to personal information that is held about them. Access to an individual's personal information must be provided to them, except in specific circumstances as identified by the Privacy Act. To access personal information, an individual must make a written request to the Parish Priest, Principal, or the Manager

of the relevant agency. Should an individual be uncertain of whom to contact, they should contact the Privacy Officer at [info@dbb.org.au](mailto:info@dbb.org.au).

### **13. Accuracy of Information**

The Diocese will take reasonable steps to update or correct, as soon as possible, any information in its possession that has previously be submitted that is inaccurate, incomplete, out-of-date, irrelevant or misleading.

### **14. Consequences of Not Providing Personal Information**

Subject to certain exceptions, the Diocese cannot collect an individual's personal or sensitive information without their consent.

If consent is withheld, the Diocese may be limited in its ability to:

- attend to the individual's welfare needs;
- attend to the individual's child's educational needs;
- attend to pastoral care or other ministry needs that the individual may have;
- offer the individual employment;
- deal with any inquiries, difficulties or concerns that the individual may have.

### **15. Questions and Concerns**

If an individual has any queries about this policy or wishes to express a concern about the manner in which the Diocese has handled their personal information, they should contact the Privacy Officer at:

Email: [info@dbb.org.au](mailto:info@dbb.org.au)

Tel: +61 2 9847 0000

Fax: +61 2 9847 0501

Post: Privacy Officer Catholic Diocese of Broken Bay  
PO Box 340 PENNANT HILLS NSW 1715

Alternatively, or if the issue is not resolved to the individual's satisfaction they may wish to contact the Office of the Australian Information Commissioner, who is responsible for the enforcement of relevant privacy legislation.

Contact details for the Office of the Privacy Commissioner is as follows:

Office of the Australian Information Commissioner (OAIC)

Postal Address: GPO Box 5218 SYDNEY NSW 1042

Telephone: 1300 363 992

Facsimile: 02 9284 9666

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

## **REFERENCE**

*Privacy Act 1988 (Clth)*

*Privacy Regulation 2013 (Clth)*

## **RELATED FORMS**

There are no Forms related to this policy.

## **RELATED POLICIES**

Acceptable Use of Electronic Communication Systems & Devices  
Code of Conduct Policy

## **POLICY REVIEW**

Review of this Policy, related forms and resources will be undertaken every two years by the Chancery Human Resources Manager with the approval of the Diocesan Financial Administrator.

## **REVISION/ MODIFICATION HISTORY**

<b>Date</b>	<b>Version</b>	<b>Current Title</b>	<b>Summary of Changes</b>	<b>Approval Date</b>	<b>Commencement Date</b>
October 2013	1.	Privacy Policy		October 2013	October 2013
February 2017	2.	Privacy Policy	Update	February 2017	February 2017

## **APPROVAL DATE/ REVISION SCHEDULE**

Approved by: Emma McDonald, Diocesan Financial Administrator  
Date approved: 27 February 2017  
To be revised: 27 February 2019