

## 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 In this policy:

“Anglican Corporation” means the Bishop, the Bishop and Chapter of the Cathedral of Christ Church, the Synod, parish corporations, missions, and for this purpose camps owned or managed primarily by personnel appointed by the Synod or a parish corporation;

“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 the individual.

“personal information” is information about an identifiable individual; personal information may also include personal health information;

### 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 Anglican Corporations shall adhere to the permission-based principles contained in the federal Personal Information Protection and Electronics Documents Act (PIPEDA) and to the Personal 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 Anglican Corporations 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 an Anglican Corporation is for the use of the Anglican Corporation or, per established limits, the Diocesan Synod of Fredericton or the Provincial Archives of New Brunswick.
- 7 All personal information held by an Anglican Corporation 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 the Officer 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, and 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.

## **Personal Information Sharing**

- 18 Anglican Corporations shall disclose personal information only in accordance with the purpose for which it is collected.
- 19 Incorrect or outdated information shall be amended in a timely fashion.
- 20 Persons in the following roles may be given access to personal information as required in the execution of their duties:
- a) the Diocesan Privacy Officer;
  - b) the Diocesan Misconduct Officer;
  - c) the Bishop of Fredericton and staff;
  - d) Diocesan Synod staff;
  - e) Officers and/or Executive Committee of the Diocesan Council;
  - f) a licensed parish cleric;
  - g) a Territorial Archdeacon;
  - h) the Director of a diocesan Camp;
  - i) a Parish Nurse, who has signed a confidentiality agreement;
  - j) a Parish Administrative Assistant, who has signed a confidentiality agreement;
  - k) a Church Warden or Corporation (Vestry) members;
  - l) the Chair of the Human Resources Committee;
  - m) the Diocesan Archivist; and
  - n) employees of the Provincial Archives of New Brunswick and volunteers with the Anglican Registers Project.
- 21 Personal information in parish registers retained as archival information will only be publicly accessible in accordance with the Provincial Archives of New Brunswick privacy policy.
- 22 An individual shall have access to view their own personal information files for the purpose of ensuring their accuracy and completeness. Such files remain the property of the Anglican corporation and no information may be removed from the files without the permission of the Anglican corporation. The individual may make notes for their own reference from the file.

## **Web Privacy Protection**

- 23 The mandate to protect personal information includes content made available on websites and social media sites of Anglican Corporations.

## **EXCEPTIONS TO THE PERMISSION-BASED RIGHT TO PRIVACY**

### **Non-Disclosure of Information**

- 24 Anglican Corporations 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;
- 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 Anglican Corporations 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 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.
- 26 Notwithstanding s. 25 no photograph of a child shall be taken, stored and/or published by an employee or volunteer at any church activity, event or program without the consent of the child's parent, guardian or trustee.

### **Disclosure of Information Without Consent**

- 27 Anglican Corporations may disclose personal information without consent:
- a) to a lawyer representing the Anglican Corporation;
  - b) to collect a debt the individual owes to the Anglican Corporation;
  - 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**

- 28 A person may complain to the Diocesan Privacy Officer if:
- a) they believe personal information was collected without consent;
  - b) they believe an Anglican Corporation possesses incorrect or inaccurate personal information about that person;
  - c) an Anglican Corporation has refused or otherwise failed to disclose information to that person following a request to do so; or
  - d) an Anglican Corporation has allegedly disclosed personal information to an unauthorized person.

- 29 The Diocesan Privacy Officer shall investigate the complaint and make a decision within thirty days.
- 30 In deciding, 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.
- 31 A party may appeal a decision of the Diocesan Privacy Officer to the Bishop within thirty days.
- 32 The Bishop shall decide on the appeal within sixty days.

Adopted  
3 December 2014  
Revised  
5 October 2017  
26 February 2026

## Appendix 1 - Personal Information Consent Form Template

I, \_\_\_\_\_, hereby acknowledge and consent to the collection, use, disclosure and retention of my personal information by \_\_\_\_\_, *(Anglican corporation)* in accordance with the Diocesan Synod of Fredericton Privacy Policy.

The purpose of my consent is to enable the above Anglican corporation to communicate with me and to identify members of associations within or affiliated with this body.

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 (print)*

### Contact Information

Mailing Address: \_\_\_\_\_  
*(Apartment #, if applicable and street address)*

\_\_\_\_\_  
*(Town or city) (Province) (Postal code)*

Telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_