

PRIVACY

PURPOSE

1. The purpose of this Policy is to protect the personal information of all members of the church community, particularly with respect to information collection, management, retention and sharing practices.

DEFINITIONS

2. Definitions for terms used in this policy are found in Part 1 of Regulation 4-4: Diocesan Safe Church. In the context of the Safe Church Regulation, the definition of “personal information” is information about an identifiable individual. For the purposes of the Safe Church Regulation, personal information may also include personal health information.

“Personal health information”, with respect to an individual, whether living or deceased, means:

- (a) information concerning the physical or mental health of the individual;
- (b) information concerning any health service provided to the individual;
- (c) information that is collected in the course of providing health services to the individual; or
- (d) information that is collected incidentally to the provision of health services to
- (e) the individual.

PRINCIPLES

3. Each individual retains ownership of her or his personal information and shall have access to it for the purpose of ensuring accuracy and completeness.
4. The Diocesan Synod, the Corporation of Christ Church Cathedral, each Parish Corporation and Diocesan Camp shall adhere to the permission-based principles contained in the federal Personal Information Protection and Electronics Document Act (PIPEDA) and to the Provincial Health Information Privacy and Access Act (PHIPAA) with respect to:
 - (a) identifying purposes;
 - (b) consent;
 - (c) limiting collection;
 - (d) limiting use, disclosure and retention;
 - (e) accuracy;
 - (f) safeguards
 - (g) openness;
 - (h) individual access; and
 - (i) provision of recourse.

5. The Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp may collect an individual's personal information for purposes specified before or at the time of collection.
6. All personal information collected by or on behalf of the Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp is for the use of the Diocesan Synod, the Corporation of the Cathedral of Christ Church, Parish Corporation or Diocesan Camp.
7. All personal information held by the Diocese, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

ADMINISTRATION

8. The Diocesan Council shall appoint a Diocesan Privacy Officer who shall administer this Policy.
9. The Diocesan Privacy Officer is contacted through the Diocesan Synod of Fredericton
10. The Diocesan Privacy Officer shall implement a program whereby Church members, when required, shall provide consent for the collection, use, disclosure and retention of their personal information prior to or during the collection of such information using the "Personal Information Consent Form" which is Appendix 1 of this policy
11. The Diocesan Privacy Officer shall make an annual report to the Diocesan Council, in which s/he shall:
 - (a) provide statistical data on the number of inquiries and complaints made under the Policy and the disposition of them; and
 - (b) report and make recommendations, if any, on this Policy.
12. The Diocesan Council shall complete an audit of this policy at least once every three years.

PERMISSION-BASED RIGHT TO PRIVACY

Personal Information Collection

13. Personal information shall be collected only for specific purposes; i.e. the amount and type of information collected will be limited to what is necessary for the identified purpose(s).
14. The purpose(s) for which information is required shall be identified before or at the time the information is collected.

15. If collected information is to be used for a different purpose at a future time, the individual's consent shall be obtained before or at that time.

Personal Information Retention

16. Personal information shall be retained as an active record only as long as necessary for the purposes for which it was collected
17. Personal information that is no longer an active record will be reviewed in consultation with the Diocesan Archivist for retention, selection or destruction as part of the regular records transfer process.
18. Personal information retained as archival will be accessible in accordance with the 'Diocesan Archives Records Access Requirements' attached as Appendix 3.

Personal Information Sharing

19. The Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp shall disclose personal information only in accordance with the purpose for which it is collected.
20. Incorrect or outdated information shall be amended in a timely fashion.
21. Access to personal information shall be restricted to individuals or persons in positions set out in Appendix 2 of this policy.
22. An individual shall have access to her or his own personal information files for the purpose of ensuring its accuracy and completeness.

Web Privacy Protection

23. The Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp shall adhere to the Web Privacy Statement as set out in Appendix 4 of this policy.

EXCEPTIONS TO THE PERMISSION-BASED RIGHT TO PRIVACY

Non-Disclosure of Information

24. The Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp may refuse an individual's request for access to their personal information if:
 - a) the information is protected by solicitor-client privilege;
 - b) to do so could reasonably be expected to threaten the life or security of another individual;

- c) the information was collected without the knowledge or consent of the individual because such knowledge or consent would compromise the availability or the accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of Canada or a province; or
- d) the information was generated in the course of a formal dispute resolution process; or
- e) to do so would reveal confidential commercial information.

Collection of Information Without Consent

25(1) The Diocese, the Corporation of Christ Church Cathedral or a Parish Corporation may collect and use personal information without permission:

- a) if it is clearly in the individual's interests and consent is not available in a timely way;
- b) if collection is required to investigate a breach of an agreement or contravention of a federal or provincial law;
- c) for journalistic, artistic or literary purposes with respect to activities by the individual at an open Church event or within the public domain where the individual has no expectation of privacy;
- d) if it is publicly available;
- e) for an emergency that threatens an individual's life, health or security; or
- f) for statistical or scholarly study or research, provided that anonymity is preserved.

25(2) Notwithstanding s. 25(1) no photograph of a child shall be taken, stored and/or published by a Leader or Volunteer of the Church program without the consent of the child's parent, guardian or trustee.

Disclosure of Information Without Consent

26. The Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp may disclose personal information without consent:

- a) to a lawyer representing the Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp;
- b) to collect a debt the individual owes the Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp;
- c) to comply with a summons, warrant or order made by a court or other juridical body; or
- d) to a lawfully authorized government authority.

COMPLAINTS

27. A person may complain to the Diocesan Privacy Officer if:
- a) s/he believes personal information was collected without consent;
 - b) s/he believes the Diocesan Synod, the Corporation of the Corporation of Christ Church, a Parish Corporation or a Diocesan Camp possesses incorrect or inaccurate personal information about that person;
 - c) the Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp has refused or otherwise failed to disclose information to her or him following a request to do so; or
 - d) the Diocesan Synod, the Corporation of the Cathedral of Christ Church, a Parish Corporation or a Diocesan Camp has allegedly disclosed her or his personal information to an unauthorized person.
28. The Diocesan Privacy Officer shall investigate the complaint and make a decision within thirty days.
29. In her/his decision, the Diocesan Privacy Officer may:
- a) dismiss the complaint in whole or in part;
 - b) order that some or all the information collected without consent be destroyed;
 - c) order that any incorrect information be corrected in a timely manner;
 - d) order that information be disclosed to the complainant in whole or in part; and/or
 - e) order the return of information that was incorrectly disclosed to a third party.
- 30(1) A party may appeal a decision of the Diocesan Privacy Officer to the Bishop within thirty days.
- 31(2) The Bishop shall make a decision on the appeal within sixty days.

Adopted
3 December 2014
Revised
5 October 2017

Appendix 1 - Personal Information Consent Form

I, _____, hereby acknowledge and consent to the collection, use, disclosure and retention of my personal information by the Diocese of Fredericton, the Corporation of Christ Church Cathedral, a Parish Corporation or a Diocesan Camp, in accordance with the Diocese of Fredericton Privacy Policy.

The purpose of my consent is to enable the Diocesan Synod, the Corporation of Christ Church Cathedral, a Parish Corporation or a Diocesan Camp to communicate with me and to identify members of associations within or affiliated with the Diocese of Fredericton.

I also acknowledge and consent to the retention of my personal information for archival purposes to the extent it has historical value.

I hereby acknowledge this consent remains in effect until I revoke or amend it.

Signature

Date (yyyy/mm/dd)

Name

Contact Information

Mailing Address: _____
(Street Address) (Apt Number)

(Town or City) (Province) (Postal Code)

Telephone: _____

Cellular Phone: _____

Email: _____

Appendix 2 - Persons Authorized to Receive Personal Information

The following persons are authorized to receive personal information under the Diocesan Privacy Policy:

1. the Bishop of Fredericton;
2. the Dean of Christ Church Cathedral;
3. the Chancellor;
4. the Vice-Chancellor;
5. the Executive Assistant to the Bishop;
6. the Secretary to the Bishop;
7. the Diocesan Privacy Officer;
8. the Diocesan Misconduct Officer, as required;
9. the Diocesan Treasurer, as required;
10. a Territorial Archdeacon, as required;
11. a Cleric of a Parish Corporation, as required;
12. the Director of a Diocesan Camp, as required;
13. a Parish Nurse, as required;
14. the Confidential Parish Secretary, as required;
15. a Church Warden, as required;
16. the Vestry of a Parish Corporation, as required;
17. the Chair of the Diocesan Human Resources Committee, as required;
18. the Diocesan Council and its Executive Committee, as required;
19. the Secretary of the Synod; as required;
20. the Chair of the Synod Planning Committee, as required;
21. the Diocesan Archivist pursuant to s. 17 of the Diocesan Privacy Policy.

I hereby so authorize:

Name (please print)

Signature

Date (yyyy/mm/dd)

Adopted
3 December 2014
Revised
5 October 2017

Appendix 3 - Archives Records Access Requirements

1. Effective immediately, records of baptisms and marriages, which occurred after 1966, and confirmations, funerals and burials occurring after 1996 will not be open to the public. Records for subsequent years will be opened on a rolling basis (i.e., baptisms and marriages for 1967 and confirmations, funerals and burials for 1997 will be opened 1 January 2017; 1968 and 1998 opened 1 January 2018, and so on).
2. A person desiring a copy of one's own record of baptism, marriage or confirmation – within these years – should consult the Archivist designated by the Diocesan Archives and the Provincial Archives.
3. The Diocesan Council, on the recommendation of the Diocesan Archivist and the Provincial Archives of New Brunswick, shall periodically review the access restrictions placed on Diocesan Registers.
4. Microfilms of parish registers will not be sold.
5. Parish registers – for the time periods that are open for research – will be made available on microfilm only. The original registers will not be available.
6. Records of individual baptisms, marriages and burials can be copied if desired, but only in limited quantities. An individual needing a copy of a baptism, marriage or burial record for official purposes can obtain it by consulting the Archivist designated by the Diocesan Archives and the Provincial Archives or by contacting the parish in which the record originated. Except for a request by the Corporation of Christ Church Cathedral or a Parish Corporation, a copy of a record will be provided for a fee as determined by the Provincial Archives of New Brunswick. The Corporation of Christ Church Cathedral or Parish Corporations shall not be charged a fee for such a request.
7. Copying of entire Registers (or a large portion thereof) shall not be permitted. Registers may not be published without the permission of the Diocesan Archives and the Provincial Archives of New Brunswick.

Revisions adopted
18 June 2016

Appendix 4: Web Privacy Statement

Diocesan web-based sites shall include the following statement, accessible from a link visible on all main pages:

1. Our Commitment to Privacy

The Anglican Diocese of Fredericton adheres to the Diocesan Privacy Policy as part of our commitment to protect personal information. The statement characterizes our information collection and sharing practices for this website [e.g., <https://nb.anglican.ca/>]. If you require more information on our policy, have questions, comments, or concerns; contact the diocese at (506) 459 1801 or this email address. [email@diofton.ca]

2. Cookies

This website uses cookies to track visits. (A cookie is an information file stored on your computer's hard drive, which contains data about web sites that you have visited.) This process does not involve the extraction or aggregation of private information.

3. External Links

There are websites linked to and from this site that are operated by organizations outside of the Anglican Diocese of Fredericton. Those organizations are solely responsible for the operation and information found on their respective websites. The linking to or from this site does not imply any endorsement by the Diocese of Fredericton of these websites.

Revisions adopted
25 February 2017