



PRESBYTERIAN  
CHURCH OF  
VICTORIA

# SAFE CHURCH PRIVACY POLICY TRAINING

**PRESBYTERIAN CHURCH OF VICTORIA**

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## Presbyterian Church of Victoria – Privacy Training

*This training material is provided in addition to the online Safe Church Privacy Training presentation available at the PCV Safe Church channel at [www.youtube.com](http://www.youtube.com)*

### Introduction

Thank you for your willingness to join our Church in this endeavour to ensure that we are living out a Christian witness in the area of privacy within our denomination. In matters such as our PCV Privacy Policy the Church seeks to live out our faith inspired by the words of the Lord Jesus Christ in Matthew 7:12 saying, “So in everything, do to others what you would have them do to you, for this sums up the law and the prophets”. By respecting the privacy of others and adhering to our own Privacy Policy in how we fellowship together we can demonstrate this Christlike love to one another and to our wider community.

Following the updating of the Privacy Act by federal government in 2012 the General Assembly of Victoria voluntarily updated the PCV Privacy Policy and privacy policy guidelines and also commenced a Privacy Program to assist the denomination in putting these into practice. This training material is a part of the PCV Privacy Program. To access the PCV Privacy Policy, Privacy Policy Guidelines and for more detail on privacy in the Church please visit [www.safechurchpcv.org.au/privacy](http://www.safechurchpcv.org.au/privacy).

In compliance with the Privacy Policy Guidelines approved at the General Assembly in October 2015, sessions, boards of management, presbyteries and members of other Church committees should familiarise themselves with the Privacy Policy and minute their adoption of it.

### How does “privacy” apply to the PCV?

In the course of fulfilling the purpose of the Church the PCV collects personally identifiable and sensitive information about individuals so that our ministries and activities can take place. In doing so, the Privacy Act and the key principles of the act, known as the Australian Privacy Principles, apply to our Church. Visit [www.oaic.gov.au](http://www.oaic.gov.au) (the website of the Office of the Australian Information Commissioner) to access the Australian Privacy Principles. The PCV Privacy Policy and Privacy Guidelines are the expression of the Church’s commitment to conform to this legislation, as stated in section 1 of our policy.

Every time the Church collects, holds and uses personally identifiable and sensitive information about individuals the PCV Privacy Policy applies. This is why privacy training is being provided to the denomination.

### What is “personally identifiable and sensitive information”?

The definition of personally identifiable and sensitive information is found in section 1 of our policy and also in our privacy policy guidelines. This includes not only details such as your name, address and date of birth but also information that relates to other sensitive areas of life as indicated by the list provided.

### What is “collection”?

Collection means any time the Church records personally identifiable and sensitive information about individuals in a paper or electronic medium. Writing this information down or recording it electronically, say via email or in a database, is collecting the information.

## What does it mean to “hold” the information?

The Church holds information about individuals when after collection the information is kept in a documented form by the Church for use.

People sharing prayer points and needs with fellow believers in a Church setting for example, is not holding the information but collecting information on forms or making notes of pastoral concerns which are personally identifiable or sensitive and then keeping these notes is holding the information.

## The meaning of “use”

All personally identifiable and sensitive information about individuals that is collected and held by the Church may only be used according to the *primary purpose* of collection and not for any secondary or other purpose. A good example of this is when individuals’ personal contact details are collected to create a Church directory – the Church can only use that information to publish the directory and use within the Church. The Church cannot also use it to direct market or sell to individuals in the directory or pass on the details to a third party.

In all Church ministries and activities, including confidential pastoral duties, where we collect personally identifiable and sensitive information about individuals this action must be taken as part of fulfilling the purpose of the Church. The Church cannot collect personally identifiable and sensitive information about individuals where it has no purpose attached to doing so. Where there is purpose the Church may collect whatever information it reasonably needs to fulfil this.

## The PCV Privacy Policy

The PCV Privacy Policy has been made available to all PCV congregations and organisations via both brochures in churches and via the internet [at [www.pcv.org.au](http://www.pcv.org.au) and at [www.safechurchpcv.org.au/privacy](http://www.safechurchpcv.org.au/privacy).] Each church is requested to please make sure copies of the brochures are accessible – if more brochures are required please contact the Safe Church Unit via phone or email and these will be mailed to you.

Any enquiries or complaints relating to privacy are to be addressed to the Privacy Officer. The PCV Privacy Officer’s contact details are found in section 6 of the policy.

The Privacy Policy Guidelines are also available at [www.safechurchpcv.org.au/privacy](http://www.safechurchpcv.org.au/privacy) and along with this training material aim to assist people who work or volunteer for the Church in understanding how the policy applies in practice.

### **The main aspects of privacy for the Church are:**

- The purpose of collection of the information about individuals
- Consent by individuals for the Church to collect, hold and use their information
- The use and disclosure of the information
- Securing the information to prevent it being passed on illegitimately
- Updating, destruction and archiving of the information

### **Privacy best practice** includes:

- Always gaining the individual’s consent to collect their personally identifiable and sensitive information
- Only using the information for the purpose it was collected for – this is known as the primary purpose

- Storing the information securely and preventing unauthorised access to it
- Never disclosing personally identifiable and sensitive information about individuals for a secondary purpose without seeking their consent
- Regularly updating the information as required *and* destroying or securely archiving it when it is no longer required
- Documenting privacy protocols so that any person in the church handling personally identifiable and sensitive information about individuals knows how to do so in a privacy policy compliant manner

### The Privacy Policy in action...

**Firstly**, we must state clearly why we are collecting the information *and* that the Church will use the information as part of fulfilling its purpose. For example, when collecting names and phone numbers for a bible study contact list make it clear to those people giving their details that the list will be used by members to contact each other.

In terms of confidential pastoral duties refer first to the privacy policy guidelines. It is important to understand that collecting such information for the purpose of pastoral duties is entirely lawful when undertaken according to the purposes of the Church.

**Secondly**, always attach the Privacy Collection notice (see [www.safechurchpcv.org.au/privacy](http://www.safechurchpcv.org.au/privacy) for the wording of the notice) on any forms where individuals are asked to complete personally identifiable and sensitive information related details. This makes it clear that by completing the form the individual has consented to the collection, hold and use of their information by the Church. Church camp forms are a good example of this.

[www.safechurchpcv.org.au/privacy](http://www.safechurchpcv.org.au/privacy) and [www.safechurchpcv.org.au/forms](http://www.safechurchpcv.org.au/forms) also provide templates for various forms that if used will comply with privacy requirements.

**Thirdly**, we must do our best to ensure the personally identifiable and sensitive information we collect is accurate when we collect it. It is the responsibility of the Church to make sure, as far as is reasonable, that the information is accurate. It is always worth double-checking with the individual if you are not sure if the information is accurate or for example, you are having trouble deciphering someone's writing on a form.

### When we use personally identifiable and sensitive information about individuals how do we do this in a way that complies with our policy and guidelines?

Firstly, use the information only for the primary purpose or purposes it was collected for. Do not disclose the information outside the Church or to those people who are not authorised to have access to it.

For example, if someone external to the PCV asks you for the contact details of a person within the Church, always ask for the enquirer's contact number or email and then pass on the request. The person then can make their own decision about giving their personally identifiable information to the enquirer.

Always take care to adopt a reasonable and careful approach to any request or need to disclose any personally identifiable and sensitive information about individuals externally (to a person or organisation outside the PCV) as this will be using the information for a secondary purpose. Some secondary purposes are legal requirements - the Australian Privacy Principles state clearly for example that law enforcement bodies (such as police) are exempt from restrictions on external disclosures. Further, personally identifiable and sensitive information may also be disclosed in the

case of what is referred to as a “permitted health situation” – where the health and/or safety of a person or persons is threatened unless the external disclosure is made.

Again, the test here is to ask, what is the *reasonable* thing to do in the circumstances – if you have any concerns or queries related to this please refer to the Australian Privacy Principles or contact the PCV Privacy Officer for assistance.

### Thinking about storage and securing of information...

The Church must store personally identifiable and sensitive information about individuals securely. Any information in electronic form must be stored on a computer or device that is password protected. If using cloud services (such as Google docs or Dropbox) ensure you are using a leading best practice provider and again always use a password to control access to only those users who are authorised to access the information.

Any personally identifiable and sensitive information about individuals that is paper based must also be stored securely, such as in a lockable file or physical location such as an office.

As church directories are published in order to disseminate the details of those people who have given consent to be listed, individuals are responsible for their own directory. It is not the responsibility of the Church to secure the distributed directories, but rather only to ensure it has been made clear that the details are not to be used for another purpose (such as direct selling) and the original forms used to collect the information are held securely by the Church. See [www.safechurchpcv.org.au/privacy-policy-guidelines](http://www.safechurchpcv.org.au/privacy-policy-guidelines) for the notice to publish in church directories that clearly states this.

Take care not to leave paper documentation relating to personally identifiable and sensitive information about individuals in places where it could be easily accessed by others who are not authorised to do so. Files containing this information should be locked when not in use.

### Updating the information

Always remember to inform people that they may update their personally identifiable and sensitive information held by the Church at any time they wish. It is also helpful to inform people how they may do this and who they should talk to about it. Naturally any updates need to be attended to in a timely fashion. Churches generally undertake revision and updating of contact details, for example, every year or two and this is always worthwhile and a blessing to our Christian community.

A good suggestion is that prior to commencing a ministry activity at the beginning of the year, review the information held about individuals and delete or destroy any details that are no longer required.

We also need to regularly review what personally identifiable and sensitive information about individuals we hold and whether we still need this information to fulfil the purpose it was collected for.

### **The kinds of things to consider when thinking this through are:**

- Does this information need to be held? Is it still being used by the Church?
- How long the information should be held for? Some information might need to be held permanently for legal reasons. Other information may need to be held only while still in use and can be destroyed once no longer needed.
- If the information needs to be permanently held for legal reasons then consider who needs to have access to it and where it should be stored securely. It may need to be archived,

either within the Church itself or at the PCV Archives. However it is held it must be done in a way that is secure.

### Destruction of information

Any personally identifiable and sensitive information about individuals that is no longer in use and does not need to be held must be destroyed to be certain the information will not inadvertently be accessed by unauthorised people.

Delete unrequired information from any electronic records. Shred or otherwise securely destroy any paper records.

### Succession planning

Who will take over your role in your church, presbytery or committee after you? Whoever this person might be, it is important to remember that once you are no longer in your role you are not authorised to access any personally identifiable and sensitive information about individuals held by the Church in relation to it.

At handover always make sure you give all the information to the next person and don't retain any records yourself, unless required to for legal or insurance reasons. If you are involved in the handover refer the new person to the PCV Privacy Policy and the privacy training material so they can be equipped to undertake this new activity. However, it is ultimately the responsibility of the Church leadership to make sure that any handover is complete and that the new person is directed to the PCV Privacy Policy and the training material as part of their transition.

### Communications about individuals

From time to time the Church may receive or have personally identifiable and sensitive information about individuals that the Church seeks to communicate to others (remember that section 1 of our Privacy Policy explains what sort of information is covered by privacy policy and legislation - it is wise to refer to the policy to check if the information to be communicated comes under the definition provided).

It is always wise to confirm with the individual that they have given their consent for the information to be disclosed but of course this will not be necessary if they themselves give you this information expressly for its disclosure and dissemination. Again, always ask what the *reasonable* approach in each situation is and act accordingly. If you have any doubts or queries contact the Privacy Officer for advice.

### Data Breaches

A data breach is where people have unauthorised access to the personally identifiable and sensitive information about individuals held by the Church. This could happen accidentally – for example, a person leaving behind a folder with confidential information in a public place. It could happen as the result of a break-in to a Church or Church office. However a data breach occurs **always contact the Privacy Officer** if you know a breach has occurred or if you are concerned that a breach may have occurred. The Privacy Officer will assist you and guide you through the data breach process.

### Compliance

Finally, to assist in compliance with the Privacy Policy and Guidelines a “PCV Privacy Policy Compliance Checklist” for sessions can be found at the privacy page of the Safe Church website. This template can be completed electronically, then printed or saved *or* via printing and completing it by hand.

The Compliance Checklist merely acts as an aide to the Church leadership in implementation of the PCV Privacy program and **does not** need to be forwarded to the Privacy Officer or any other PCV body. Rather, it remains with the local church records and provides reassurance that in the case of a privacy complaint the leaders of the church can demonstrate compliance - this will assist in working through any data breach process.

## Main applications of the PCV Privacy Policy and Guidelines in PCV church life

### Consent

Remember to always attach the Privacy Collection notice on any forms where individuals are asked to complete personally identifiable and sensitive information details.

### Pastoral duties

In terms of confidential pastoral duties refer first to the privacy policy guidelines. It is important to understand that collecting such information for the purpose of pastoral duties is entirely lawful when undertaken according to the purposes of the Church. If you take any notes about personally identifiable or sensitive information and keep these remember that **Privacy best practice** essential – for example, store these notes securely and make sure they are not illegitimately disclosed to unauthorised people.

If you have a joint email address and find you use it when undertaking confidential pastoral duties involving personally identifiable and sensitive information about individuals this is in breach of the PCV Privacy Policy and the Australian Privacy Principles, as the information is not secured appropriately. Always use an email address only *you* have access to for dealing with such information in the course of confidential pastoral duties.

### Church Directories and church administration

Church administration is the main church activity where privacy applies. Following **Privacy best practice** is essential to make sure that people's personally identifiable and sensitive information is protected and used appropriately. Church offices are recommended to establish a set of Privacy best practice protocols that are followed by church workers and volunteers and are regularly reviewed and updated (for example, on a yearly basis).

### Church Directories

If updating the church directory or collecting the contact details of individuals by email:

- 1) Put the Privacy Collection notice in the email to people about their contact details for the directory – see [www.safechurchpcv.org.au/privacy](http://www.safechurchpcv.org.au/privacy) for the notice wording.
- 2) Ask people to email back to you their consent to be in the directory and check their information for the directory is correct and correct it as necessary.

If updating by physical form there is a form to use at [www.safechurchpcv.org.au/privacy](http://www.safechurchpcv.org.au/privacy).

When the directory is published put in the publication notice from the Privacy Guidelines - see "Notice to use when information is collected" at [www.safechurchpcv.org.au/privacy-policy-guidelines](http://www.safechurchpcv.org.au/privacy-policy-guidelines)

### **Photo consent forms**

There are photo consent forms available for churches to use at [www.safechurchpcv.org.au/forms](http://www.safechurchpcv.org.au/forms) should these be required.

### **Forms**

There are a number of forms available for use by churches at [www.safechurchpcv.org.au/forms](http://www.safechurchpcv.org.au/forms) and these forms may be altered as required. All the relevant church forms requiring the privacy collection notice must have it affixed. If a form you require is not available at [www.safechurchpcv.org.au/forms](http://www.safechurchpcv.org.au/forms) and you would like assistance please contact the Privacy Officer for help.

Any completed forms you collect from individuals must be stored securely and the information not disclosed illegitimately to persons who are not entitled to have access to it.

### **Passwords and securing the personally identifiable and sensitive information held**

Any information in electronic form must be stored on a computer or device that is password protected. If using cloud services ensure you are using a leading best practice provider and again always use a password to control access to only those users who are authorised to access the information.

Any personally identifiable and sensitive information about individuals that is paper based must also be stored securely, such as in a lockable file or physical location such as an office.

### **Enquiries and help**

Any queries regarding the PCV Privacy Policy or privacy matters in the Church may be directed to the Privacy Officer by calling 0499 090 449 or email [safechurch@pcv.org.au](mailto:safechurch@pcv.org.au)

All the above information and privacy implementation resources are also available in paper for those people who are not online. Please contact the Privacy Officer by calling 0499 090 449 to request paper copies be sent to you as required.