



## POLICY AND PROCEDURE

### Privacy and information management

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## 1. Introduction

Privacy legislation<sup>1</sup> is designed to protect an individual's personal information. Personal information is information about an identified individual, or an individual who is reasonably identifiable. Sensitive information is a subset of personal information subject to tighter privacy regulation eg health information, religious beliefs, sexual orientation.

regulates the handling of personal information. The *Act* includes thirteen principles that set out standards, rights and obligations for the handling, holding, accessing and correction of personal information. While small businesses and not-for-profit organisations are not currently subject to the principles, the government has signalled an intention to remove this exemption. In addition the privacy principles outline good practice to guide the practice of all entities. The principles are summarised below:

### Open and transparent management of personal information (Principle 1)

- 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
- we will outline what information we collect and hold, why and how, and how someone can access or correct this information.

### Collecting of personal information (Principles 2-5)

Includes:

- Principle 2 — anonymity and pseudonymity
- Principle 3 — collection of solicited personal information
- Principle 4 — unsolicited personal information
- Principle 5 — notification of collection.

In summary:

- Information collected should be 'reasonably necessary' for, or directly related to, the organisation's functions or activities eg do we need to collect Medicare numbers when children won't be refused treatment and we can typically get this information from parents if/when needed?
- Sensitive information should not be collected without consent.
- Information should be collected directly from the person where reasonable and practicable.
- There should be the option for people to provide information anonymously where practical eg surveys.

### Managing personal information (Principles 6-11)

Includes:

- Principle 6 Use or disclosure - personal information will be used only for the primary purpose and related purposes as reasonably expected, consent must be obtained to use for any other purpose, need actual (not implied) informed consent (including implications of consenting or not) to disclosure sensitive information
- Principle 7 Direct marketing - personal information 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 for a to easily request not to receive direct marketing communications from the organisation.
- Principle 8 — cross-border disclosure of personal information not permitted
- Principle 9 — do not use a person's government related identifier as our identifier of the person.

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<sup>1</sup> Privacy Act 1988 and Privacy Regulation 2013.

## **Integrity of personal information**

Includes:

- 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, especially information that reflects badly on a person or cause harm or loss
- Principle 11 Security of personal information - take reasonable steps to protect information from misuse, interference, loss, unauthorised access, modification or disclosure, and in disposing of personal information (destroy or de-identify).

## **Access and correction of personal information**

Includes:

- 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 - 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](#)

## **2. Privacy policy**

Lighthouse Church is committed to ensuring that personal information provided and maintained by Lighthouse Church is managed carefully and respectfully in accordance with the *Australian Privacy Principles*.

### **Information we collect**

We collect personal information from you when you complete:

- welcome cards in church
- membership application and ministry information forms
- registration forms to participate in church related events
- attendance records
- employee records
- feedback forms
- incident report forms
- safe ministry (child protection) checks and training records.

We only collect information that is necessary and relevant to your participation in Lighthouse Church activities and events.

## **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 e.g. safe ministry training provider
- it is required to provide appropriate care in an emergency situation e.g. to a medical provider
- it is required by law e.g. reporting reportable conduct to the appropriate government authority.

## **How your information is stored**

Personal information collected by Lighthouse Church is stored and accessed through Elavanto – our web-based online church community database. The database has appropriate security settings to limit access of information by position/role to those who have a need to access information.

Members of Lighthouse Church who have completed an information consent form are given a personal login allowing access to Elvanto. The database has privacy functions that are set as defaults by the system administrator. You can use your personal login at any time to access, review and change the privacy settings on your personal profile.

Some information is stored in Google Drive with appropriate security measures that limit access to those who have a reasonable need to access the information in line with their role. Some information may be stored on Lighthouse Church local computer systems with appropriate password security.

We prefer to keep operational records electronically on systems with passwords to restrict access. If hard copy forms are retained, the forms will be stored in lockable filing cabinets in the office of staff, the Secretary or Treasurer.

The time period we keep personal information depends on the purpose for which it was collected. Some records may be disposed of within one year. Other records will be retained for seven years in accordance with legislative obligations. Some information will need to be retained for extended periods (no less than 50 years) in accordance with safeguarding and insurance requirements and recommendations.

We dispose of personal information carefully. Any paper records will be shredded prior to disposal. Electronic information will be deleted, and redundant system hard drives will be wiped or destroyed prior to disposal.

## **Updating your information**

We recognise the importance of ensuring your information is current, accurate and relevant. If you are a member of Lighthouse Church, you will have a login to Elvanto allowing you to view and update your personal information there at any time.

Any person can request access to their personal information by submitting a request to [admin@lighthouse.net.au](mailto:admin@lighthouse.net.au) We will review and respond to your request within 14 days.

## **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.

### **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 card. Cards 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 cards. Contact details are entered into Elvanto for the purpose of following up where appropriate.

People who wish to become a member of Lighthouse Church complete online membership and information consent forms as part of the membership process. This information is also entered into Elvanto.

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 online database**

Our online database (Elvanto) 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:

- staff and system administrators can 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<sup>2</sup>
- privacy settings for non-members and children/youth are not listed/viewable by basic users.

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, and their personal information is archived.

In relation to email correspondence sent to all formal members:

- only staff and system administrators are authorised/able to do this
- these emails will be sent via Elvanto
- 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, or to convey or promote personal opinions of individuals in church.

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<sup>2</sup> A login as an unlisted, limited access user may 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 attending either attending Lighthouse Youth or involved in a ministry team.

### 3.3 Church contact lists

This list can be generated via Elvanto 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:

- not everyone enjoys or is open to 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 database 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](mailto:admin@lighthouse.net.au)

If there is a time where contact information is considered to be misused, staff or a 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 Elvanto 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](http://www.lighthouse.net.au) There is the option to make some areas of the website accessible only to members who have completed an information consent form.

### 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 for promotional purposes
- if in doubt don't take the photo.

#### Guidelines for using photos

The Privacy Act 1988 requires that photos which allow the identity of a person to be determined (eg publishing their name, or photographing a child in their school uniform) should only be published after obtaining the consent of the person, or of a child's parent or guardian.

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. This information is recorded in our online database (Elvanto). Anyone involved in producing promotional material for Lighthouse Church should ensure photos selected for use do not include people on this list.

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. 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.

Photos of visitors or non-members should not be used for promotional purposes or in public media without 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. 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 non-court child protection proceedings<sup>3</sup>. Once a matter has been finalised, permission may be sought from the relevant parent or carer to publish photos providing no identifiable information is published (name, address, care status, history) and no identifiable information is included in the photo (ie location, school etc). However, generally it is recommended that those involved in publishing photos for Lighthouse Church avoid using images of children or youth who are or have been in out-of-home care or involved in child protection, family court or criminal proceedings.

Members, visitors and members of the public 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](mailto:admin@lighthouse.net.au)

### **3.6 Prayer requests**

Members who have completed an information consent form can choose to be involved in making and receiving prayer requests via email. Members can opt out by ticking the relevant box on the information consent form or by emailing [admin@lighthouse.net.au](mailto: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 may include prayer for the needs of specific individuals. It is good practice to check with the person they are comfortable with this beforehand.

### **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.

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.

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<sup>3</sup> NSW Children and Young Persons Act 1998 section 105

### 3.9 Request for access to personal information

Australian privacy law provides people with a general right to access their personal information held by Lighthouse Church on request. This does not include other information such as commercial information.

People wanting to access their personal information can email [admin@lighthouse.net.au](mailto:admin@lighthouse.net.au) The following information should be provided: name, contact details, a description of the personal information the person wants to access, how they would like to receive the information (eg email, post, view online).

The request will be reviewed and a response provided (usually by reply email) within 14 days. In some cases, in line with the Office of the Australian Information Commissioner [Privacy Principle Guidelines \(Chapter 11\)](#), there may be reasons for not providing access. If this happens will advise in writing and let you know what you can do about it (eg other options and/or how to make a complaint).

### 3.10 Privacy breach response plan

The Office of the Australian Information Commissioner's [Data breach preparation and response](#) forms the basis of our response plan where unauthorised access or disclosure of information that is likely to result in 'serious harm to the individual'.

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: Take action to mitigate risks including notifications
- 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 the Office of the Australian Information Commissioner's website:

*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>

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

When taking photos take reasonable steps to 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 the 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'.

### Questions or concerns

If you have any questions or concerns relating to privacy or information management at Lighthouse Church please email [admin@lighthouse.net.au](mailto:admin@lighthouse.net.au)