



CFC CHURCHES POLICY	PRIVACY POLICY
POLICY AREA	Governance
VERSION	CFC.GOV.6.1
EFFECTIVE DATE	12 December 2022
NEXT REVIEW	June 2023

## 1. STATEMENT

CFC Churches is committed to protecting the privacy of personal information which the church collects, holds and administers. Personal information is information, or an opinion, which directly or indirectly identifies a person (this includes sensitive information such as health information, criminal records, racial or ethnic origin, etc.).

## 2. POLICY

A range of personal information is collected and administered for communicating with employees, volunteers, attendees, contractors, suppliers, persons/organisations hiring facilities, and job applicants, etc. It is also collected for government, ACNC, CRC and CFC Churches Constitution requirements, financial transactions, Working with Children Checks (WWCC) and relevant State / Territory clearances, and for insurance purposes, etc.

CFC Churches recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are supported by our core values and reflected in this policy which is compliant with the *Privacy Act 1988 (Cth)*.

CFC Churches is bound by laws which impose specific obligations when it comes to handling information. We have adopted the following principles contained as minimum standards in relation to handling personal information.

### Responsibilities

The CFC Churches Board of Directors is responsible to develop, adopt and review this policy. The CFC Churches Policy and Systems Manager is responsible for monitoring changes in privacy legislation, and for advising on the need to review or revise this policy. Employees and Lead Pastors, Leadership Teams, Ministry Coordinators and Team Leaders are responsible for the implementation of this policy.

### Collection

CFC Churches will:

- Only collect information related to members of the church or individuals who have regular contact with CFC Churches in connection to our activities/programs, that is necessary for the performance and primary function of the church.
- Collect personal information by fair, lawful and non-intrusive means.
- Collect personal information from the person themselves wherever possible.
- Collect personal information if required/authorised by law e.g., Contact Tracing.
- Collect sensitive information only with the person's consent or if required by law. Sensitive information will also be collected if such collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
  - Is physically or legally incapable of giving consent to the collection, or
  - Physically cannot communicate consent to the collection.

## **Use & Disclosure**

CFC Churches will:

- Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose; for other uses, CFC Churches will obtain consent from the affected person.
- In relation to a secondary purpose, use or disclose the personal information only where:
  - a secondary purpose is related to the primary purpose and the individual would reasonably have expected us to use it for purposes; or
  - certain other legal reasons exist, or disclosure is required to prevent serious and imminent threat to life, health or safety: or
  - the person has consented – staff and team must confirm with the person whether they can disclose their personal details (e.g., phone number) prior to disclosure.
- Use personal information collected for direct marketing where that person would reasonably expect it to be used for this purpose (and CFC Churches has provided an opt out and the opt out has not been taken up).
- Provide the option for individuals to express a wish not to receive any further direct marketing communications.
- Send only essential personal information of relevant individuals overseas when required to by host countries/CRC offices for CFC Churches missions' trips, or for CFC Churches approved IT services (e.g., cloud services/licensing), etc. CFC Churches will take reasonable steps to ensure the information which is transferred will not be held, used or disclosed by the recipient of the information that is inconsistent with the Australian Privacy Principles.

If the disclosure of sensitive information is necessary for research, or the compilation or analysis of statistics relevant to public health or safety, and it is impracticable for CFC Churches to seek the individual's consent before the use or disclosure, CFC Churches may make such a disclosure (conducted in accordance with guidelines approved by the Commissioner under section 95A).

If CFC Churches has sufficient reasons to believe that an unlawful activity has been, is being, or may be engaged in, and the disclosure of personal information becomes a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, CFC Churches may make such disclosures.

CFC Churches may further disclose personal information if its disclosure is mandated by an enforcement body or is required for the following:

- The prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction, or breaches of a prescribed law
- The enforcement of laws relating to the confiscation of the proceeds of crime
- The protection of the public revenue
- The prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct
- The preparation for, or conduct of proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

Where disclosure is mandated or required, the CFC Churches Business Manager, must be notified at [governance@familycentre.org.au](mailto:governance@familycentre.org.au) so that a written note of the use or disclosure can be made.

CFC Churches can release information to third parties where it is requested by the person concerned.

### **Video Surveillance**

Video surveillance may be used for security purposes. The footage will be used only by CFC Churches and the security services provider for security purposes. Surveillance videos are not used by CFC Churches for other purposes and the footage is not publicly available. Surveillance cameras are not located in any bathrooms or change room facilities.

### **Storage, Destruction & De-Identification**

CFC Churches will:

- Ensure personal information is protected from misuse, loss and unauthorised access, modification or disclosure.
- Destroy personal information once it is not required to be kept for the purpose for which it was collected, including from decommissioned computers and mobile phones.
- Change information to a pseudonym or treat it anonymously if required by the person whose information we hold.

### **Management & Security of Personal Information**

To comply with the *Privacy Amendment (Notifiable Data Breaches) Act 2017*, CFC Churches has a *Data Breach Response Plan* which would be followed in the unlikely event of a breach.

## **Data Quality**

CFC Churches will endeavour to ensure the information it collects is accurate, complete, up to date and relevant to the functions we perform. It is the responsibility of the person whose information is stored to notify CFC Churches of any changes (e.g., contact details).

## **Openness**

CFC Churches will make the Privacy Policy available via the CFC Churches websites and will provide a hard copy if required.

## **Access & Correction**

CFC Churches will ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or not up to date.

If the individual and CFC Churches disagree about whether the information is accurate, complete and up to date, and the individual asks CFC Churches to associate with the information a statement claiming that the information is not accurate, complete or up to date, CFC Churches will take reasonable steps to do so.

To access personal information or to associate a statement regarding accuracy of the personal information, CFC Churches may require a person to verify their identity and specify what information they require. Although no fee will be charged for accessing personal information or making a correction, CFC Churches may charge a fee to retrieve and copy any material, particularly if information sought is extensive.

CFC Churches will provide to the individual its reasons for denial of access or a refusal to correct personal information. CFC Churches can withhold the access of an individual to their information if:

- Providing access would pose a serious and imminent threat to the life or health of any individual; or
- Providing access would have an unreasonable impact upon the privacy of other individuals; or
- The request for access is frivolous or vexatious; or
- The information relates to existing or anticipated legal proceedings between CFC Churches and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- Providing access would reveal the intentions of CFC Churches in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- Providing access would be unlawful; or
- Providing access would be likely to prejudice an investigation of possible unlawful activity; or
- An enforcement body performing a lawful security function asks CFC Churches not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.

If you have any questions or want to access your personal information, please contact the CFC Churches Business Manager in writing at [governance@familycentre.org.au](mailto:governance@familycentre.org.au).

## Anonymity

CFC Churches will allow people from whom the personal information is being collected to not identify themselves or use a pseudonym unless it is impracticable to deal with them on this basis.

## REFERENCES

- *Privacy Act 1988* including the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*
- Privacy Amendment (Public Health Contact Information) Bill 2020
- Australian Privacy Principles (APPs) <https://www.oaic.gov.au/privacy/australian-privacy-principles>
- *Freedom of Information Act 1991*
- Moores Law Firm [www.moores.com.au](http://www.moores.com.au)
- Office of the Australian Information Commissioner (OAIC) <https://www.oaic.gov.au/privacy/your-privacy-rights/your-personal-information/what-is-personal-information/>
- [www.acnc.gov.au](http://www.acnc.gov.au)

VERSION	EFFECTIVE DATE	FULL OR PARTIAL REVIEW	APPROVED
1	12.12.22	Full	CFC Churches Board

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## AGREEMENT

I have read and understood the Privacy Policy and agree to abide by the conditions.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_