

# Memo

**To:** The United Church of Canada  
**From:** Privacy Working Group  
**CC:**  
**Date:** 2/27/2004  
**Re:** Privacy Policy Development and Implementation

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The final phase of the Personal Information Protection and Electronic Documents Act, (the Act), commonly referred to as PIPEDA came into effect January 2004. The Act applies to The United Church of Canada and as a result we are obliged to implement its provisions. There is parallel legislation in BC and Alberta and legislation in Quebec with draft legislation expected in other provinces in the near future. Essentially, the Act, and other existing provincial privacy legislation gives individuals a right to privacy in the collection, use and disclosure of their personal information.

## **Impact of the legislation on The United Church of Canada**

As a result of the legislation, a Working Group was struck at the General Council Office (GCO). The Working Group developed a draft Privacy Policy which was sent to the Conferences for their review and input. The policy outlines the position of The UCC in the handling of all personal information in your records and information systems, both hard copy and electronic. An Audit Form has also been developed to inventory and identify who has access to personal information. The Audit Form will be sent to all units at the GCO for completion and returned to the Working Group for consolidation. We must identify all of the sources of personal information that currently exists within the UCC at large, how it is collected, how it is used, to whom do we disclose this information, how long is it kept etc.

Personal information includes but is not limited to information such as: home address, home phone number, age, personal email address, race, national or ethnic origin, colour, religion, sexual orientation, marital status, mental or physical disability, family members names, employee files, identification numbers, evaluations, social status, income, credit and bank records, donation information, loan records or medical records etc.

It should be noted at this point that a phased roll out across the wider Church has been planned. The first phase is the GCO, the second phase is the Conferences, phase three the Presbyteries and phase four the pastoral charges.

The Working Group also developed a generic statement which appears on, our website and must be printed on any and all forms used in the collection of personal information. The generic statements are contained in the draft policy and are as follows:

#### UCC website:

"The United Church of Canada is committed to protecting the privacy of personal information. Personal information is collected, used, maintained and disclosed in compliance with The United Church of Canada Privacy Policy and applicable federal and provincial privacy legislation including, but not limited to, The Personal Information Protection and Electronic Documents Act (2000, c.5)."

#### UCC Forms:

"The use, retention and disclosure of personal information collected from this form is done in compliance with privacy legislation including, but not limited to, the Personal Information Protection and Electronic Documents Act (2000, c.5)."

The Senior Leadership Team (SLT) has given the Working Group the go ahead to commence the inventory process of personal information and we will be embarking on this at the GCO in the very near future. The SLT will be taking the draft Privacy Policy to the next General Council Executive (GCE) meeting in April 2004 for their consideration and direction.

### **Questions from the Pastoral Charges**

Pastoral Charges have been in touch with us regarding the privacy legislation and asking for guidance as to the restrictions that it places on them in terms of how they carry out their day-to-day activities. Included under separate cover is a sample of Frequently Asked Questions that we feel should clarify some of these issues.

### **Points to Remember**

- Personal information can only be used for the purposes for which it is collected, for example, social insurance numbers are collected for government purposes only and should not be used for any other purpose without the consent of the individual. **Specific permission must be sought if personal information is to be used for any other purpose than that for which it was initially collected.**
- Limit the amount of type of information gathered to what is necessary for the identified purpose.
- Personal information, as always, is to be stored under lock and key and only certain authorized individuals should have access to it.
- Once the personal information is no longer required it should be destroyed except in cases where federal and/or provincial retention rules apply. Conferences and Presbyteries should consult with their Conference Archivist. Pastoral charges may use the resource "Managing Your Congregation's Records" (September 1997); print copies are available for your Conference Office or Conference Archives. This is also available on the UCC website at <http://www.united-church.ca/archives/records.shtm>.
- All records and information are the property of The United Church of Canada and can only be destroyed in accordance with established records retention guidelines as determined by the Archives Network (General Council Committee on Archives and History).
- To protect against illegal harvesting of personal information, all necessary precautions should be taken to secure and backup personal information that is stored electronically. This should be done with appropriate safeguards that include: up-to-date antivirus software, firewalls, password protection, installation of critical software updates and patches, controlled physical access to personal information servers, and other network security measures.

The Working Group hopes that the above will clarify some of the questions and concerns expressed and we will keep you informed of our progress with the roll out of the Privacy Policy upon approval by the General Council Executive.

If you have any questions or comments, please direct them in writing to the Privacy Officer at [privacy@united-church.ca](mailto:privacy@united-church.ca)