



The Servite Response Privacy Policy



1 General

- 1.1 The Order of the Servants of Mary - Australian Delegation (**Servite Order**) is committed to upholding your rights to privacy.
- 1.2 This Policy describes ways in which the Servite Order manages your personal information and protects your privacy in respect of The Servite Response.
- 1.3 This Policy does not relate to records collected and held by Servite College, as they have a separate privacy policy which is available on request or at <https://www.servite.wa.edu.au/stewardship/resources/policy/>.
- 1.4 Any questions regarding this policy should be referred in the first instance to the Administrator.
- 1.5 For the purposes of this privacy policy:
- (a) **Accused** means a person against whom an allegation of sexual abuse has been brought by an Applicant to The Servite Response;
 - (b) **Administrator** means the Administrator of The Servite Response;
 - (c) **Applicant** means an applicant under The Servite Response;
 - (d) **Application** means an Application under The Servite Response;
 - (e) **Guidelines** means The Servite Response Guidelines;
 - (f) **Personal Information** is information or an opinion about an identified individual or an individual who is reasonably identifiable:
 - (i) whether the information or opinion is true or not; and
 - (ii) whether the information or opinion is recorded in a material form or not, and includes:
 - (iii) **Sensitive Information**, which is information about a person's:
 - (A) allegation of sexual abuse;
 - (B) racial or ethnic origin;
 - (C) political opinions;
 - (D) religious beliefs or affiliations;
 - (E) philosophical beliefs;
 - (F) membership of a political, professional, or trade association or trade union;
 - (G) sexual preferences or practices;
 - (H) criminal record;
 - (I) genetic information,
- and
- (iv) **Health Information**, which is information about:
 - (A) a person's physical or mental health;
 - (B) a person's expressed wishes about the future provision of health services;



- (C) a health service provided or to be provided to a person; or
 - (D) other personal information collected to provide a person with a health service.
- (g) **Servite Order, we, our and us** means and includes:
- (i) Order of the Servants of Mary Australian Delegation [ABN 80900235572];
 - (ii) The Order of the Servants of Mary Inc., registration no. A0530002L; and
 - (iii) past or present members of any of the above.
- (h) **Related party** means and includes:
- (i) Servite College, 134 Cape Street, Tuart Hill WA;
 - (ii) Servite College Council Inc [ABN 69356899381];
 - (iii) The Order of the Servants of Mary Victoria Inc., registration no. VIC A0008316U;
 - (iv) St Denis Parish, Joondanna, Western Australia;
 - (v) any ministry established or operated by the Servite Order; and
 - (vi) any past or present members, servants, agents, employees or contractors of any of the above.
- (i) **The Servite Response** means the scheme by which the Servite Order offers reparation to children and vulnerable adults who suffered sexual abuse whilst in the care of the Servite Order or a Related Party and as described in the document titled 'The Servite Response'.

2 Consent

- 2.1 By providing any Personal Information to us, or using our website, you consent to the collection, use and disclosure of the information in the manner set out in this policy and the law.

3 Why do we collect Personal Information?

- 3.1 The Servite Order from time to time collects Personal Information for the purpose of:
- (a) Dealing with applications made under The Servite Response; and
 - (b) compliance with the law and our contractual obligations with governments and agencies.
- 3.2 If appropriate, we will tell you why we are collecting Personal Information and how we plan to use it, or these things will be obvious when we collect the information.
- 3.3 Generally, we will collect Personal Information directly from you. However sometimes we may collect or receive Personal Information from your nominees or agents, publicly available records or third parties.
- 3.4 If we obtain Personal Information from third parties to whom we are referred to by you, we will assume that you have made that third party aware that you have referred us to them and of the purposes for the collection, use and disclosure of the information.



3.5 In certain circumstances we may collect Sensitive Information or Health Information about you. We will only collect this information if you provide it voluntarily, consent to us collecting it or we are otherwise authorised or required by law to do so.

3.6 If you do not provide us with your Personal Information, or you do not consent to us using your Personal Information as outlined in this policy, we may not be able to provide you with the services you request or otherwise fulfil the purpose for which we requested the information.

4 Collection of Personal Information

4.1 We may collect Personal Information about you when it is reasonably necessary for, or directly related to, our functions or activities under The Servite Response.

4.2 We may collect Sensitive Information or Health Information about you where you consent, or when the collection is authorised or required by law.

4.3 We may collect Personal Information from various sources including the following:

- (a) paper-based forms;
- (b) electronic means (including online application forms);
- (c) telephone discussions;
- (d) face to face interactions;
- (e) correspondence, letters or email;
- (f) from your nominee and/or support persons;
- (g) from responsible institution/s; and
- (h) from other relevant authorities or third parties.

4.4 We may collect the following Personal Information:

- (a) identity information;
- (b) contact details;
- (c) next of kin;
- (d) gender;
- (e) address;
- (f) alternative contact details;
- (g) nominee/support person details;
- (h) details regarding interactions with, and attendance at, Servite Order or Related Parties premises;
- (i) employment history, background or in connection with employment suitability;
- (j) pastoral care needs;
- (k) any Personal Information required to be collected by us by law.

5 How your Personal Information is Used and Disclosed

5.1 We may need to share your Personal Information if we are authorised or required by law to do so.



- 5.2 We will generally only use Personal Information for the purposes indicated at the time of collection or for a related secondary purpose.

6 How we store Personal Information

- 6.1 The Personal Information we hold may be stored in physical or electronic form and we may keep such copies as are necessary to carry out our functions and activities and provide our services and programs under The Servite Response.
- 6.2 We take reasonable steps to protect your Personal Information against misuse, interference and loss, and from unauthorised access, modification or disclosure.
- 6.3 When no longer required, we destroy or archive Personal Information.

7 Keeping Personal Information up to date

- 7.1 We take all reasonable steps to ensure that the personal information we collect, use or disclose is accurate, complete and current. However, it is your responsibility to ensure that your personal information is current.
- 7.2 Please contact the Administrator to correct inaccurate, incomplete or out-of-date Personal Information which we may hold about you.

8 Access to Personal Information

- 8.1 A person can access their Personal Information that we hold about them, subject to the following qualifications. The Personal Information if disclosed:
- (a) would be unlawful;
 - (b) poses a serious threat to the life or health of a person;
 - (c) would have an unreasonable impact upon the privacy of another person.
- 8.2 Please contact the Administrator if you wish to access your Personal Information.
- 8.3 There is generally no charge for accessing the Personal Information we hold about you, unless the request is complex or resource intensive. If there is going to be a charge, we will ensure the charge is reasonable and will notify you of the charge beforehand so you may agree the charge with us.

9 Privacy Complaints

- 9.1 Any person who believes that we have not protected their Personal Information in accordance with this privacy policy can lodge a complaint with the Administrator by writing to:

The Administrator
Servite Order
PO Box, 287, Morley, WA, 6943
Email : admin@servite.org.au
Tel: 0435 673 238

- 9.2 We will use our best endeavours to respond in writing within 30 days of receiving such a complaint.

10 Changes to this policy

- 10.1 We reserve the right to review, amend or update this policy at any time to comply with or take account of any changes to relevant legislation, technology or our operations and practices.



- 10.2 If we do amend this privacy policy, we will publish the most recent version on our website. Any information collected after an amended version of the privacy policy has been published on our website will be subject to that amended version of the privacy policy.
- 10.3 We recommend that you review this page regularly to ensure you are aware of any changes.