

POLICY AND PROCEDURE

Privacy and information management

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1. Introduction

In Australia privacy legislation is designed to protect an individual's personal information. Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable¹.

The *Privacy Act 1988*² regulates the handling of personal information. In general the *Privacy Act* applies to:

- all businesses and not-for-profit organisations with an annual turnover more than \$3 million
- all Australian Government agencies
- private sector health service providers, child care centres, private schools and universities
- businesses covered by an approved privacy code
- businesses that sell or purchase personal information, credit providers that handle personal credit file information³.

For more detailed information on who the Act applies to visit the Office of the Australian Information Commissioner website: <http://www.oaic.gov.au/privacy/who-is-covered-by-privacy>

Based on the above information Lighthouse Church is not subject to the *Privacy Act 1988* or the amendments that came into effect in 2014. However it is recognised these principles represent good practice in relation to privacy and have been used to develop our privacy policy and procedures.

The Act includes thirteen Australian Privacy Principles that set out standards, rights and obligations for the handling, holding, accessing and correction of personal information as summarised below:

Principle 1 — personal information is managed in an open and transparent way

- will have practices, procedures and systems to enable the entity to deal with inquiries or complaints
- have a clearly expressed and current privacy and information management policy

Principle 2 — anonymity and pseudonymity

- no direct application to Lighthouse Church

Principle 3 — collection of solicited personal information

- information collected should be reasonably necessary for, or directly related to, the organisation's functions or activities
- should not collect sensitive information about an individual without consent

Principle 4 — dealing with unsolicited personal information

- no direct application to Lighthouse Church

Principle 5 — notification of the collection of personal information

- no additional application to Lighthouse Church other than that already outlined by Principle 1

¹ <http://www.oaic.gov.au/privacy/about-privacy>

² The *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Privacy Amendment Act) and *Privacy Regulation 2013* introduced significant changes to the *Privacy Act 1988* (Privacy Act) commencing March 2014.

³ Office of the Australian Information Commissioner <http://www.oaic.gov.au/privacy/about-privacy>

Principle 6 — use or disclosure of personal information

- personal information collected for a particular purpose will not be used for another purpose unless the person provides consent

Principle 7 — direct marketing

- personal information held will not be used for direct marketing unless the organisation collected the information from the person, the person would reasonably expect the organisation to use/disclose information for that purpose and a way is provided by which the person can easily request not to receive direct marketing communications from the organisation

Principle 8 — cross-border disclosure of personal information

- no direct application to Lighthouse Church

Principle 9 — must not adopt or use a person's government related identifier as our own identifier of the person

- no direct application to Lighthouse Church

Principle 10 — quality of personal information

- take reasonable steps to ensure personal information collected, used or disclosed is accurate, up-to-date, complete and relevant

Principle 11 — security of personal information

- take reasonable steps to protect information from misuse, interference, loss, unauthorised access, modification or disclosure
- in disposing of personal information take reasonable steps to destroy or de-identify information

Principle 12 — access to personal information

- must, on request by the person, provide access to personal information held within a reasonable period (exemptions apply)

Principle 13 — correction of personal information

- must take reasonable steps to ensure personal information held is accurate, up to date, complete, relevant and not misleading
- personal information should be corrected if the organisation identifies the need, or the person requests correction.

For more detailed information regarding the Australian Privacy Principles see the Office of the Australian Information Commissioner's *Privacy fact sheet 17: Australian Privacy Principles*: <http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles>

2. Privacy policy

We are committed to ensuring that personal information provided and maintained by Lighthouse Church is managed carefully and respectfully. For this purpose, while Lighthouse Church is not subject to the *Privacy Act 1988*, our privacy policy has been developed with reference to the *Australian Privacy Principles*⁴.

Information we collect

We collect personal information from you when you complete the gold welcome slip in church, the membership application form and information consent form, and any activity registration forms.

How your information is stored

Personal information is stored and accessed through the Hub – our online church community membership database. If you are a member of Lighthouse Church and have completed an information consent form, you will be given a personal login allowing you to access the Hub. The Hub has privacy functions that are set as defaults by the system administrator. You can use your personal login at any time to change the privacy settings on your personal profile.

If hard copy forms are retained the forms will be stored in lockable filing cabinets in the office of the pastors and/or the Secretary. When this information is no longer required it will be shredded prior to disposal.

How your information is used

Personal information provided by you will only be used for the purpose of your participation in Lighthouse Church activities and events. Your personal information will not be disclosed to any other entity outside church unless it relates directly to the functions and activities of church, and your consent has been obtained or is implied by your initiation of, or involvement in, a particular process or activity eg external provider of safe ministry training.

Access to newcomer's personal information is limited to the pastoral team and those involved in following up the person.

Updating your information

We recognise the importance of ensuring your information is current, accurate, complete and relevant. If you have a login to the Hub you can view and update your personal information at any time.

Protecting your information

We have developed privacy procedures to ensure your personal information is protected from misuse, unauthorised access, alteration, disclosure or loss. Our privacy procedures include the following information:

- practices and expectations of staff and administration relating to privacy and information management
- practices and expectations of members in relation to privacy matters
- a response plan relating to a breach of privacy or information security.

Questions or concerns

If you have any questions or concerns relating to privacy or confidentiality at Lighthouse Church please email admin@lighthouse.net.au

⁴ Office of the Australian Information Commissioner <http://www.oaic.gov.au/privacy/about-privacy>

3. Privacy and information management procedures

3.1 Collection of personal information

Personal information is only used for the purposes of, and use by, Lighthouse Church.

Newcomers are invited to record the information they are comfortable providing on the welcome slip. Slips are collected in bags at the end of the meeting. Pastors and the follow up team are the only people who read information provided on the back of the slips. Contact details are entered into the Hub for the purpose of following up where appropriate. Welcome slips are then shredded.

People who wish to become a member of Lighthouse Church complete an information consent form as part of the membership process. This information is also entered into the Hub. Information consent forms are usually scanned and saved as a soft copy for record keeping purposes. Hard copy forms are shredded before disposal.

Other information that may be collected and stored includes incident report forms, working with children clearances and evidence of completion of safe ministry training, permission forms, limited banking information provided by members for the purpose of giving to church (generally this is only viewed by the Treasurer).

3.2 Lighthouse Church Hub

The Hub is the preferred method of locating and utilising the contact details of other members. This ensures contact information is up to date, and privacy features of the program assist in ensuring people's contact information is protected and used appropriately and wisely.

The Hub allows varying degrees of access privileges to be set according to authorised/allocated roles in church:

- pastors and system administrators are able to view all information on the Hub
- growth group and ministry leaders can view the details of members in the groups they lead
- formal members who sign an information consent form are given a personal login to access the Hub as a 'basic user'⁵
- privacy settings for people who are not formal members or who are children/youth are set to 'unlisted'
- group members with a personal login can see who is in their group and 'send a message' by email to group members.

Members can change their own personal information, privacy and communication settings at any time. If members leave Lighthouse Church their login is made inactive as part of the membership deactivation process.

In relation to email correspondence sent to all formal members:

- only the pastoral team and system administrators are authorised/able to do this
- these emails will be sent via the Hub
- content must be relevant to the majority of formal members and relate to church functions and activities
- will not be used to advise of changes to member contact details, raise money, circulate personal prayer requests (see established prayer email process), or to convey or promote personal opinions of individuals in church
- Ministry leaders wanting to send email correspondence to all formal members should send the draft message to the ministry pastor for approval before sending to admin@lighthouse.net.au for posting on the Hub.

⁵ A login as an unlisted, limited access user may also be given to a person attending Lighthouse Church regularly who is in the process of becoming a member, or a person aged 16-17 years who is attending Lighthouse Youth, to enable them to interact with those in their own ministry team or growth group.

3.3 Church contact lists

This list can be generated via the Hub as required to organise church events, or on request for members who do not have regular access to a computer.

Access to the contact details of other members is a privilege. Please consider the following:

- the Hub is the preferred method for emailing groups of which you are a member eg growth groups
- not everyone enjoys receiving a lot of email communication
- unsolicited 'broadcast' emails to all members or large groups is considered misuse of contact information
- there is no valid reason to email large groups without authorisation eg event organisers
- the purpose of the list is to help members connect and care for each other in church – using the contact information for reasons that do not fit with this purpose is considered a misuse of this information
- if you have any doubt about whether your use of member's personal information would be appropriate seek input from your growth group or ministry leader or email admin@lighthouse.net.au

If there is a time where contact information is considered to be misused, a pastor or other leader will address the matter directly with the person to explain the situation and ensure it does not happen again. If there are any further concerns, access to the Hub and further contact lists will be suspended as a necessary step in ensuring personal information provided and maintained by Lighthouse Church is managed carefully and respectfully.

3.4 Church website

Our website address is www.lighthouse.net.au Some areas of the website are only accessible to formal members who have completed an information consent form and been provided with a personal log in. People under 18 years (and therefore not a formal member) may be provided with a website log in on request if their parents are formal members and provide consent (with the assumption they will become formal members once 18 years).

3.5 Photographs

Guidelines for taking photos

When taking photographs at Lighthouse Church events for church purposes the following guidelines should be considered:

- ask permission - if someone declines or expresses discomfort avoid taking their photograph
- photographs of children or youth should focus on the activity and the group, rather than an individual
- avoid taking photos of people that may cause embarrassment or discomfort
- avoid using photos of people who have left church - withdrawal of membership should be considered a withdrawal of consent to use images for promotional purposes
- if in doubt don't take or use the photo.

Guidelines for using photos

Where possible use photos of formal members as they are given the opportunity to 'opt out' of photos used to promote Lighthouse Church on the information consent form completed as part of the membership process. A few formal members have not provided consent to use photographs of them in promotional material for Lighthouse Church. Anyone involved in producing promotional material for Lighthouse Church should ensure photos selected for use do not include people on this list (email admin@lighthouse.net.au for further advice⁶).

For children and youth general permission to have photos taken is gained on the information consent form (for children of formal members) and on registration forms.

Photos of visitors or non-members should not be used for promotional purposes or in any public media without seeking permission. It is suggested permission is sought by email. This allows an explanation of the intended use of the photo, and a copy of the photo you wish to use can be attached. An email reply also provides evidence of consent for record keeping purposes. It is also preferable that members are asked about using a specific photo for external promotional purposes, particularly if the photo focuses on them as an individual or is of a child or young person. In the case of youth, permission should be sought from both parents and the young person themselves. See 'Facebook' below for information regarding use of photos on Facebook.

In NSW it is an offence to publish identifiable material of a child who is involved in the Children's Court or a non-court child protection proceeding under the Children and Young Persons Act 1998. Avoid using photographs for children or youth who are in out-of-home foster care, or have ever been involved in child protection, family court or criminal proceedings so that they are not identified in relation to legal matters. If in doubt, don't use the photo.

Members can advise of concerns about use of any image relevant to them or their family and/or can withdraw their consent for use of photographs relevant to them or their family used in promoting Lighthouse Church by email: admin@lighthouse.net.au

3.6 Prayer requests

Members who have completed an information consent form can choose to be involved in receiving and notifying of prayer requests via email. Members can opt out by ticking the relevant box on the information consent form, by notifying the coordinator (Gerda Hailes) or by emailing admin@lighthouse.net.au

Prayer requests should generally be limited to requests for Lighthouse Church attendees and their immediate family. Prayer requests relating to friends or other family can be raised via growth groups.

3.7 Prayer in church

Prayer in church regularly includes prayer for the needs of specific individuals. Prayer points are updated by the pastoral team each Saturday afternoon and can be accessed by members of the prayer team. The pastoral team will ensure that those listed in the google document have confirmed they are happy to be prayed for during the church meeting.

⁶ Lighthouse Church Hub - 'People', 'Edit profile', 'Custom fields', 'Photos declined' = Yes

3.8 Facebook social networking site

Lighthouse Church has a Facebook 'page' (different to a group) to communicate information of interest to those at Lighthouse Church. People can sign up as a 'fan' if they want to participate. The page is located at: <https://www.facebook.com/LighthouseChurchCentralCoast/?v=info&viewas=715168017&ref=ts++and+the+night+church+page+at%3A+https%3A%2F%2Fwww.facebook.com%2Fnorthernlakesnightchurch%3Fref%3Dhl>

Public Facebook pages may be used for youth activities for communication purposes. No photos are to be posted on facebook unless parents have given written consent (eg via a Lighthouse Youth general permission form). Photos posted on facebook will be classed as 'advertising' and the security settings of any facebook page will be set to restrict non-administrators from posting photos.

3.9 Response plan

The Office of the Australian Information Commissioner's *Guide to handling personal information security breaches*⁷ forms the basis of our response plan in 'any situation where personal information has been compromised'.

The guide and recommended approach acknowledges 'there is no single way of responding to a data breach' and 'each breach will need to be dealt with on a case-by-case basis undertaking an assessment of the risks involved, and using that risk assessment as the basis for deciding what actions to take in the circumstances'. However the following steps are outlined to provide guidance in responding to a breach or suspected breach:

- Step 1: Contain the breach and do a preliminary assessment of the effect
- Step 2: Evaluate the risks associated with the breach
- Step 3: Make decisions regarding notification
- Step 4: Take steps to prevent future breaches.

4. Frequently asked questions

The following frequently asked questions relevant to Lighthouse Church were developed with reference to information provided on what was the Office of the Privacy Commissioner website (now the Office of the Australian Information Commissioner):

a. Can the names of people be mentioned in public prayers or in the printed handout in church?

Yes, as long as it is within the person's reasonable expectations of what will happen with their personal information. It is good privacy practice to check with the person first, especially where sensitive health or personal difficulties are involved. In addition, it would be good practice to make people aware of this practice when they join the congregation. This could be done by having a clear, available policy about when the organisation will check with people before making information about them public. <http://privacy.gov.au/faq/individuals/q444>

⁷ http://www.oaic.gov.au/images/documents/privacy/privacy-resources/privacy-guides/Data_breach_notification_guide_April2012FINAL.pdf

b. What do I need to think about if I want to put photos on the web?

When taking photos take reasonable steps to tell explain who you are and what you are taking their picture for. It is good practice to seek a person's express consent to use their image on the web or in written material, particularly when using images of children. If you then use the picture for something that you didn't tell the individual about, you will need the individual's consent, unless they would reasonably expect you to use their photo for this other purpose.

c. Can an organisation build up personal profiles of people as part of developing a relationship with them (for example by recording information they provide about their interests)?

Yes this is acceptable, however there are some restrictions:

- you cannot use unfair means to collect the information eg deception, surveillance
- if the information is then to be used for some other purpose, it can only be used if person would reasonably expect that to happen or if they have consented.
- if collecting sensitive information you must have the consent of the individual.

d. Do people need to consent in writing to use of their personal information?

Sometimes it may not be obvious whether someone has consented to all the uses of personal information that the organisation has in mind. The *Privacy Act* states that consent can be 'express' or 'implied'.