

Schedule "G" to SAFE CHURCH POLICY of MARANATHA CRC EDMONTON

PERSONAL INFORMATION PRIVACY POLICY

This PERSONAL INFORMATION PRIVACY POLICY was passed by the Council of MARANATHA CHRISTIAN REFORMED CHURCH Edmonton (MCRC) on February 02, 2011. It was developed to meet the requirements of the *Personal Information Protections and Electronic Documents Act* (federal legislation) and the *Personal Information Protection Act* (provincial legislation) that both came into effect on January 1, 2004.

1. Accountability:

- 1.1 **Anko Buwalda** is hereby appointed as the personal information compliance officer (the "Officer").
- 1.2 All persons, whether employees, volunteers or members of the Council or any committees who collect, process or use personal information shall be accountable for such information to the Officer.
- 1.3 This policy shall be made available to church members and employees upon request.
- 1.4 Any personal information that is transferred to a third party for processing is subject to this policy. The Officer shall use contractual or other appropriate means to provide a level of protection of personal information that is comparable to this policy while the information is being processed by a third party.
- 1.5 Personal information to be collected, retained or used by MCRC shall be collected, retained or used only after written approval by the Officer. Such information shall be secured in accordance with the instructions of the Officer.
- 1.6 Any person who believes that personal information is collected, retained or used by MCRC other than for purposes explicitly approved by that person may contact the Officer to register a complaint or to make any related inquiry.
- 1.7 Upon receiving a complaint from any person with respect to the collection, retention or use of personal information, the Officer shall promptly investigate the complaint and notify the person who complained about his/her findings and corrective action taken, if any.
- 1.8 Upon receiving the response from the Officer, the person who filed the complaint may, if he or she is not satisfied, appeal to the Council for an independent evaluation and response with respect to the complaint issue.
- 1.9 The determination of the Council shall be final and the Officer shall abide by and implement any of its recommendations.
- 1.10 The Officer shall communicate and explain this policy and provide training with respect thereto to all employees and volunteers, who may be in a position to collect, retain or use personal information.
- 1.11 The Officer shall prepare and disseminate information to the public that explains MCRC's protection of personal information policies and procedures.

2. Identifying Purposes:

- 2.1 The Officer shall document the purpose for which personal information is collected in order to comply with the openness and individual access principles outlined below.
- 2.2 The Officer in order to comply with the "Limiting Collection" principle below shall determine the information that will be needed to fulfil the purposes for which the information is to be collected.
- 2.3 The Officer shall ensure that the purpose is specified at or before the time of collecting the personal information from an individual. The Officer will document the purposes for which the specific information is being collected.

- 2.4 The Officer shall ensure that the information collected will not be used for any other purpose prior to obtaining the individual's approval, unless law requires the new purpose. For each purpose identified, the Officer should identify specifically how the information will be kept and how it will be segregated from information kept for other purposes.
- 2.5 The Officer shall ensure that a person collecting personal information will be able to explain to the individual the purpose for which the information is being collected.
- 2.6 The Officer shall ensure that "Limiting Collection" and "Limiting Use, Disclosure and Retention" principles are respected in identifying the purposes for which personal information is to be collected.

3. Consent:

- 3.1 The Officer shall ensure that the individual, from whom personal information is collected consents that the personal information may be collected, used and disclosed. This consent can be implied in certain circumstances (i.e. persons filling out a questionnaire for a church phone book) but in other cases, the Officer will create a form for information to be collected, which includes an express statement of consent to be signed by the individual.
- 3.2 The Officer shall ensure that the individual can reasonably understand for what purpose and how the information will be used at the time the consent is given. This may also be implied in certain circumstances (i.e. persons filling out a questionnaire for a church phone book.) Alternatively an explanation of the purpose should be included on any forms where information is being collected. In the case where information is collected, but no forms are filled out (i.e. distributing envelopes to members and receiving offerings), a memorandum or note should be handed out telling the member what information is being collected and for what purpose.
- 3.3 The Officer shall ensure that there is no condition attached to the supply of benefits, as a result of MCRC's activities, requiring the individual to provide consent for the collection, use, or disclosure of information beyond that required to fulfill the explicitly specified and legitimate purposes.
- 3.4 The Officer shall ensure that express consent is obtained wherever possible and appropriate. In rare circumstances where, in the opinion of the Officer, having regard to the sensitivity of the information and the purpose and intent of this policy, implied consent might be acceptable. Implied consent may exist where MCRC admits, through baptism or profession of faith, a new member and it is generally understood that the personal information necessarily obtained in that context will be used for all MCRC related purposes. Such implied consent should not be assumed where MCRC would pass on the personal information to a related entity such as a school or summer camp that is not an integral part of MCRC. Implied consent may be given, as in the example of the MCRC phone book. However, if the information collected will be passed on to persons, who are not included in the phone book, explicit consent will be necessary. This would occur if those phone books were passed along to CRC North America.
- 3.5 In obtaining consent, the Officer shall ensure that the reasonable expectations of the individual are respected. For example, an individual providing his or her name and address to receive a newsletter or magazine would have a reasonable expectation that such personal information would be used to send other information about the organization. But the individual would not likely expect that the information would be used for selling other products and services, or for fundraising.
- 3.6 The Officer shall ensure that the express consent obtained from an individual is clear and in an appropriately verifiable form. For example, an application form may be used and kept on file whereon the individual gives consent to the collection and specific use; a check off box may be used to permit information already on file to be used for a new purpose; consent may be given orally which would require the receiver of the consent to create appropriate documentary evidence; or consent might be given by email which would require an electronic record to be maintained.

3.7 The Officer shall ensure that the individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. The individual shall promptly be informed of the implications of such withdrawal.

4. Limiting Collection:

4.1 The Officer shall ensure that personal information will not be collected indiscriminately. Both the amount and type of information collected shall be limited to that which is necessary to fulfil the purposes identified. He/she shall specify the type of information to be collected, in accordance with the “Openness” principle.

4.2 The Officer shall ensure that information is collected only by fair and lawful means without misleading or deceiving individuals about the purpose for which information is being collected.

4.3 The Officer shall ensure that the “Identifying Purposes” and “Consent” principles are followed in identifying the purposes for which personal information is to be collected.

5. Limiting Use, Disclosure, and Retention:

5.1 The Officer shall ensure that personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual, or as required by law, and any use of personal information shall be properly documented.

5.2 The Officer shall ensure that all personal information is destroyed, erased or made anonymous as soon as the purpose for which it was collected is no longer relevant, or as permitted by law. There shall be an automatic review of the need to continue the retention of personal information on an annual basis. Except as required to be retained by law, all personal information collected after January 1, 2004 shall be deleted, erased or made anonymous no later than seven years after the purpose for which it was collected has been completed.

5.3 The Officer shall ensure that all use, disclosure and retention decisions are made in light of the “Consent”, the “Identifying Purposes” and the “Individual Access” principles.

6. Accuracy:

6.1 The Officer shall ensure that the personal information shall be accurate, complete and up-to-date as is reasonable taking into account the interests of the individual. He/she shall ensure that the information is sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about an individual.

6.2 The Officer shall ensure that MCRC does not engage in routine updating of personal information unless such a process is necessary to fulfil the purposes for which the information was collected. For example, it may be reasonable to update information and consent for member phone books if they are published yearly.

6.3 The Officer shall ensure that personal information used on an ongoing basis, including information that is disclosed to third parties, should generally be accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out. For example, MCRC prepares and publishes members’ directory (sometimes in co-operation with other area churches). Obtaining written confirmation that the information to be published is accurate satisfies both this principle and the Consent principle. By returning the confirmation of accuracy for the stated purpose, consent is also given for its publication. If individuals withhold their consent, mechanisms should be available to ensure that the personal information of such individuals is not included in the published members’ directory.

7. Safeguards:

7.1 The Officer shall ensure that the organization has security safeguards to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or

modification. He/she shall ensure such protection of personal information regardless of the format in which it is held.

- 7.2 Depending on the sensitivity of the information, the Officer may permit reasonable discretion regarding the information that has been collected, the amount, distribution and format of the information, and the method of storage. A higher level of protection shall safeguard more sensitive information.
- 7.3 The Officer shall ensure that the methods of protection are sufficient. Such measures might include, but are not limited to:
 - a) Physical measures, for example, locked filing cabinets and restricted access to offices;
 - b) Organizational measures, for example, security clearance and limiting access on a “need-to-know” basis; and
 - c) Technological measures, for example, the use of passwords and encryption.
- 7.4 The Officer shall ensure that all employees and volunteers are aware of the importance of maintaining confidentiality of personal information.
- 7.5 The Officer shall ensure that care is taken when personal information is disposed of or destroyed to prevent unauthorized parties from gaining access to the information.

8. Openness:

- 8.1 The Officer shall ensure that MCRC is open about its policies and practices with respect to the management of personal information. The policies and related practices shall be available without unreasonable effort and shall be made available in a form that is generally understandable.
- 8.2 The Officer shall ensure that the information available shall include:
 - a) The name or title, and the address, of the Officer who is accountable for MCRC policies and practices and to whom complaints or inquiries can be forwarded;
 - b) The means of gaining access to personal information held by MCRC;
 - c) A description of the type of personal information held by MCRC, including a general account of its use;
 - d) A copy of any brochures or other information that explain MCRC policies, standards or codes; and
 - e) What personal information is made available to related organizations (e.g. the denomination or other organizations with which MCRC is affiliated or associated).
- 8.3 The Officer shall ensure that the information that must be provided in accordance with 8.2 is available either in a brochure at MCRC, online, or through the mail.

9. Individual Access:

- 9.1 The Officer shall ensure that upon request, MCRC shall inform an individual whether or not MCRC holds personal information about the individual. Where possible the source of the information shall also be provided. MCRC shall allow the individual access to this information. However, MCRC may choose to make sensitive medical information about its employees or volunteers available through a medical practitioner. MCRC shall also provide an account of the use that has been made or is being made of this information and an account of the third parties to which it has been disclosed. If the Officer believes that access to personal information should be denied for valid reasons, the Officer shall consult legal counsel before making such a decision.
- 9.2 The Officer may require the individual requesting their personal information to provide sufficient information to permit MCRC to provide an account of the existence, use, and disclosure of personal information. Information obtained for this purpose shall only be used for this purpose.

This may include what activities or ministries the individual has been involved with in order to ensure that all likely places have been searched.

- 9.3 Where the organization has provided personal information about an individual to third parties, the Officer shall ensure that report is as specific as possible.
- 9.4 The Officer shall ensure that MCRC responds to an individual's request within a reasonable time. The requested information shall be provided or made available in a form that is generally understandable. For example, if MCRC uses abbreviations, acronyms or codes to record information, an explanation shall be provided.
- 9.5 The Officer shall ensure that when an individual successfully demonstrates the inaccuracy or incompleteness of personal information, MCRC shall amend the information as required. Depending upon the nature of the information challenged, amendment involves the correction, deletion, or addition of information. Where appropriate, the amended information shall be transmitted to third parties having access to the information in question.
- 9.6 The Officer shall ensure that when a challenge is not resolved to the satisfaction of the individual, MCRC shall record the substance of the unresolved challenge. When appropriate, the existence of the unresolved challenge shall be transmitted to third parties having access to the information in question.

10. Challenging Compliance:

- 10.1 The Officer is authorized to address a challenge concerning compliance with the above principles.
- 10.2 The Officer shall develop and put procedures in place to receive and respond to complaints or inquiries about the policies and practices relating to the handling of personal information. The compliance procedures shall be easily accessible and simple to use.
- 10.3 The Officer shall inform individuals who make inquiries or lodge complaints of the existence of relevant complaint procedures.
- 10.4 The Officer shall investigate all complaints. If a complaint is justified, the Officer shall take appropriate measures, including, if necessary, amending the policies and practices.