

VERSION CONTROL

No.	Date	Comments	Next Review
1	July 2020	Initial policy developed	July 2022
2			

Introduction

The Geelong Cemeteries Trust (GCT) respects a person’s right to privacy and is committed to protecting Personal Information we hold 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.

GCT will only collect such personal information as is necessary for fulfilling its functions of operating a Class A Cemetery Trust (refer *Cemeteries and Crematoria Act 2003*, Section 12A), including operating facilities and its dealings with funeral directors and consumers.

GCT recognises 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 GCT will collect, hold, use and disclose personal information, how individuals can gain access to personal information, correct inaccuracies within that information, and make complaints about possible breaches of privacy.

Collection and Handling of Personal Information

Personal Information means any information that may be used to identify an individual, including, but not limited to, full name, date of birth, an address (home, business or physical), phone number (landline or mobile) and an email address. Information collected may also include telephone recordings (messages) and credit card information and we hold information relating to goods and services individuals have purchased from the Trust.

GCT collects and handles personal information in compliance with its obligations under the *Cemeteries & Crematoria Act 2003*, the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic).

GCT collects personal information for planning, monitoring and evaluating our services and functions and, where practicable, will remove identifying details from information used for these purposes. The nature of our services provided means that some information we handle may be personal or sensitive. We may receive personal information from third parties and, if so, will protect that information as set out in this Privacy Policy.

GCT will keep records of cremations and interments, places of interments, rights of interment and deceased persons and make such information available for inspection at any reasonable time for historical or research purposes. Deceased person’s information is also available at all times via the GCT website “Deceased Search” option.

Use of Personal Information

Personal Information is only collected in situations where you have consented, there is a legitimate interest to disclose the information and the disclosure of the Personal Information is required for the completeness of your transactions with the Trust.

The Personal Information you provide may be retained and used for various purposes, including addressing your enquiry or request, confirming details of places of interment with appropriate third parties and the carrying out of business transactions between you and the Trust. We may also use your Personal Information to ensure compliance with the Trust’s policies and any applicable law.

Disclosure of Personal Information

GCT may disclose Personal Information to relevant employees (for administrative and recording purposes), appropriate third parties requiring those details to complete a business transaction with the Trust and where the Trust needs to comply with a legal requirement or request. The information will also be available to the Trust's Information Technology (IT) providers and software support providers with each provider acknowledging the confidentiality requirements associated with this Personal Information. Where we disclose Personal Information to third parties, they are required to treat it as confidential, as per this policy.

GCT will not sell or share Personal Information with any unaffiliated third parties for marketing purposes. We reserve the right to disclose Personal Information in special cases when we have reason to believe that 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 Trust property or when we believe, in good faith, that the law requires it.

Collection of Non-Personal Information

The Trust's website is managed by an independent third party and, on behalf of GCT, collects general, non-personal, statistical information regarding the use of the website. This includes visitations, return visitations, specific pages viewed, number of pages viewed, time spent on the website etc. This information allows GCT to understand which areas of the website are most popular and provides the ability for the Trust to enhance these pages for current and future visitors.

This data may be aggregated and supplied to Trust Members, business partners, other third parties or in responses to a Government request. However, you are assured that this aggregated data will in no way personally identify you or any other visitors to the Trust's website.

National and International Transfer of Personal Information

The Personal Information collected by GCT 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 the Trust e.g. interment, cremation, memorial, headstone etc.

Security of Personal Information

GCT is committed to ensuring that Personal Information provided to it is secure. In order to prevent unauthorised access or disclosure of this Personal Information, the Trust 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.

Access to Personal Information

Requests for access to Personal Information that we hold about you can be made via info@gct.net.au and will be managed in the following ways:

- You can request a copy of the information we hold
- Any information we hold that you believe to be inaccurate, out of date, incomplete, irrelevant or misleading, you have the right to advise us of the updated correct information
- You have the right to request us to remove any Personal Information we currently hold
- You have the right to request a copy of your Personal Information in electronic format.

Privacy Principles

GCT 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). GCT has adopted these ten IPP's as the minimum standard for the handling of Personal Information. The ten IPP's are:

IPP 1 – Collection – GCT will only collect Personal Information necessary to fulfil one or more of its functions.

IPP 2 – Use and Disclosure – GCT will use the information for the purpose it was collected or for a secondary purpose that would be reasonably expected.

IPP 3 – Data Quality – GCT will keep Personal Information accurate, complete and up to date based on advice from the individual.

IPP 4 – Data Security – GCT will protect the Personal Information from misuse, loss, unauthorised access, modification or disclosure.

IPP 5 – Openness – GCT has clearly expressed policies on how Personal Information is managed.

IPP 6 – Access and Correction – Individuals have the right to access their own Personal Information and request it to be corrected, if necessary.

IPP 7 – Unique Identifiers – Individuals have been allocated a unique identifier to assist GCT in carrying out its functions efficiently.

IPP 8 – Anonymity – Individuals have the option of transacting with GCT without identifying themselves but it will limit the information that GCT is able to provide.

IPP 9 – Transborder Data Flows – If an individual's Personal Information travels outside Victoria, the privacy protection travels with the information.

IPP 10 – Sensitive Information – The Privacy and Data Protection Act 2014 (Vic) places restrictions on the collection of sensitive information (race, ethnic origin, religious beliefs, memberships etc.) and it can only be collected under certain circumstances.

Consent

These Information Privacy Principles permit a wider 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, specific and current.

It is GCT's understanding that when a customer seeks our services and provides Personal Information to GCT, either directly or via a third party, then that customer has given consent to collect, use and disclose Personal Information for the purpose of providing those services.

Complaints about Breach of Privacy

Victorian Privacy Legislation provides that individuals must be able to make a complaint if they feel GCT has breached this Privacy Policy or the Information Privacy Principles.

Individuals wishing to make a complaint may:

- Contact GCT's Administration Office on 03 5249 3939 to discuss with the relevant officer; or
- Lodge a written complaint, either to info@gct.net.au or by post to 141 Ormond Road East Geelong 3219, detailing all relevant particulars, including why you feel GCT has breached the Privacy Policy or Information Privacy Principles;

GCT takes all complaints seriously and will provide a written response once the matter has been fully investigated.