Title:	**Privacy Policy**		
Document Sponsor:	Chief Governance Officer		
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Authorised by:	Board	**Date First Adopted:**	June 2010
Version	04.00	**Date This Version Approved:**	May 2025
Next Review Date:	May 2028	**Document No:**	035
Business Function	Governance, Compliance, Privacy		

1 Introduction

1.1 Purpose

This policy outlines GMCT's commitment to the appropriate collection, management, use and disclosure of *personal information*, which, for the purposes of this policy includes sensitive information and health information.

This policy explains how the GMCT will collect, hold, use, and disclose personal information, how individuals can access their personal information, correct inaccuracies in that information, and make complaints about possible breaches of privacy.

By providing personal information to GMCT, an individual consents to its use, storage and disclosure in accordance with this Privacy Policy.

GMCT is dedicated to fulfilling all privacy obligations as outlined in Part 3 of the Privacy and Data Protection Act 2014. Furthermore, GMCT is committed to educating its employees on the proper management of personal information, thereby minimising the unnecessary collection of such data.

1.2 Scope

All GMCT employees, Trust Members, consultants and contractors have a responsibility to comply with this policy and all relevant Privacy legislation.

2 Policy Statement

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

3 Policy Details

3.1 Collection and handling of Personal Information

The GMCT collects personal information only when necessary to fulfil its functions and handles information for the purposes of

- providing and improving services under the *Cemeteries and Crematoria Act 2003* (Vic);
- verifying an individual's identity;

- accounting;
- recruitment and management of employment with GMCT;
- processing of a donation or bequest;
- promoting GMCT's business;
- completing background checks;
- responding to emergency situations involving or requiring medical treatment;
- contacting or communicating with an individual;
- administering, managing and providing individuals with access to its website;
- public inspection of cemetery trust records that is undertaken for historical or research purposes under s59 and s60 of the *Cemeteries and Crematoria Act 2003* (which includes information regarding interments, places of interment, rights of interment and cremations);
- live streaming funerals or other events;
- conducting virtual meetings. webinars and other virtual events;
- complying with its legal obligations; or
- to carry out other business functions.

GMCT also collects personal information for planning, monitoring and evaluating our services and functions. Where practicable GMCT removes identifying details from information used for these purposes.

3.2 Types of information GMCT collects

The nature of our services means that some of the information GMCT handles may be personal or sensitive in nature.
The information collected by GMCT about a particular person will vary depending on the circumstances of collection. This includes, but is not limited to:

- a person's contact details (name, email and/or postal address, phone number),
- image,
- date of birth,
- gender,
- driver's license,
- passport,
- employment history,
- qualifications
- communication history with GMCT
- details about a person's health, death, and family relationships,
- Voiceprint.

Health Information may be collected during recruitment processes to ensure a person is suitable or fit for employment in a particular position or to ensure our processes are conducted safely and in accordance with any special health needs employees may require and may also be collected for insurance purposes. If it is reasonably necessary in the circumstances, GMCT may also collect sensitive information. GMCT will assume consent to the collection of all sensitive and health information that is provided to it for use in accordance with this Privacy Policy, unless told otherwise.

3.3 How GMCT collects information

Information may be collected when an individual:

- accesses GMCT's website;
- contacts GMCT via email, telephone, or mail;
- provides details to GMCT in any GMCT form, survey or incident report;
- enters personal information into, or agrees to having their personal information entered into, one of GMCT's online systems;
- participates in and/or signs up to any program or event run by GMCT including virtual meetings, events and webinars;
- attends a funeral at a GMCT site;
- purchases products or services from GMCT;
- is appointed as a Trust Member or to a committee of GMCT;
- applies for employment directly with GMCT; or is employed through an external employment agency as a contractor or temporary hire.
- volunteers their services to GMCT and
- where GMCT is required to do so by law.

Providing information

Depending on the circumstances, some types of information will be required and others might be optional. If an individual does not provide some or all of the information requested, this may affect GMCT's ability to communicate with them or provide the requested products or services.

By not providing requested information, an individual may jeopardise their ability to purchase GMCT's products or services, participate in its programs and/or events or apply for employment with GMCT. If it is impracticable for GMCT to deal with an individual as a result of them not providing the requested information or consent, GMCT may refuse to do so.

Information Storage and Protection

GMCT stores information in different ways, including in paper and electronic form.

Security of personal information is important to GMCT. GMCT has taken steps to protect the information we hold from misuse, loss, unauthorised access, modification or disclosure. Some of the security measures GMCT uses include strict confidentiality requirements of our employees, contractors and service providers, security measures for system access and security measures for our website. Rigorous access controls are implemented to safeguard GMCT's collection of physical holdings.

3.4 Privacy Principles

We are bound by the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic) as well as other laws which impose specific obligations in regard to the handling information (**Privacy Laws**).

We have adopted the Privacy Principles contained in the Victorian Privacy Laws (**Privacy Principles**) as minimum standards for the handling of personal information. In broad terms this means that we:

- collect only information which we need for a specified primary purpose;
- ensure that the person knows why we collect it and how we will handle it;
- use and disclose it only for the primary or a directly related purpose, or for other purposes with the person's consent (or as otherwise authorised by law);
- store it securely, protecting it from unauthorised access;
- retain it for the period authorised by the *Public Records Act 1973* (Vic);
- subject to the *Public Records Act,* destroy or de-identify it when it is no longer needed; and
- provide the person with access to their own information, and the right to seek its correction.

A summary of the Privacy Principles appears at Appendix 1 to his Policy.

3.5 Disclosure

GMCT may disclose an individual's personal information to third parties which include, but are not limited to, companies we engage to carry out functions and activities on GMCT's behalf, GMCT's professional advisers (including its accountants, lawyers and auditors) and its insurers. GMCT may also disclose personal information for public inspections undertaken for historical or research purposes under the Cemeteries and Crematoria Act 2003, and the Public Records Act 1973, or in other circumstances permitted by law.

In some circumstances, personal information may also be disclosed outside of Australia. In such circumstances, GMCT will use its best endeavours to ensure such parties are subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are suitably similar to the Privacy Principles.

3.6 Access and seeking correction of Personal Information

GMCT will take all reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up-to-date. However, we rely on the accuracy of personal information as provided to us both directly and indirectly.

We encourage all individuals to review and update their personal information. If an individual would like to access personal information that GMCT holds about them, GMCT requires them to put their request in writing. If GMCT does not allow an individual access to any part of the personal information it holds about an individual, it will tell them why.

Individuals may also request access to their personal information held by GMCT by making a request via the contact details set out in paragraph 4 below. GMCT will respond to the request for access within 14 days and endeavour to provide the requested information within 30 days. If an individual finds that the personal information GMCT holds about them is inaccurate, incomplete or out-of-date, please contact GMCT immediately and it will see that it is corrected.

Direct Marketing

In regard to sale of memorialisation products or services, we will only contact you if you opt-in to receive such marketing information when providing your information on relevant application forms. In all other cases, we will assume consent to use non-sensitive personal information to provide better services and for marketing purposes (including disclosure of such information to service providers). Every person whose data is collected by GMCT has the option to refuse e-mail, SMS or posted offers by making a request in writing to GMCT's Privacy Officer via the contact details set out below or by making use of the opt-out procedures included in any communications from us (however, information relating to the option to unsubscribe from those communications may be retained).

Other disclosures

In addition, GMCT may also disclose personal information:

- with the individual's express or implied consent;
- when required or authorised by law;
- to an enforcement body when reasonably necessary; or
- to lessen or prevent a threat to an individual or public health or safety.

4 Handling of Complaints Regarding Breaches of Privacy

The Victorian Privacy Laws provide that individuals must be able to make a complaint if they feel the GMCT has breached the Privacy Principles.

Individuals wishing to make a complaint may:

- Contact and discuss the situation with the Regional Manager for the cemetery concerned.
- Contact the GMCT's head office on 1300 022 298.
- Provide written feedback via post addressed to the GMCT Privacy Officer at: GPO Box 42, Fawkner 3060, or via email to: **enquiries@gmct.com.au**
- Ask the GMCT to arrange an interpreter if assistance with language translation is needed.
- Access further information regarding our customer charter via the GMCT Website

Monitoring of resolution of complaints is the responsibility of the Privacy Officer and the CEO.

We will respond to a complaint within 30 days and try to resolve it within 90 days.

4.1 Complaints about other service providers

The GMCT works closely with other service providers, including funeral directors, stone masons, community groups and faith-based organisations. Concerns about the management of personal information held by any of these external organisations should be raised directly to that service provider.

4.2 External avenues of redress

If GMCT is unable to resolve a complaint within 90 days, or an individual is not satisfied with the outcome, they can seek further information and advice on the resolution of complaints from:

The Office of the Victorian Information Commissioner

Ph: 1300 006 842 (1300 00 OVIC)Web: ovic.vic.gov.au

The Health Complaints Commissioner

Ph: 1300 582 113
Web: www. hcc.vic.gov.au

4.3 Further information

For further information on GMCT's management of personal information, please contact GMCT's Privacy Officer.

5 Privacy Impact Assessment

A privacy impact assessment (PIA) evaluates how a program affects the privacy of individuals' information. Carrying out a PIA aims to determine the personal data in question, evaluate possible privacy threats, develop strategies for risk reduction, and enhance privacy protocols. When the program entails managing personal information, it is considered best practice to undertake a PIA. Carrying out a PIA is not simply a matter of meeting compliance requirements; it also helps to improve organisational practices and showcases a dedication to protecting individuals' privacy.

The implementation of any new systems or programs designed to manage or collect personal information necessitates the completion of a thorough privacy impact assessment. This assessment should evaluate potential risks to individuals' privacy, identify the types of personal data being collected, and outline the intended use of that data. Additionally, it should assess the measures in place to protect personal information, the legal compliance requirements, and the strategies for data retention and disposal. Engaging stakeholders and ensuring transparency throughout this process is essential to safeguard user privacy and build trust in the new systems.

6 Implementation, Monitoring, Amending and Privacy Education

All GMCT employees will be educated regarding the contents of this Privacy policy and receive ongoing education. Online privacy training has been established through GMCT's internal Learning Management System for all GMCT inductees. Furthermore, all GMCT personnel are required to complete annual online privacy training in accordance with the recommendations of the Office of the Victorian Information Commissioner (OVIC). This ensures that GMCT staff are aware of their privacy obligations.

GMCT may amend this Privacy Policy from time to time and in accordance with its review cycle

7 References & Related Materials

7.1 Legislation & Regulations

- Cemeteries & Crematoria Act 2003 (Vic).
- Cemeteries & Crematoria Regulations 2015 (Vic).
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Financial Management Act 1994 (Vic)
- Freedom of Information Act 1982 (Vic)
- Health Records Act 2001 (Vic)
- Ombudsman Act 1973 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Public Records Act 1973
- Public Interest Disclosures Act 2012

7.2 Related GMCT Documents

- Information Security and Confidentiality Policy (GMCT Policy No. 049)
- Security Policy (GMCT Policy No. 043)
- Customer Service Charter
- Performance and Misconduct Policy (GMCT Policy No. 071)

8 Definitions

Personal information	Information or opinion, whether true or not and whether recorded in material form or not, about a living individual whose identity is apparent, or can reasonably be ascertained from the information or opinion.
Health information	A category of Personal Information. Information or opinion about the physical, mental, psychological health of an individual, about the disability of an individual, or about an individual's expressed wishes about a health service provided or to be provided to that individual, but not including information or opinion about an individual who has been deceased for more than 30 years.
Sensitive Information	A category of Personal Information. Information or opinion about an individual's ethnic origins, religious beliefs, political opinions or association, philosophical beliefs, membership of professional association or trade union, sexual preferences or practices and criminal record.
IPPs	Information Privacy Principles

APPENDIX 1: Summary of the Information Privacy Principles

Principle	Details
Collection	An organisation must only collect personal information which is necessary for performance of the organisation's functions. GMCT collects non identified information wherever practicable. GMCT will take all reasonable steps to inform individuals of the types of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.
Use and disclosure	Use and disclose personal information only for the primary purpose for which it was collected or a secondary purpose the person would reasonably expect. Consent should be sought whenever possible for any secondary use of the information. The law also allows some uses and disclosures without consent such as to lessen or prevent a threat to individual or public health or safety.
Date quality	Make sure personal information collected, used and disclosed is accurate, complete and up-to-date.
Data security and Retention	Personal information shall be stored securely in accordance with relevant Public Record Office Victoria (PROV) Standards, in order to protect information from loss, misuse, unauthorised access, modification or disclosure. All GMCT employees and contractors are required to maintain the security of personal information. Where personal information is no longer required it shall be destroyed or de-identified in accordance with PROV Standards.
Openness	A clearly documented policy (ie this Privacy Policy) on the management of personal information must be prepared and made available to anyone who asks.
Access and correction	GMCT shall take reasonable steps to ensure personal information is accurate, complete, up-to-date and relevant to the functions performed. Individuals have a right to seek access to their personal information and make corrections.
Identifiers	Unique identifiers (usually a number assigned to an individual in order to identify the person) must only be assigned if necessary to carry out a function efficiently and should in general not be shared.
Anonymity	Where it would be feasible and lawful, individuals should be given the option of not identifying themselves when entering transactions with the GMCT, to maximise the individual's control in their interactions with GMCT and to minimise GMCT's intrusion into the life of the individual.
Transborder data flows	An organisation which transfers personal or health information outside Victoria is only permitted if the recipient protects privacy under standards similar to Victoria's IPPs.
Sensitive information	Sensitive information (like an individual's racial or ethnic origin, political views, religious beliefs, sexual preferences, membership of groups or criminal record) should only be collected with the person's consent or as required or authorised by law.