



## ***Responsible Disclosure of Personal Information from Sacramental Records***

### **Purpose**

The Archives Office of the Archdiocese of Perth has developed the following material to guide parishes and agencies in their responsible disclosure of personal information. The guide supports parishes and agencies in protecting the privacy of its parishioners and community and in acting in accordance with the Archdiocese's Sacramental Records Policy (see Attachment 1), which is based on Canon Law.

### **What Are Sacramental Records?**

Sacramental records are records of baptisms, confirmations and marriages. They are confidential and created with the presumption of privacy.

### **Archdiocese Statement on Disclosure of Personal Information**

The Catholic Archdiocese of Perth's parishes and agencies must protect the privacy of its community members by ensuring that personal information, especially from its sacramental records, is disclosed only to authorized individuals who adhere to the Archdiocese's Sacramental Records Policy.

### **Why the Need for Change?**

The Archdiocese's parishes and agencies need to prepare for the introduction of the *Privacy and Responsible Information Sharing* legislation, which will be implemented throughout the Western Australian public sector. This legislation is in line with the federal *Privacy Act 1988*, which sets out 13 rules of conduct to protect the privacy of individuals referred as the 'Australian Privacy Principles'. The Archdiocese needs to ensure its practices are in line with the standards set out by these laws in order to respond to community expectations. Currently, Western Australia's *Privacy and Responsible Information Sharing* legislation is being finalized; public consultation ended in November 2019. More details about this legislation are available at the website:

<https://www.wa.gov.au/government/privacy-and-responsible-information-sharing>.



### How to Disclose Personal Information from Sacramental Records

Section III, "Access and Certification", in the Sacramental Records Policy stipulates how these records are to be accessed. The following six steps outline the best practices for parishes and agencies to adopt to protect its community members' privacy when disclosing personal information from its sacramental records.



1. Phone or walk-in enquiry received from an applicant for personal information from a sacramental register.



2. Inform and instruct applicant that a written request (using the appropriate form) needs to be made.

In relation to genealogical research, the Sacramental Records Policy (hereafter SR) states that:

**SR 19. Requests for a significant number of records created at least 75 years ago (such as in the case of genealogical research) are to be handled in writing and to comply with the procedures in place at individual parishes.**



3. Email the appropriate sacramental record application form or make a printed copy of it available to the person.

*See enclosed examples of application forms. You may customize these forms to suit your parish or agency requirements.*



4. Verify that the identification information submitted on the completed form matches the details of the person requesting the information. Note the following requirement:

**SR 17. Government-issued identification is necessary in order to release a record.**



5. Destroy all copies of the proof of identification documentation submitted. There is no requirement to retain this personal information once it has been verified. Destruction needs to be a secure process.



6. Ensure you are disclosing personal information to the person named in the sacramental record register:

**SR 12. Access to sacramental records created within the last 75 years is granted only to the individual to whom the record pertains.**

For example, only the person named on a baptism certificate can request his or her baptism record details. Parents can apply for information on behalf of a minor, but they should provide a birth certificate. Relatives of people who have died within the 75-year restriction period may apply for records, but they should produce a statutory declaration or the relevant death certificate. However, note exceptions to this disclosure stated in:

**SR 11. Access to sacramental records created 75 years prior to January 1 of the current year is unrestricted. and SR 18. Routine requests for records between parishes and other dioceses, and from chancery offices (e.g., the Tribunal) for canonical purposes can be completed without permission of the individual.**