

# Oak Bay United Church, Victoria, B.C.

## Draft Privacy Policy

At Oak Bay United Church, Victoria, B.C., a Pastoral Charge of The United Church of Canada within B.C. Conference and within Victoria Presbytery, we understand that personal privacy is a critical issue for our members, adherents, donors, and employees. This privacy policy outlines our principles and procedures regarding the confidentiality and security of personal information given to us by members, donors and employees.

This privacy policy outlines the principles this Pastoral Charge applies when protecting the personal privacy of members, donors and employees. We believe that ensuring the accuracy, confidentiality, and security of the personal information we hold is both a legal and ethical obligation.

This privacy policy is based on the B.C. Personal Information Privacy Act (PIPA) SBC 2003, c.63. Based on this, we have prepared our own ten privacy principles to meet the specific needs of both, Oak Bay United Church, and the members, donors and employees of this Pastoral Charge.

### **Scope:**

This policy applies to Oak Bay United Church, Victoria B.C., a Pastoral Charge of The United Church of Canada. It outlines the principles and commitments we make to our members, adherents, donors and employees, to protect their personal information.

### **Definitions:**

Oak Bay United Church, Victoria, B.C. is a Pastoral Charge or local church within The United Church of Canada.

“Collection” is the act of gathering, acquiring, or obtaining personal information from any source, by any means.

“Consent” involves voluntary agreement with what is being done or proposed. Consent may be expressed in writing, or verbally, or tacitly. Implied consent exists when the church can reasonably infer consent based upon the action of the member, adherent, donor or employee.

“Member” and “Adherent” (for the purposes of this policy) means anyone who makes use of the services, programs and activities of Oak Bay United Church.

“Donor” means anyone who contributes financial resources to the work of Oak Bay United Church.

“Employee” means anyone who contributes their time and talent to the work of Oak Bay United Church, whether on a paid or voluntary basis. This definition includes a volunteer solely for purposes of this policy and the Personal Information Privacy Act (PIPA) and is not applicable to the definition of employee under any other statute or law or common law or for any other purpose.

“Disclosure” is the act of making personal information available to others.

“Use” is the treatment and handling of personal information by and within Oak Bay United Church.

“Personal Information” is information about an identifiable individual that is recorded in any form, excluding the person’s name, business title, business address and business phone number.

“Third-Party” is an individual or organization other than Oak Bay United Church, and its members, adherents, donors and employees.

## **Section 1: The Accountability of Oak Bay United Church**

1.0 Oak Bay United Church is accountable for the protection of the private information of members, adherents, donors and employees.

1.1 The overall responsibility of the protection of personal information, and compliance with this Privacy Policy rests with the Oak Bay United Church Privacy Officer.

1.2 This United Church Pastoral Charge is committed to ensuring that appropriate security measures are used in the transfer of sensitive private information. When using email or wireless communication, we advise members, adherents donors and employees that complete confidentiality and security are not assured.

1.3 Oak Bay United Church is not accountable for any damages suffered when a member, adherent, donor or employee transmits personal information through email or wireless communication, or when Oak Bay United Church transmits such information **at the request of the member, adherent, donor or employee.**

1.4 Oak Bay United Church has developed policies and procedures to: protect personal information; receive and respond to complaints and inquiries; train staff regarding the policies and procedures; communicate the policies and procedures to our members, adherents, donors and employees.

## **Section 2: Identifying the Purposes of Personal Information**

2.0 Oak Bay United Church will communicate the purposes for which information is being collected, either orally or in writing.

2.1 Oak Bay United Church collects member personal information for the following reasons only:

- To provide information for church programs and services.
- To maintain donor records and issue charitable tax receipts.
- To maintain adequate stewardship or care for our human and financial resources.
- To provide services that will meet the spiritual, educational and human needs of our members, adherents, donors and employees.
- To adequately promote the mission and outreach services of both our Pastoral Charge and the larger United Church.
- To verify the identity of a member, adherent, donor or employee.
- To provide for the transfer of appropriate records to our Conference Archives for archival and research purposes.

## **Section 3: Consent from Members, Adherents, Donors and Employees**

3.0 Oak Bay United Church will obtain consent from members, adherents, donors and employees for the collection, use or disclosure of any personal information except where detailed in this Privacy Policy. We will make reasonable efforts to ensure that members, adherents, donors and employees will understand how their personal information will be used and disclosed.

3.1 The consent of a member, adherent, donor or employee can be written, spoken, or implied. A member can withdraw consent at any time, but such withdrawal may also inconvenience the member, adherent, donor or employee (i.e. charitable tax receipts, or employee pension or earnings statements). If

such information is required by law, the Pastoral Charge may decline to deal with a member, adherent, donor or employee who has withdrawn their consent to the required information.

3.2 Oak Bay United Church may collect, use or disclose personal information without the member, adherent, donor or employee's knowledge or consent in the following exceptional circumstances:

- When such collection, use or disclosure is permitted or required by law.
- When using such information is required in an emergency that threatens an individual's life, health, or personal security.
- When certain information is publicly available.
- When we require legal advice from a lawyer.
- When we need to collect a debt from a member, adherent, donor or employee.
- When we need to deal with an anticipated breach of law.

3.3 Consent may be given orally, in writing, or electronically. For example, depending on the sensitivity of the information, consent can be expressed over the telephone, though this is only for the most minimally sensitive level of personal information. In other cases, where a form is needed to be filled in, one might consent by means of a check-off box. In some cases donors may wish to fill in an electronic form indicating consent. It may also be that members, adherents or donors are asked for permission to have their home addresses or phone numbers on a list of members or participants in a program.

#### **Section 4: Limits for Collecting Personal Information**

4.0 Oak Bay United Church will only collect personal information for the purposes identified. We will use methods that are lawful, and will not collect information indiscriminately.

#### **Section 5: Limits for Using, Disclosing and Keeping Personal Information**

5.0 Personal information will only be used or disclosed for the purposes for which it was collected. If such information is to be used for additional purposes, we will seek new consent to do so.

5.1 Oak Bay United Church will not sell membership, adherent or donor lists to Third-Parties.

5.2 Oak Bay United Church may occasionally use the membership, adherent or donor lists to conduct surveys in order to provide better programs and services, or to do research for future planning. The reporting of any information from such surveys will be anonymous.

5.3 Oak Bay United Church may send membership, adherent and donor lists to other offices of the United Church in order that they may provide information for "Every Member Plan" United Church Observer subscriptions, or in order that our General Council, Conference and Presbytery offices may send out information on issues of stewardship, outreach and other concerns of our larger church.

5.4 Oak Bay United Church will transfer records to the B.C. Conference Archives, in order that the long-term legal and business purposes of the church, and its archival and research purposes can be continued with appropriate care. The majority of personal information is not preserved at the archives, but some records are archival in their nature and will be preserved.

## **Section 6: Accuracy**

6.0 Oak Bay United Church will make reasonable efforts to ensure that any personal information collected is accurate, complete and current. In most cases, it will rely on the members, adherents, donors and employees to keep certain information current, complete and accurate.

6.1 Members, adherents, donors and employees may request amendments to the records at Oak Bay United Church, in order to ensure the accuracy and completeness of their personal information. If the amendment request pertains to information that remains in dispute, the Pastoral Charge will note the person's opinion in the file.

## **Section 7: Safeguarding Personal Information**

7.0 Oak Bay United Church is committed to the safeguarding of the personal information of members, adherents, donors and employees in order to prevent its loss, theft, unauthorized access, disclosure, duplication, use or modification.

7.1 Depending on the sensitivity of the personal information, Oak Bay United Church may employ appropriate security measures to protect the information. The measures may include, for example, the physical security of offices, locked filing cabinets, and electronic security measures such as computer passwords.

7.2 Oak Bay United Church will use appropriate security measures when disposing of personal information, computers no longer in use, and other storage devices. This will, for example, involve the shredding of paper records containing personal information, and the reformatting of computers and storage systems no longer in use.

## **Section 8: Availability of Policies and Procedures**

8.0 Oak Bay United Church is open about the policies and procedures it uses to protect the personal information of members, adherents, donors and employees. Information about these policies and procedures will be made available in written format in plain language. However to ensure the integrity of our security procedures, we may refuse to publicly disclose certain information.

8.1 Oak Bay United Church will make the following information available:

- The name, title, and address of the Privacy Officer who can respond to requests for information on personal information policies and procedures, and to whom complaints or inquiries can be forwarded;
- A description of the type of personal information held by Oak Bay United Church, including a general account of its use;
- A copy of any brochures or other information that explain the policies and procedures; and
- An explanation of what personal information is made available to related organizations within the United Church.

## **Section 9: Providing Access to Personal Information**

9.0 Members, adherents, donors and employees have a right to have access to their personal information held by Oak Bay United Church. Upon request, the church will, within a reasonable time period, tell the member, adherent, donor or employee what personal information it has, what it is being used for, and to whom it has been disclosed if applicable and within the time period for which records are available.

9.1 Members, adherents, donors or employees may be asked to be specific about the information they would like to have access to, and to submit their request in writing to the Privacy Officer of the Pastoral Charge.

9.2 Members, adherents, and donors will be required to provide personal information to identify themselves to enable Oak Bay United Church to provide an account of the existence, use and disclosure of personal information.

9.3 Oak Bay United Church will make the information available within 30 days, or provide written notice of extension where additional time is required to fulfill the request. The notice of extension note will advise of the new time limit, the reasons for extending the time, and of the right of the member, adherent, donor, or employee to make a complaint to the B.C. Privacy Commissioner regarding the extension.

9.4 The information will be made available at a reasonable cost that will vary with the type and amount of information requested. If the information is extensive, the Pastoral Charge will inform the member of the cost, and request further direction from the individual as to whether or not the Pastoral Charge should proceed with the request.

9.5 If a request for information is refused, the Pastoral Charge will notify the individual in writing, documenting the reasons for refusal and resources for redress available to the member, adherent, donor or employee. These reasons may include that it is unreasonably costly to provide, that the information could threaten the security of another individual, or that it was information generated in a formal dispute resolution process, or that the information contains references to other individuals, or that the information cannot be disclosed for legal or security reasons, or that it is information that is subject to solicitor-client or litigation privilege.

9.6 If the information is demonstrated to be inaccurate or incomplete, Oak Bay United Church will amend the information as required.

## **Section 10: Compliance and Complaints**

10.0 Members, adherents, donors or employees are to direct any complaints, concerns or questions regarding this privacy policy in writing to the Privacy Officer of Oak Bay United Church. If the Privacy Officer is unable to address the individual's concerns, the issue can be referred to an appeal committee made up of the Chair of the Official Board (or Church Council), the Chair of the Ministry and Personnel Committee, and one of the Ministry Personnel in the Pastoral Charge. If any of the individuals in these positions are in conflict regarding the individual making the complaint, they should be excused from participation in the appeal committee and a substitute should be appointed by the Official Board (or Church Council.) It may be that a wise member from another Pastoral Charge can be brought in to help with the deliberations. If this appeal process does not resolve the matter, the complainant is always able to write to the Provincial Privacy Commissioner's office.

### **Contact Information:**

Ken Adsett, Privacy Officer  
Oak Bay United Church  
1355 Mitchell Street  
Victoria, B.C. V8S 4P9  
Phone: 250-598-5021

Office of the Information and  
Privacy Commissioner (OIPC),  
3<sup>rd</sup> Floor, 756 Fort Street  
Victoria, B.C. V8W 1H2  
Phone: 250-387-5629  
Toll free: 1-800-663-7867  
Web site: [www.oipc.bc.ca/](http://www.oipc.bc.ca/)  
Email: [info@oipc.bc.ca](mailto:info@oipc.bc.ca)

(If you have questions regarding the use of this privacy policy template, please contact the Conference Archivist at 6000 Iona Drive, Vancouver, BC V6T 1L4. Phone: 604-822-9589; e-mail: [united-archives@vst.edu](mailto:united-archives@vst.edu))