



National Committee for Professional Standards

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Privacy Policy

The National Committee for Professional Standards (NCPS) is a joint committee of Catholic Religious Australia (CRA) and the Australian Catholic Bishops Conference (ACBC). The committee was established to oversee the development of policies, principles and procedures in responding to Church-related abuse complaints. The NCPS is served by a National Office.

As part of CRA and the ACBC, the NCPS is bound by the Privacy Act 1988 (Cth) (Act), which includes the Australian Privacy Principles (APPs), as well as applicable state and territory based health records legislation.

Application of this Policy

This policy describes ways in which the NCPS collects, stores, disseminates and disposes of personal information. It applies when personal information is collected and/or used by the NCPS.

'Personal information' means any information or an opinion (whether true or not), in any form, by which you are identified or from which you are reasonably identifiable. It includes sensitive information, which is personal information about your racial or ethnic origin, religion, criminal record, sexuality and union activities and your health.

Collection of your personal information

Purposes

The NCPS may collect your personal information for one or more purposes, including to:

- develop and implement professional standards among clergy and religious, including under *Towards Healing*, *Integrity in Ministry* and *Integrity in the Service of the Church*
- develop and implement policies, principles and procedures for responding to Church-related abuse complaints
- ensure pastoral care for victims of sexual and physical abuse by church personnel
- review case management by State Offices
- investigate complaints falling under the jurisdiction of the National Office
- assess the employment applications of prospective employees and volunteers
- other purposes that are authorised or required by law, including the APPs

When the NCPS first collects your information or at other appropriate times, we will tell you why your personal information is being collected.

Type of personal information

The personal (including sensitive) information that the NCPS collects and holds about you, depends on who you are and the nature of your interactions with the NCPS.

Church Personnel

The personal information we may collect about you includes:

- your name, date of birth, contact details, photograph, position within the Church and Church Authority
- details of Working with Children checks, National Police checks, or other State or Territory equivalent checks
- information about any complaints that have been made against you under *Towards Healing, Integrity in Ministry, Integrity in the Service of the Church* or civil or criminal law
- any other information regarding your fitness to carry out a ministry or apostolate, including your criminal record and any canonical suspension or disciplinary action taken against you
- details of any declarations you make as to the fitness of another priest or religious to carry out a ministry or apostolate.

The NCPS may collect this information directly from you, from your Church Authority, or from members of the public if a complaint has been made against you.

Other individuals (including complainants, witnesses and professionals)

The personal information we collect may include:

- your name, date of birth and contact details including telephone numbers, email and street address
- in relation to a complaint made under *Towards Healing* - information you supply as a complainant on your own behalf or on behalf of another person, or as a witness or as a professional (such as an assessor or facilitator) involved in a complaint, or information we otherwise collect about you in this context
- your health information, such as if we are assisting you with welfare or pastoral care needs

Methods

The NCPS may collect your personal information from you directly or sometime from others, including:

- when you provide personal information about yourself and/or a member of your family to the NCPS either via email, website, in person or via documents
- from your Church Authority
- from someone who has made a complaint against you or about whom you have made a complaint, or from someone who has provided information as a witness
- from the State Professional Standards Offices
- from law enforcement, advocacy groups or your legal representatives

The NCPS will endeavour to collect your personal information directly from you. Where this is not possible, your consent will be sought to permit us to collect your personal information from someone else. If your consent cannot be obtained, we will comply with the relevant requirements and exemptions in the APPs in order to collect the information.

Children

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 from time to time.

Prospective employees

For prospective employees, the NCPS may also collect identity details such as your photo, your occupation, employers, education and qualifications, as well as information from referees. The NCPS may contact your previous employers who have not been nominated as referees but will advise you before we make contact.

Anonymity/Pseudonyms

In some circumstances you can remain anonymous or use a pseudonym when dealing with us or providing information we have requested, except where this would be impracticable or where we are required or authorised by or under an Australian law or court/tribunal order to deal with identified individuals.

If you do not permit the NCPS to collect your personal (including sensitive) information, then depending on the circumstances, the NCPS may be limited in its ability to:

- fully investigate your complaint or your response to a complaint
- attend to your welfare needs and offer you pastoral care
- offer you employment
- deal with any inquiries, difficulties or concerns that you may have.

Use and disclosure of your personal information*Purposes*

Your personal information will usually be used or disclosed for the purpose for which it was collected as explained above. It may also be used and disclosed for another related purpose (or if sensitive information, if the other purpose is directly related) and which you would reasonably expect. We may also use and disclose your personal information for another purpose that:

- you have agreed to; or
- the NCPS is required or authorised by or under an Australian law (including in the Act) or court or tribunal order to use or disclose the information for a particular purpose.

Third parties

The NCPS may share your personal information, for the purposes explained above, with Church Authorities, law enforcement bodies, State and Territory agencies, people you have lodged a complaint about and your legal representatives, advocate or other professional involved in processing a complaint. State Professional Standards Offices can also access personal information the NCPS holds about complaints which these Offices are handling or which are subject to review by the NCPS.

The NCPS engages third party service providers or contractors, such as for the provision of software and technology services, who in some limited circumstances may have access to or may help store your personal information. Their agreements with the NCPS in most cases include confidentiality provisions to protect the personal information.

Security and storage of your personal information

The NCPS takes all reasonable steps to protect and secure personal information it holds in hard copy or electronic databases or other forms, from misuse, interference and loss, and from unauthorised access, modification, or disclosure. These steps include restricting and limiting access to our systems, use of encryption and VPN lines and other technology to keep our systems secure, and storing hard copy documents containing personal information in secure and lockable locations within the NCPS offices.

The NCPS also takes reasonable steps to destroy or de-identify personal information it holds where it no longer needs that information for a legitimate purpose under the APPs and it is not required by law to retain the information. The NCPS may need to retain personal information relating to complaints indefinitely for legal reasons.

Access to your personal information

You are entitled to access personal information that the NCPS holds about you except in circumstances in the Act, such as where:

- giving access would have an unreasonable impact on the privacy of other individuals;
- the NCPS reasonably believes that giving access would pose a serious threat to the life; health or safety of an individual, or to public health or public safety; or
- giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

Access to your personal information collected in relation to a complaint should be sought from the relevant State Office handling the complaint who hold the complaint file.

The NCPS will respond to all requests for access within a reasonable period and usually within 30 days. If we refuse your request, we will give you written notice of our the decision and reasons and explain how to complain if you are not satisfied with the decision.

The NCPS may charge you for its reasonable costs of providing you with access.

To access your personal information please contact the NCPS using the details below.

Accuracy and correction of your personal information

The NCPS takes reasonable steps to ensure the personal information it collects about you is accurate, up-to-date and complete, and also when using and disclosing it, that it is relevant for the purposes of the use or disclosure. If the NCPS is satisfied that any of the information should be corrected it will also take reasonable steps to correct that information.

If your personal details change or you believe that the personal information the NCPS holds about you should be corrected because it is inaccurate, incomplete, out-of-date, irrelevant or misleading, please contact us on the details below.

If we do not agree that your information needs correcting, we will give you written notice of our decision, including our reasons and how to complain if you are not satisfied with our decision. You can also ask us to associate a statement with the personal information which explains that you believe it is incorrect.

You will not be charged for making a correction request or requesting us to associate a statement with your information.

Questions and Complaints

If you have any questions about this policy and our privacy practices, or you wish to complain about how the NCPS has handled your personal information, in the first instance please contact the NCPS:

Executive Officer
National Professional Standards Office
PO Box 7132
ALEXANDRIA NSW 2015
Telephone: +61 2 9669 6218
Email consultant@ncps.org.au

If your complaint is not resolved to your satisfaction, you may complain to the Privacy Commissioner's office, who is responsible for the enforcement of the Act. Information of how to make a complaint is available at www.oaic.gov.au

The Privacy Commissioner's contact details are:

GPO Box 5218
SYDNEY NSW 2001
Telephone: 1300 363 992
Facsimile: (02) 9284 9666
Email: enquiries@oaic.gov.au

If your complaint involves your health information then you can also contact the relevant health services commissioner in your state or territory.

Changes to this Privacy Policy

The NCPS may, from time to time, update or change this Privacy Policy to ensure that it reflects the acts and practices of the NCPS as well as any changes in the law. Any changes will take effect from when they are posted on our website www.ncps.org.au.

Approved at NCPS Meeting: **04 June 2015**