

## **Purpose**

Bellbrae Cemetery Trust is committed to providing quality services to individuals and our community. This policy outlines our ongoing obligations in respect of how we manage Personal Information. We have adopted the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act). The APPs govern the way in which we collect, use, disclose, store, secure and dispose of Personal Information. A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at [www.aaic.gov.au](http://www.aaic.gov.au)

## **Key Principles**

In addition, and under the provisions of the Information Privacy Act 2000 (Vic), cemetery trusts are required to protect the privacy of people from whom they collect personal information including:

- The holder of the right of interment
- The person who signs the Application for interment form to authorise the interment.

Personal details will be kept confidential by the Trust, and particular care is taken not to release information concerning the name and address of the next of kin, or the holder of the right of interment, particularly to commercial businesses that may seek to profit by contacting these persons.

Note: The person who authorises the interment may have private reasons for not advertising the funeral arrangements in the press and may not want them made public.

## **What is Personal Information and why do we collect it?**

Personal Information is information or an opinion that identifies an individual. Examples of Personal Information we collect include: names, addresses, email addresses, phone and facsimile numbers.

This Personal Information is obtained in many ways including interviews, correspondence, documentation, by telephone and facsimile, by email, online, from an individual's website, from media and publications, from other publicly available sources, from cookies and from third parties. We don't guarantee website links or policy of authorised third parties.

We collect Personal Information for the primary purpose of providing our services to individuals and our community, providing information to our clients and operational teams. We may also use Personal Information for secondary purposes closely related to the primary purpose, in circumstances where you would reasonably expect such use or disclosure. You may unsubscribe from our mailing lists at any time by contacting us in writing.

When we collect Personal Information we will, where appropriate and where possible, explain to you why we are collecting the information and how we plan to use it.

## **Sensitive Information**

Sensitive information is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

Sensitive information will be used by us only:

- for the primary purpose for which it was obtained
- for a secondary purpose that is directly related to the primary purpose
- with your consent; or where required or authorised by law.

### **Third Parties**

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances we may be provided with information by third parties. In such a case we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party.

### **Disclosure of Personal Information**

Your Personal Information may be disclosed in a number of circumstances including the following:

- Third parties where you consent to the use or disclosure; and
- Where required or authorised by law.

### **Security of Personal Information**

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorized access, modification or disclosure. When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information. However, most of the Personal Information is or will be stored in client files, which will be kept by us for a minimum of 7 years.

### **Access to your Personal Information**

You may access the Personal Information we hold about you and to update and/or correct it, subject to certain exceptions. If you wish to access your Personal Information, please contact us in writing. Bellbrae Cemetery Trust will not charge any fee for your access request, but may charge an administrative fee for providing a copy of your Personal Information. In order to protect your Personal Information we may require identification from you before releasing the requested information.

### **Availability of records to the public**

Under s.60 of the Act, Bellbrae Cemetery Trust must make information contained in its records available to the public for historical or research purposes. Cemetery trusts may charge a fee for providing the information sought or for making copies or extracts of information from the records, provided this fee has been approved and gazetted by the department.

### **Privacy considerations - Deceased Persons**

The Information Privacy Act only protects the privacy of living persons and therefore does not apply to deceased persons. It is important to be aware that information about a deceased person may include personal information about the living, for example, coronial records may include information about the deceased's family, employer, colleagues and relevant medical and police officers involved in the coronial inquiry. In such instances, the privacy of living relatives and other individuals will continue to be protected by the Information Privacy Act.

### **Maintaining the Quality of your Personal Information**

It is an important to us that your Personal Information is up to date. We will take reasonable steps to ensure that Personal Information is accurate, complete and up-to-date. If you find that information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

**Archiving records**

Cemetery Trusts are public offices within the definitions of the Public Records Act 1973 and as such create public records. Therefore Cemetery trusts archive their permanent records with the Public Record Office Victoria (PROV) once these records have finished their active use.

**Further Reference**

- Manual for Victorian Class B Cemetery Trusts – revised 2017

**VERSION CONTROL**

<b>No.</b>	<b>Date</b>	<b>Comments</b>	<b>Next Review</b>
1	August 2018	Initial policy developed and approved	August 2019