

PRIVACY and MANAGING INFORMATION SECURITY POLICY

Purpose and Scope

We recognise the right of individuals to have their personal information handled in a respectful way – protected on the one hand but made accessible to them on the other.

This Policy explains how we collect, hold, use and disclose personal information, how individuals can gain access to personal information, correct inaccuracies within that information and raise issues about possible breaches of privacy.

It also outlines our process for identifying, responding to and recovering from an information security incident. Its goal is to protect the confidentiality of records, the integrity of our data and the availability of information for families and the public.

It covers BCT Trust Members, contract workers, consultants, volunteers, suppliers and others. It applies to personal and health information BCT holds re individual clients, consumers and others.

Policy Statement

BCT will only collect such personal information as is necessary for fulfilling its functions of operating as a Class B Cemetery Trust (refer *Cemeteries and Crematoria Act 2003* – (The Act)), including operating facilities and its dealings with funeral directors, clients and contractors.

BCT respects a person's right to privacy and is committed to protecting personal information BCT holds and to complying with all relevant privacy laws, specifically the *Privacy and Data Protection Act 2014* (Vic) (the Act), inclusive of the ten Information Privacy Principles.

Policy – PART 1 - Managing Personal Information

1. Collection of Personal Information

We collect and handle personal information associated with:

- Planning, monitoring and evaluating our services and functions. Where practicable, we will remove identifying details from information used for these purposes.
- Works related to land, buildings, and other assets BCT manage; or
- Engagement of people and organisations to deliver our services.

Wherever possible BCT only collects personal or health information necessary for relevant services.

We may be required to collect personal information to meet our obligations under the *Act*, the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic).

The nature of our services means some information we handle may be personal or sensitive. We aim to collect personal information directly from you. Sometimes we receive personal information from third parties and, if so, we will protect that information as set out in this Policy.

Personal information BCT may collect includes:

- name
- home, postal or other address
- telephone, mobile and fax number
- email address

BCT may also collect other personal or sensitive information depending on the service, for example:

Information you give us when you:

- Make an enquiry, request for service or complaint.



- Apply for a permit.
- Register for and attend a meeting, training, or event.
- Apply to work or volunteer with us.

This may include, but is not limited to:

- Driver's license or other licenses to carry out work.
- Tax file numbers.
- Banking details.
- Employment history.
- Photographic images.
- Qualifications and licenses.
- Next of kin / emergency contact details.
- Information about physical or mental health or disability.
- Other personal information BCT need to deliver its service.

BCT collects personal information in emails, other written correspondence, phone calls, meetings and events, online forms, application forms, contracts, agreements, leases, licenses and permits, customer contact databases and referrals from other third parties.

BCT only collects sensitive personal information and health information if it is necessary to deliver our services and only with your consent.

Where practicable BCT aims to give you the option of dealing with us without giving us personal information. However, BCT may not be able to deliver you a service if you do not give us the necessary personal or health information.

2. Use of Personal Information

BCT collect your personal information for a range of purposes including to:

- Verify your identity.
- Establish and deliver services.
- Handle your enquiry, request for service or complaint.
- Handle a permit application referred to us.
- Manage a lease or license agreement with you.
- Manage communication with you.
- Provide you with and manage BCT's website and other digital services.
- Manage and comply with statutory obligations.
- Manage recruitment and procurement.

3. Disclosure of Personal Information

Depending on the purpose for collecting your personal information BCT may disclose it to:

- Relevant team members (for administrative and recording purposes).
- Appropriate third parties requiring those details to complete a business transaction with BCT.
- Entities where BCT needs to comply with a legal requirement or request.

The information will also be available to BCT's Information Technology (IT) providers and software support providers with each provider acknowledging the confidentiality requirements associated with this personal information. Where BCT discloses personal information to third parties, they are required to treat it as confidential, as per this policy.

We will not sell or share personal information with any unaffiliated third parties for marketing purposes.



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BCT reserves the right to disclose personal information in special cases when we have reason to believe disclosing this information is necessary to identify an individual for the purpose of instigating legal action against them in the case of potentially causing injury to persons, damage to our property or when we believe, in good faith, the law requires it.

The Act 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 Act.

4. Collection of Non-Personal Information

BCT's website and Social Media pages may collect general, non-personal, statistical information regarding their use. This includes visitations, return visitations, specific pages viewed, number of pages viewed, time spent on the website / page, etc. This information allows BCT to understand which communication mediums are most popular and provides the ability for BCT to enhance these tools for current and future visitors.

Data may be aggregated and supplied to the Trust, third parties or in response to a government request. However, be assured aggregated data will not personally identify you or any other visitors to the sites.

5. National and International Transfer of Personal Information

Personal information collected by BCT is not made available or disclosed to any interstate or overseas recipients unless a specific request is made, and it is acknowledged that the person requesting the information requires it to carry out a service transaction with BCT e.g. interment, cremation, memorial, headstone etc.

6. Access to Personal Information

Requests for access to personal information collected by BCT about you can be made via bellbraect@gmail.com and will be managed in the following ways:

- You can request a copy of the information held by BCT.
- Any information BCT holds that you believe is inaccurate, out of date, incomplete, irrelevant, or misleading, you have the right to advise us to update to correct information.
- You have the right to request BCT remove any information.
- You have the right to request a copy of your information in electronic format.

An administrative fee may be charged for providing a copy of your Personal Information.

7. Privacy Principles

BCT is bound by the *Health Records Act 2001* (Vic) and the *Privacy and Data Protection Act 2014* (Vic), which includes the ten Information Privacy Principles (IPP's). BCT has adopted these ten IPP's as the minimum standard for the handling of Personal Information. More information on the Information Privacy Principles is available at <https://ovic.vic.gov.au/privacy/resources-for-organisations/guidelines-to-the-information-privacyprinciples/>

8. Consent

The Information Privacy Principles permit a wide range of collection, use and disclosure of personal information with the consent of the person to whom the information pertains.

Consent must be voluntary, informed, and specific.

It is BCT's understanding that when an individual seeks our services and provides personal information to BCT, either directly or via a third party, then that person / customer has given consent to collect, use and disclose personal information for the purpose of providing those services.



9. Complaints about Breach of Privacy

We take all complaints seriously and will provide a written response once the matter has been fully investigated. Victorian Privacy Legislation provides that individuals must be able to make a complaint if they feel BCT has breached this Privacy Policy or the Information Privacy Principles. Individuals wishing to make a complaint may:

- Contact BCT’s Administrator on 0488 786 130 to discuss the complaint; or
- Lodge a written complaint, either to bellbraect@gmail.com or by post to 1 Cemetery Road Bellbrae 3228, detailing all relevant particulars, including why you feel BCT has breached the Privacy Policy or Information Privacy Principles.

Policy – PART 2 - Managing Information Security

1. Security of Personal Information

BCT is committed to ensuring personal information provided to it is secure. In order to prevent unauthorised access or disclosure of this personal information. BCT has in place suitable physical, electronic and managerial procedures to safeguard and secure the personal information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.

When personal information is no longer required for the purpose for which the information was collected it will be either permanently de-identified or added to a disposal schedule for future destruction in accordance with the Public Records Act 1973 and other relevant laws.

2. Security incidents and breaches

Should a security incident or breach occur the Trust will follow the following protocol and process.

What Defines an Incident?

An incident occurs when Trust information is accessed, lost, or used without authorisation. Examples might include:

- Accidental Disclosure: Sending a family’s private contact details to the wrong enquirer.
- Physical Loss: Theft or loss of paper ledgers, maps, or portable hard drives.
- Cyber Incident: Malware or unauthorised access to the Trust’s digital records/email.
- Damage: Fire or water damage to historical records.

3. Incident Response Plan

In the event of a suspected compromise, the Trust will follow these four steps:

Step 1: Containment and Preliminary Assessment

Action: Immediately stop the "leak." (e.g., if an email was sent to the wrong person, ask them to delete it; if a computer is hacked, disconnect it from the internet).

Assistance: Contact an IT provider or a security professional to secure the environment.

Step 2: Risk Evaluation

Determine what data is involved and any potential "harm" (e.g., identity theft, emotional distress to families, or loss of historical record).

Step 3: Notification

The Trust Chairperson (or nominated person) is responsible for notifying the following bodies where appropriate:

Entity	When to Notify
Department of Health (DH)	For any significant breach involving Cemetery Trust operations.
OVIC (Office of the Victorian Information Commissioner)	If the breach involves "Personal Information" as per the Privacy and Data Protection Act 2014.



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Entity	When to Notify
Victoria Police	In cases of theft, burglary, or malicious cyber-attacks.
Affected Individuals	If there is a risk of serious harm to the person whose data was leaked.

Step 4: Review and Prevention

After the incident is resolved, the Trust will meet to discuss:

- How did this happen?
- Do we need better passwords or updated training?
- Update this policy to prevent a recurrence.

4. Roles and Responsibilities

- Incident Manager: The Chairperson will lead the response.
- Record Keeping: All incidents must be recorded in an "Incident Log" even if no data was lost.
- Storage of this Plan: A digital copy of the Incident Response Plan is saved on Dropbox under the Cemetery Administration \ Governance folder.

5. Who to Turn to for Help

If the Trust is unsure how to proceed, we will contact:

- The Department of Health (Cemeteries Sector Support): For regulatory guidance.
- OVIC: For privacy-specific advice via their website or helpdesk.
- Legal Counsel: If the breach involves significant liability or complex legal issues.

Quick Tips for the Trust:

- Note: Prompt action is vital. Victorian laws require notification of significant breaches "as soon as practicable."
- Evidence: Attach any relevant evidence (e.g., a copy of a misdirected email or a Police report number) to this form.
- Storage: Once completed, store this in our "Incident Log" for at least 7 years, as per Victorian record-keeping standards.

Definitions

Term	Definition
Personal Information	Information or an opinion (inc. information or an opinion forming part of a database), that is recorded in any form (whether true or not), about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
Health Information	Information or opinion regarding an individual's physical, mental, psychological health, about the individual's disability or about the health service provided or to be provided to an individual.
Sensitive Information	Information or opinion about an individual's ethnic groups, religious beliefs, political opinions or association, philosophical beliefs, membership of professional association or trade union, sexual preferences or practices and criminal record.



Legislation and Supporting Documents

Legislation:	<ul style="list-style-type: none">• Cemeteries and Crematoria Act 2003• Cemeteries and Crematoria Regulations 2005• Health Records Act 2001• Privacy and Data Protection Act 2014• Public Records Act 1973
Resources	<ul style="list-style-type: none">• OVIC (Office of the Victorian Information Commissioner)
Governance Document:	<ul style="list-style-type: none">• Code of Conduct (BCT)