

# DOCUMENTS

(Updated 6 February 2019)

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# A. THE CHURCH

## **The Church**

The Presbyterian Church of Queensland is a part of the Church Catholic, is a constituent part of The Presbyterian Church of Australia, and is in historic continuity with the Church of Scotland, reformed in 1560.

It was founded in 1863 with the formation of a Synod, in which congregations, deriving from the Church of Scotland directly, and others deriving from the Free Church of Scotland and from the United Presbyterian Church, were represented.

The Presbyterian Church of Australia was constituted in Sydney on the 24th day of July, 1901, by the Union of The Presbyterian Churches of New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia. At that date The Presbyterian Church of Queensland, under the "Deed of Union", surrendered to The Presbyterian Church of Australia the power to determine finally in matters of doctrine, worship, and discipline.

## **Standards**

- (a) The Supreme Standard of the Church is the Word of God contained in the Scriptures of the Old and New Testaments, and which this Church regards as the only rule of faith and practice. This definition of the Supreme Standard is derived from the Westminster Shorter Catechism, and is understood by this Church in the light of the doctrine taught in Chapter One of the Westminster Confession of Faith.
- (b) The Subordinate Standard of the Church is the Westminster Confession of Faith, as amended by the General Assembly of Australia and read in the light of the Declaratory Statement contained in the Basis of Union.

## **Westminster Confession of Faith and the Declaratory Statement**

The General Assembly of the Presbyterian Church of Australia in 1991 (GAA BB 1991 Min. 29) resolved

That the Assembly:-

- (1) Affirm that, with respect to the Basis of Union 1901:
  - a. the subordinate standard is the Westminster Confession of Faith (II:i-iv, vi) and as such is the Church's Confession of Faith (II:ii, iv);
  - b. the Church is bound to the essential doctrine within the Confession of Faith (II:v);
  - c. no doctrine within the Confession of Faith has been declared by the Declaratory Statement to be not essential to the doctrine of the Confession (II:i-iv; vi);

- d. the Declaratory Statement has not altered any doctrine within the Confession of Faith but has added alongside statements concerning certain doctrines within the Confession of Faith (II:i-iv, vi);
  - e. the Church has power to alter what is not essential to the doctrine of the Confession, whether by revision or abridgment of the Confession or restatement of its doctrine (III-V).
- (2) Rule that the doctrines of any part of the Confession of Faith remain essential to the doctrine therein taught unless
- a. this can be established otherwise from the text of the Confession itself; or
  - b. the Church itself determines otherwise through revision or abridgment of the Confession or restatement of its doctrine, accordingly, the doctrines of Total Inability, Unconditional Election, Definite Atonement, Efficacious Grace and Perseverance of the Saints as taught in chapters 3 to 18 of the Confession are essential to the doctrine therein taught and thereby binding on the church.

### **Powers, Duties, Rights, Privileges, and Jurisdiction**

As a constituent part of The Presbyterian Church of Australia, The Presbyterian Church of Queensland has and exercises such powers, discharges such duties, and enjoys such rights and privileges as are provided for in the Basis of Union and the Articles of Agreement of the Deed of Union of the 24th July, 1901, and in subsequent competent amendments thereto.

The Presbyterian Church of Queensland has full autonomy in all matters except insofar as power relative to any particular matter has been assigned to the General Assembly of The Presbyterian Church of Australia under the Basis of Union and the Articles of Agreement of the Deed of Union. Matters in respect to which the powers of The Presbyterian Church of Queensland are modified in more or less degree by those of The Presbyterian Church of Australia are:-

- the Doctrine, Worship and Discipline of the Church,
- the Mission to the Heathen,
- the Training of Students for the Ministry,
- the Reception of Ministers from other Churches,
- Welfare of Youth, and
- Home Missions.

Power in respect of other matters may by amendment of the Articles of Agreement be assigned by the State Churches to The Presbyterian Church of Australia.

The only King and Head of the Church is the Lord Jesus Christ, from whom its powers and prerogatives are derived, so that all its functions are to be exercised in His Name, under the guidance of His Word and Spirit, and in subjection to His authority alone.

The spiritual oversight of the Church is vested in duly ordained Presbyters, chosen by the communicants, and sitting in representative courts, designated sessions, presbyteries and general assemblies, in gradation of authority in the order named.

The temporal affairs of the Church are administered by office-bearers, chosen by the members.

### **Law of the Church**

The law of the Church finds expression in the Supreme Standard of the Church supremely [see **Standards** (a) preceding] and partially in the following:-

- a. the Subordinate Standard;
- b. legislative enactments;
- c. declarations, directions and enactments of Church courts;
- d. unprescribed customary arrangements, practices and procedures.

Upon The Presbyterian Church of Queensland the following explicit formulations of Church Law are binding:-

- e. the Constitution of The Presbyterian Church of Australia, and the rules, regulations, declarations and directions lawfully made or given by the General Assembly thereof insofar as they are applicable to The Presbyterian Church of Queensland;
- f. the Constitution of The Presbyterian Church of Queensland as modified by the "Basis of Union" of the 24th July, 1901, and the rules, regulations, declarations and directions lawfully made or given by the General Assembly of the said Church.

### **Rules of the Church and Procedure for Amending etc.**

This paragraph and the preceding paragraphs of this chapter, and the numbered paragraphs of chapters 1-13 following, are hereby declared to be, and may be referred to as "rules" of the Church, and may only be amended, repealed, or added to under the "Barrier Act" procedure as provided in the relevant rules following.

### **Church Crest**

During its first session, 1901, the General Assembly of Australia adopted as its "emblematic device" the one in use in the Churches of New South Wales and Queensland, substituting the word "Australia" for the names of these States. The crest was approved by the New South Wales Assembly in 1883, and was first used in 1884.

The Queensland Church adopted it in 1895.

Besides the words "Presbyterian Church of Australia" and "Nec tamen consumebatur", the crest consists of the Burning Bush, St Andrew's Cross, the Southern Cross, a Latin Cross, the Rose, the Thistle and the Shamrock.

### **Non-profit Status**

The assets and income of the organisation shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

## B. LETTERS PATENT

### THE CORPORATION OF THE PRESBYTERIAN CHURCH OF QUEENSLAND

#### V. – LETTERS PATENT

VICTORIA by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the faith.

To The Rev. William Lambie Nelson of Toowoomba, Doctor of Laws, The Rev. Charles Ogg of Brisbane and James Bryden of Brisbane, all in the Colony of Queensland

#### Greeting -

**WHEREAS** by "The Religious Educational and Charitable Institutions Act of 1861" it is enacted, that it shall be lawful for the Governor, with the advice of the Executive Council from time to time, to issue **LETTERS PATENT** under the seal of the Colony, and therein to declare that any person or persons and their successors for ever, holding any religious or secular office or preferment, or exercising any religious or secular functions, to which he or they should have been called or appointed, in accordance with the rites, laws, rules, and usages of the Community or institution to which such person or persons shall belong, should be a Body Corporate, by such name and style as might in and by the said **LETTERS PATENT** be given to such Corporation. And **WHEREAS** it has been represented to us that you the said Reverend William Lambie Nelson, Reverend Charles Ogg and James Bryden respectively hold and exercise the offices of Moderator, Clerk, and Treasurer of the Presbyterian Church of Queensland, and that you have been appointed to such offices respectively in accordance with the rites, laws, rules, and usages of the said General Assembly of the Presbyterian Church of Queensland. And **WHEREAS** it has been further represented to us that you are desirous of being incorporated and designated by the style of THE PRESBYTERIAN CHURCH OF QUEENSLAND under the provisions of the said Act, and have complied with the provisions thereof, entitling you in that behalf. **NOW KNOW YOU**, that We, in pursuance of the power and authority vested in us by the said Act, and by and with the advice of the Executive Council of the said Colony **DO BY THESE LETTERS PATENT**, declare that you the said Reverend William Lambie Nelson, Reverend Charles Ogg, and James Bryden and your successors for ever shall be a Body Corporate by the name and style of THE PRESBYTERIAN CHURCH OF QUEENSLAND.

In Testimony whereof We have caused these **OUR LETTERS PATENT** to be sealed with the seal of the said Colony.

Witness our Trusty and Well-beloved William Wellington Cairns, Esquire, Companion of our Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies, at Government House, Brisbane, this Thirteenth day of June in the year of Our Lord one thousand eight hundred and seventy six, and in the thirty-ninth year of our Reign.

By Command

R.M. STEWART, W.W. CAIRNS.

Entered in Record by me, in the Register of Patents, No. 5, page 38, this thirteenth day of June, A.D., 1876.

H.H. MASSIE,

For the Colonial Secretary and Registrar.

# C.1 SAFE MINISTRY WITH CHILDREN POLICY

## To be read in the light of Queensland Code Rule 13.73, Regulation 110 Clause 11 and GAA Code of Discipline 3.12 and 5.01(a)

The Presbyterian Church of Queensland [The Church] recognises its duty of care and responsibility for the welfare of all persons within the church including children (persons under 18 years). All employees and volunteers, have a duty to create a safe environment for children, safeguarding them from harm including neglect, emotional, physical and sexual abuse.

### Governance

#### Roles and Responsibilities

The **Assembly** has specific responsibility to approve policies and ensure appropriate consultation, information, training, instruction, supervision, monitoring, audit and resources are available for child safety matters.

The **Office of the Clerk of Assembly** is responsible for the overall governance of this policy, the approval of procedures including the Code of Conduct for interacting with Children. The Office of the Clerk also has responsibility for the management of all Ministers and Accredited Ministry Workers required under Working with Children legislation and this policy.

The **Safe Ministry with Children Risk Management Officer** is appointed by the General Assembly of the Presbyterian Church of Queensland to provide oversight of the Safe Ministry with Children Policy and Procedures.

The **Safety Administrator** is appointed by the Commission of Assembly to implement and maintain the necessary administrative procedures required under legislation and this policy.

The **Presbytery** is responsible for the appointment of all employees involving children's ministry in terms of the Code of the Presbyterian Church of Queensland and to ensure all instructions of the Assembly are observed.

The **Kirk Session** is responsible for all activities, the appointment, training and management of voluntary leaders involved in children's ministry, and to ensure compliance with all Church and civil legislation concerning children's ministry.

## Statement of Commitment

The Church will uphold the following principles to safeguard children and vulnerable persons and to ensure legislative requirements are met. The Church is committed to the safety and holistic wellbeing of all children involved in its events. The Church takes child protection and safety seriously and therefore has policies and procedures in place to safeguard children from harm including emotional, physical, neglect and sexual abuse. The Church will not tolerate any form of child abuse or sexual exploitation

The Church will demonstrate commitment, capability and consistency in the provision of children's ministry and:

- Provide a Code of Conduct for interacting with children;
- Select, train and manage those with responsibility within the church in children's ministry;
- Provide policy and procedures and management systems to ensure compliance with the blue card system and Church policy and procedures;
- Communicate the Church's Safe Ministry with Children's Policy, Procedures and Code of Conduct to all employees, volunteers and others involved in children's ministry;
- Require all Ministers and other ministerial type appointments under Rule 13.73 to hold as a necessary pre-condition to their initial and ongoing appointment a Positive Blue Card Notice and agree to adhere to church policy, procedures and the Code of Conduct and undergo training in Child Safety.
- Require all Elders and Managers, employees and children's ministry volunteers to hold, as a necessary pre-condition to their initial and ongoing appointment or engagement in any role or work, in any such capacity, to hold a Positive Blue Card Notice (unless exempt under legislation) and agree to adhere to church policy, procedures and the code of conduct when working with children and undergo training in child safety. (see Rule 13.73)
- Conduct risk management of high risk activities and special events to ensure the safety of children and young persons;
- Protect survivors of sexual abuse from further harm and provide appropriate support;
- Offer pastoral care and support to any member of The Church known to have offended against a child or vulnerable person.

To ensure children and young people are kept safe The Church upholds the following policies for disclosing and investigating suspicions of harm and abuse and managing breaches of Policy, Procedures or the Code of Conduct:

- Any allegation of sexual abuse made against a Minister, Elder, Manager, paid work or volunteer will result in immediate advice to the Safe Ministry with Children Risk Officer and the Office of the Clerk of Assembly to consult with the Queensland Police Service concerning the investigative needs and immediate suspension of the person by the appropriate Court of the Church from working with children and any ministerial or leadership function until the matter is investigated by the police;
- Under Rule 13.73 of the Presbyterian Church of Queensland Code a Minister only qualifies to enter and remain involved in his ministry as long as he holds a Positive Blue Card Notice (unless he meets the exemption created by Min 15/35 on 30 September 2015). If a non-exempt Minister ceases to hold a current Positive Blue Card Notice, as required by the Working with Children (Risk Management and Screening) Act 2000 (Qld):
  - his employment, if he is an employee, will automatically end;
  - he will immediately cease to have any role within his Charge or entitlement to receive any salary, stipend or emolument; and
  - the Presbytery will take any necessary remaining steps to sever the pastoral tie.
- The Presbytery in the case of paid workers or leaders, and the Kirk Session in the case of Elders, Managers, leaders or children's ministry volunteers will immediately remove from office any leader or volunteer issued a Negative Blue Card Notice or whose Positive Notice is withdrawn, as an administrative procedure under Divisions Three, Four, or Five and Sections 194 and 356 of the Working with Children (Risk Management and Screening Act) 2000.
- Any breach of Policy, Procedures or the Code of Conduct is to be reported to the Charge Moderator or delegated Ministry leader and actioned according to Policy, Procedures and the Code of Conduct in consultation with the Safe Ministry with Children Risk Management Officer.
- The appropriate Court of The Church may instigate Disciplinary proceedings against a member under the provisions of the Code of Discipline of the General Assembly of Australia (GAA). The Church will not conduct investigations into allegations until the conclusion of the Civil Judicial Process; however this does not prevent proceedings commencing under the Code of Discipline (GAA).

Any person issued a Negative Blue Card Notice or whose Positive Notice is withdrawn or known to have offended against children will be monitored by the Kirk Session under the provisions of a Management Plan which ensures no contact between the person and children, and if a plan is not agreed to, appropriate ministration may be offered in the persons home or other suitable location.

# **ADDENDUM**

## **CHILD SAFE STANDARDS**

1. Child safety is embedded in institutional leadership, governance and culture.
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child sexual abuse are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the Child Safe Standards is continuously reviewed and improved
10. Policies and procedures document how the institution is child safe.

## C.2 WORK HEALTH AND SAFETY POLICY

The Presbyterian Church of Queensland [The Church] is committed to providing a safe and healthy environment while on Church property and while undertaking Church related activities. The Church will strive to provide a risk free environment across all our churches and places and all the activities we conduct.

### Governance

#### Roles and Responsibilities

The **Assembly** has specific responsibility to approve policies and ensure appropriate consultation, information, training, instruction, supervision, monitoring, audit and resources are available for health and safety matters.

The **Office of the Clerk of Assembly** is responsible for the overall governance of this policy and the approval of procedures and guidelines.

The **Trustees, Property Board and Committee of Management** have specific responsibility to provide and maintain a safe church environment, with safe systems of work, plant, substances and structures.

The **Safety Administrator** is appointed by the Commission of Assembly to implement and maintain the necessary administrative procedures required under legislation and this policy.

The **Presbytery** is responsible to ensure all instructions of the Assembly are observed.

The **Kirk Session** is responsible to exercise general supervision of the charge including the Committee of Management.

The **Committee of Management** has responsibility for ensuring all civil legislation pertaining to property of the church and activities undertaken within properties of the Church is complied with.

Our **Ministers, Elders, Managers and Leaders** have specific responsibility to:

- Help implement an effective health and safety program which promotes a positive culture of safety and wellness;
- Ensure a risk management approach in all Church places and activities to identify and control hazards;
- Adopt early intervention, injury management and rehabilitation practices;
- Monitor the health and welfare of everyone involved in Church activities and verify all necessary facilities are available and maintained;

- Make certain all incidents, injuries, illnesses, hazards and risks are reported, investigated and managed appropriately;
- Provide appropriate instruction in health and safety matters.

Our staff and volunteers, students, members and visitors, and contractors have specific responsibility to

- acquire knowledge of health and safety issues and practices applicable to church;
- take reasonable care for their own health and safety and that of others that may be affected by their actions or omissions;
- report all incidents, near misses, injuries and identified hazards promptly and participate in preventative actions;
- cooperate with all reasonable policies, procedures or instructions relating to health, safety and welfare; and
- participate in consultative processes, share information and contribute ideas

### **Principles**

- Providing a safe and healthy environment in which to work and in all aspects of Church activity;
- Communicating the Church work health and safety policies and procedures to all workers and others impacted by the Church's activity;
- Complying with relevant work health and safety legislation and providing adequate resources to achieve the same;
- Establishing and maintaining a work health and safety management system that integrates Church activities;
- Promoting work health and safety awareness across all levels of the Church to achieve the commitment and adherence of workers, worshippers, visitors and other persons to the Church's work health and safety policies and procedures;
- Establishing measurable targets aimed at preventing injury or illness from Church activities;
- Maintaining, monitoring, auditing and improving work health and safety performance across the Church;
- Periodically reviewing and amending where applicable, work health and safety policies and procedures to maintain consistency and relevance to its activities and legislative requirements.

## **D. OWNERSHIP OF CHURCH PROPERTY**

The Presbyterian Church of Queensland is established under Letters Patent and is governed by the Queensland Trust Act in relation to Funds and Property. The Presbyterian Church of Queensland is a Corporation of which the Moderator, Clerk and Treasurer are the Trustees. Congregational property (with some exemptions, eg Ann Street) is vested in the Corporation. Hence, it is commonly stated that the Corporation holds property etc on behalf of Congregation x. Congregational property can only be sold, mortgaged, purchased or dealt with in any way whatsoever provided the action is carried out in terms of the Rules of the Presbyterian Church of Queensland (the Code).

However, the Corporation also owns denominational property or equipment and holds funds. For example, the offices of the Church are owned by the Corporation of the Presbyterian Church of Queensland, as are all camp properties, including their computers, furniture and equipment, and all other items purchased and used by The Presbyterian Church of Queensland, as well as funds of the denomination.

Under Rules, Regulations, Constitutions etc contained in the Code, the use of such property, items and funds is given over to its various Committees, Boards etc. For example, the Rules of the Church allocate the responsibility of campsites to the Property Board. The Regulations governing the N. F. Nelson Fund (for the work of camping and campsites) declare the Committee on Outreach and Nurture as the body to administer the Fund. These bodies do not own any property but simply administer such property as authorised by the Assembly.

If it is believed that particular resources owned by the Corporation could be more appropriately superintended by an alternative body within the Church, the Assembly has the power to change the body that administratively runs and/or uses the particular resource by changing the necessary sections of the Code, either Rules, Regulations or Constitutions.

## **E. STATEMENT ON COMMISSION OF PRESBYTERY**

1. The Commission of Presbytery is the Presbytery and Presbytery cannot overturn a Commission's decision unless it has acted outside its authority.
2. Presbytery has the power to set the terms of a Commission of Presbytery and can include, among other things, the proviso that reports and correspondence are to be provided to the Presbytery as part of the terms of the Commission.
3. Any member may ask to have any item of correspondence read at any time.
4. Presbytery has the right to ask for minutes and reports from a Commission of Presbytery.

# F. PRIVACY POLICY FOR PRESBYTERIAN CHURCH OF QUEENSLAND

## **Our Privacy Commitment**

The Presbyterian Church of Queensland (“PCQ”) ABN 43 015 755 489 is committed to caring for people who are associated with the PCQ through any of its local congregations, its camps and activities and any other ministries it conducts. In caring for these people the PCQ acknowledges that it be will become privy to personal, private, confidential and sensitive information about you.

The PCQ is committed to protecting your privacy by ensuring the confidentiality and security of your this information. We are bound by the *Privacy Act 1988* (Cth), which sets out a number of principles concerning the protection of your personal information. Similarly, the PCQ is committed to compliance with all areas of law including but not limited to child protection and workplace health and safety and will disclose information, including personal and sensitive information, as and when required in compliance with its wider legal obligations.

The core requirements of the Act are set out in the Australian Privacy Principles (“APPs”). These APPs set out how an organisation such as the PCQ should collect, use, keep, secure and disclose personal information. They also give individuals a right to know what information an organisation holds about him or her, and a right to correct it, if it is wrong.

## **Your Personal and Sensitive Information**

The personal information that the PCQ has collected or may collect in the future may include any or all of the following personal information:

- Name;
- Address;
- Telephone or mobile phone numbers;
- Date of birth;
- Email address;
- Tax file number;
- Blue Care number;
- Bank account details;
- Place of birth;
- Date of marriage; and
- Date of baptism.

The PCQ may also collect or become aware of the following sensitive information about you:

- Offering habits through direct deposits; and
- Medical details; and
- Health concerns.

### **How we collect Personal Information**

The PCQ is a not-for-profit organisation and as such, it will only collect information that relates to its activities and which relates solely to its members and those persons who have regular contact with the PCQ and its activities.

The PCQ collects personal information in a number of ways, including:

- Directly from you when you provide information to the local congregation, to the PCQ or to approved third parties by telephone by way of registration forms (howsoever described) provided by the local congregation, the PCQ or its agencies;
- From third parties such as parents or church office bearers;
- From publicly available sources of information; or
- When legally required to do so – for example, for marriage services.

Further, the PCQ recognises that it may become privy to certain private, confidential or sensitive information about you from yourself, your family or your friends in circumstances where the PCQ has not actively sought out that information. In such circumstances, any such information will be treated as private, sensitive or confidential as the case may be and dealt with in accordance with the PCQ's obligations under the *Privacy Act 1988* (Cth) and this Privacy Policy.

### **Disclosure Generally**

At all times when dealing with your personal and sensitive information, the PCQ will act with sensitivity and will respect your rights and opinions.

### **Disclosure of Your Personal Information to the PCQ and its Agencies**

Consistent with the PCQ's commitment to the care of people who are associated with the PCQ or any ministry of the PCQ, your private or sensitive information may be disclosed to persons who are charged with your care or leadership in order that the PCQ maintain its commitment to your care. Any such disclosures for this purpose remain confidential, private or sensitive (as the case may be).

Further, individual PCQ congregations and agencies have certain reporting obligations to the PCQ more generally. This may include your demographic information generally, or more specific information which relates directly to you. The congregations and agencies may therefore disclose your information to the PCQ for these reporting purposes. Any such disclosure for this purpose remain confidential, private or sensitive (as the case may be).

### **Disclosure of Your Personal Information to Other Parties**

It may be necessary for the PCQ, either directly or through its local congregations or other agencies, to disclose your personal information to certain third parties in order to assist us in providing services or administering your affairs. Examples of the types of organisations to which we may disclose your personal information include:

- Doctors or other medical services in cases of emergency;
- Outsourced service providers (e.g. payroll services);
- Our bank, when depositing funds to your account;
- Organisations providing information technology services;
- Organisations providing specialised training or supervisory services in relation to an activity undertaken by the PCQ or its congregations or agencies;
- Our professional advisers, including our accountants, auditors, and solicitors; and
- Organisations providing mailing services, and printing our standard magazines, newsletters and documents.

In accordance with the PCQ's commitment to compliance, we will also disclose your personal information in circumstances where we have statutory obligations or are required by law to do so. If the PCQ is obliged to make any such statutory or legal disclosures, those disclosures will be made regardless of whether you consent to that disclosure or not.

Where personal information is made publicly available with your consent for a certain purpose, eg. where you are a minister of a local church and contact details are disclosed on the website for that church, once the information is no longer required for that purpose, the PCQ and its local congregations will endeavour to ensure that any such personal information is removed from publication.

Where the PCQ is not legally obliged or legally permitted to disclose private or sensitive information about you or as otherwise set out in this Privacy Policy, the PCQ will not disclose private or sensitive information about you without first obtaining your consent. Such consent may be written or verbal.

The Presbyterian Church acknowledges that information and/or images may be disclosed by third parties on Social Media platforms without the knowledge or consent of the Church. However, such information and/or images will be removed from all Social Media platforms controlled by the Presbyterian Church upon request.

### **You can Access Your Personal Information**

You have a right to access your personal information, subject to some exceptions allowed by law. If you would like to do so, please let us know. You may be required to put your request in writing or provide evidence of your identity for security reasons.

The PCQ reserves the right to charge a fee for searching for and providing access to your information.

### **Help us to ensure that we hold Accurate Information**

The PCQ takes all reasonable precautions to ensure that the personal information we collect, use and disclose is accurate, complete and up-to-date. However, the accuracy of that information depends to a large extent on the information you provide. That is why we recommend that you:

- Let us know if there are any errors in your personal information, and
- Keep us up-to-date with changes to personal information such as your phone number or address.

### **What to do if You Have a Privacy Complaint**

The PCQ takes any concerns or complaints in relation to your privacy very seriously and is committed to resolving any such concerns or complaints as quickly as possible. Our aim is to assist you by reaching a satisfactory solution as soon as possible.

If you have a complaint or concern about your privacy at the PCQ, we request that you first contact a person in senior leadership at the congregation or agency concerned to resolve your concerns directly. If your complaint or concern is not adequately addressed at this level please contact the PCQ Privacy Manager whose details are listed below.

Any such complaints or concerns will be dealt with confidentially by the PCQ Privacy Manager and at least two (2) other denominationally authorised persons. These people are able to refer to the matter to an agreed mediator if required in order to resolve the complaint or concern.

If you are not satisfied with the resolution of your complaint by the PCQ, you may contact:

Office of the Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001  
Telephone: 1300 363 992  
Facsimile: (02) 9284 9666  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Website: <http://www.oaic.gov.au/>

### **Changes to this Policy**

The PCQ continually strives to improve the standard of service we provide to you, so from time to time we may update this policy. When this privacy policy is updated, this fact will be communicated to all relevant people in senior leadership of the PCQ or any of its local congregations, ministries, activities or agencies who will also be provided with a copy of the updated policy.

If you wish to obtain a further copy of this policy, please contact the PCQ Privacy Manager or download the policy from our website.

### **How to Contact the PCQ about Privacy**

If you have any questions in relation to privacy, please contact:

PCQ Privacy Manager Level 4, 19 Lang Parade MILTON QLD 4064

Or write to us at:

Attn: PCQ Privacy Manager  
PO Box 1351  
MILTON LPO QLD 4064  
Telephone: (07) 3716 2800  
Facsimile: (07) 3716 2810  
Email: [privacy@pcq.org.au](mailto:privacy@pcq.org.au)

# G. DATA BREACH POLICY

## Scope

The scope of this policy has application for all activities and personnel involved with the collection, storage, use and disclosure of both personal and denominational information as part of the Presbyterian Church of Queensland (PCQ).

PCQ recognises that the privacy of all people and entities that we intersect with is important and we are committed to protecting the information we collect. We manage all personal information in accordance with the Privacy Act 1988 (Commonwealth) (Privacy Act) and Australian Privacy Principles, as set out in our Privacy Policy and this Policy. This Policy is to be read in conjunction with the PCQ Privacy Policy.

Where a PCQ Board or Committee has invoked its own Data Breach Policy, that Board or Committee's Data Breach Policy will take primacy as far as it is in conflict to this policy.

## Policy

PCQ is committed to ensuring that each individual's right to privacy and confidentiality is respected and protected, and that confidential organisational documents are protected.

PCQ will ensure that any process for the collection, storage, use or disclosure of personal information will comply with the Commonwealth Privacy Act 1988 ("the Privacy Act") and the Australian Privacy Principles.

PCQ also recognises that there may be instances where a breach of the data they hold under the Privacy Act occurs through loss, unauthorised access, unauthorised disclosure or another form of systems failure.

PCQ will act in accordance with the Privacy Act to ensure that breaches are managed in a transparent, timely and appropriate manner and where required, such breaches are reported to the Office of the Australian Information Commissioner. We will work with all relevant parties to ensure that the effect of any Data Breach is managed appropriately.

In protecting the information of our members and our denominational information, PCQ will ensure it is able to:

- Identify actual and potential breaches;
- Contain any breaches and assess the extent of the breach;
- Evaluate the risks relating to the breach;
- Notify the relevant stakeholders;

- Take immediate steps to remediate the breach; and
- Undertake a continuing process of evaluation and improvement process in relation to PCQ's data management.

### **Definitions**

**Data Breach:** means an incident in which sensitive, protected or confidential data is copied, transmitted, viewed, stolen, retained or used by an individual unauthorised to do so.

**Personal Information:** means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.

**PCQ:** includes all Congregations and other Ministries conducted by the PCQ, including all related entities under the control of the PCQ.

**PCQ/People:** means members, volunteers, trainees and paid employees of PCQ.

**Privacy Act:** means the Privacy Act 1988 (Commonwealth)

**Unauthorised access:** occurs when personal information that an entity holds is accessed by someone who is not permitted to have access. This includes unauthorised access by an employee of the entity, as well as unauthorised access by an external third party (such as by hacking).

**Unauthorised disclosure:** occurs when an entity makes information accessible or visible to others outside the entity and releases that information from its effective control in a way that is not permitted by the Privacy Act. This includes unauthorised disclosure by an employee of PCQ.

### **Related Policy, Procedure, Legislation and Professional Standards**

- The Privacy Act 1988
- Australian Privacy Principles: Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Commonwealth of Australia Privacy Regulation 2013
- Privacy Amendment (Notifiable Data Breaches) Act 2017
- PCQ Privacy Policy
- PCQ Systems Data Breach Response Plan

- PCQ Non Systems Data Breach Response Plan
- Protection of Confidential Information Procedure
- Freedom of Information Act (Commonwealth) 1985
- Document Control Policy
- Control of Records Policy
- Client Protection and Harm Prevention Policy
- Freedom of Information Policy