

# **Gospel Baptist Church**

**TITLE : Personal Data Protection Policy**

**POLICY : Personal Data Protection Policy**

**POLICY NO. : 15.A.01**

**IMPLEMENTATION DATE : 1<sup>st</sup> Jan 2015**

**ORIGINATOR : Tan Lye Seng**

# Gospel Baptist Church

## Personal Data Protection Policy

### 1. INTRODUCTION

**1.1** The Personal Data Protection Act 2012 (the “**PDPA**”) establishes a new overarching Singapore regime for the protection of personal data and seeks to ensure that organizations / Society comply with a baseline standard of protection for personal data of individuals.

**1.2** There are two key parts of the PDPA:

**1.2.1** Protection of an individual’s “personal data”, i.e. data, whether true or not, about an individual who can be identified from that data or other accessible information. The protection covers personal data stored in electronic or non-electronic form (“**Data Protection Provisions**”); and

**1.2.2** Establishment of a Do Not Call Registry by the Personal Data Protection Commission for individuals to opt out from receiving certain types of marketing messages via Singapore telephone numbers.

**1.3** This Policy sets forth the approach of Gospel Baptist Church to achieving compliance with the PDPA.

**1.4** Employees, volunteers, Church Members, Deacon/Pastors, Council and Ministry Leaders of Gospel Baptist Church must be familiar with this Personal Data Protection Policy (“**Policy**”) as it describes responsibilities of Staff/Members in relation to any personal data Staff/Members may collect, use and disclose in connection with their role within Gospel Baptist Church and/or any personal data provided to them by any of its Staff or Leaders. Staff/Members must only collect, use and disclose Gospel Baptist Church Data in accordance with this Policy, unless the Data Protection Officer has instructed otherwise in writing.

#### **1.5 Data Protection Officer:**

All Members should read, understand and comply with all provisions of this Policy. For any queries regarding this Policy, please contact the Data Protection Officer:  
Mr Tan Lye Seng H/P : +65 9370851

**1.6** This Policy will be updated from time to time. Members shall ensure that they are reading the latest version of this Policy. Staff shall be deemed to have agreed to any such changes on the date such Policy change is effective, unless a written objection is filed with the Data Protection Officer.

**1.7** This Policy and all Gospel Baptist Church Data should be treated as confidential information of Gospel Baptist Church. You must return to Gospel Baptist Church all copies of this Policy and either return or destroy any Gospel Baptist Church Data, where you cease to be Staff/Members of the church. Please be aware that Gospel Baptist Church Data may be contained in email. Failure to comply with this Policy may result in penalties and fines imposed by the law.

## **2. Members and STAFF CONSENT**

**2.1** Members and Staff are deemed to agree to the collection, use and disclosure of personal data relating to Staff/members or which Staff/Members provide to Gospel Baptist Church (for example, personal data about family members), in the manner and for the purposes as described in the table “Members /Staff personal data” in Annex 2, unless a written objection is filed with the Data Protection Officer.

**2.2** Where Staff/Members provide us with personal data of an individual, we expect Staff/Members to have obtained consent from that individual for our collection, use and disclosure of the personal data for the purposes described above in respect of that Staff member. If this is not the case, please let our Data Protection Officer know in writing.

## **3.NO TELEMARKETING**

Staff/Members must not, except where authorised by the Data Protection Officer, send to individuals in their personal capacity (as opposed to in their capacity as a representative of a Charitable organisation) and at their Singapore telephone numbers, any marketing messages (i.e.messages advertising) or promoting Gospel Baptist Church, Gospel Baptist Church’s events or providing specific services of Gospel Baptist Church.

## **4.WHAT PERSONAL DATA IS**

**4.1** Please regard any data which you can relate to a specific identifiable individual (e.g. Leaders, Staff, or Members), whether such individual is identifiable from the data itself or from other information which is reasonably available to Staff/Members, as being “personal data”.

**4.2** Below is a non-exhaustive list of types of data which are **not** considered to be personal data for the purposes of the PDPA and this Policy:

**4.2.1** Business contact information, which is contact information provided by an individual in a business capacity (e.g. business card) provided such information was not given solely for personal purposes. This applies to information provided by sole proprietors or partnerships, so long as not provided solely for personal purposes;

**4.2.2** Anonymised data, which is data that has been stripped of all the information which can identify a specific individual;

**4.2.3** Aggregated data, or data that has been combined from the data of individuals in such a way that no specific individual can be identified from it;

**4.2.4** Personal data about a deceased individual. Note that the disclosure and protection obligation shall still apply to personal data about an individual who has been dead for 10 years or fewer; and

**4.2.5** Personal data about an individual that is contained in a record that has been in existence for at least 100 years.

**4.3** By way of example, all of the following is personal data:

**4.3.1** name;

**4.3.2** NRIC/passport number;

**4.3.3** photograph or video image of an individual;

**4.3.4** name and address or phone number; and

**4.3.5** any combination of individual pieces of information that, when taken together, can potentially identify a specific individual (e.g. address and name, or phone number and name).

Staff/Members should seek the assistance of the Data Protection Officer if unsure whether any specific information is “personal data”.

## **5. THE PERSONAL DATA PROTECTION REQUIREMENTS OF THE PDPA**

**5.1** In general, Gospel Baptist Church can only collect, use or disclose the personal data of an individual with the individual’s consent, and for a reasonable purpose which the church has made known to the individual. Gospel Baptist Church is also required to provide individual’s access to their personal data and consider requests to correct the personal data it holds or controls. For care of personal data, the PDPA sets out obligations in relation to the accuracy of personal data, the protection and retention of personal data, and the transfer of personal data out of Singapore. Further details of specific key obligations are set out below:

**5.1.1** personal data must be collected, used or disclosed only for purposes which would be considered appropriate by a reasonable person in the circumstances.

**5.1.2** individuals must be notified of the purposes for the collection, use or disclosure of their personal data, prior to such collection, use or disclosure.

**5.1.3** the consent of the relevant individual must be obtained for any collection, use or disclosure of their personal data, unless exceptions apply. Organisations must allow the withdrawal of consent which has been given or deemed to be given.

**5.1.4** when requested, Gospel Baptist Church must provide individuals relevant information in connection with their personal data and the collection, use and disclosure thereof; and the right to access and correct their personal data (cf. paragraph 7).

**5.1.5** organisations must use reasonable efforts to ensure that personal data is accurate and complete if such data is used to make a decision affecting the individual or if such data will be disclosed to another organisation.

**5.1.6** organisations must implement reasonable security arrangements for personal data.

**5.1.7** organisations must not keep personal data for longer than it is necessary to fulfill (i) the purposes for which it was collected; or (ii) a legal or business purpose.

**5.1.8** personal data shall be transferred outside Singapore only where the standard of protection provided to such personal data is comparable to the protection under the PDPA (cf. paragraph 8).

## **5.2 Exceptions**

**5.2.1** The PDPA provides a list of circumstances where consent of the relevant individual is not required for the collection, use or disclosure of personal data. For example, consent is not required for the collection, use or disclosure of “publicly available” information, and there are exceptions relating to certain collection, use and disclosure of employees’ personal data without consent.

**5.2.2** Circumstances where any of the exceptions apply have been taken into account in paragraphs 10 and 12 and elsewhere in this Policy. Unless the Data Protection Officer instructs otherwise in writing, no exceptions are applicable.

## **6.COLLECTION OF PERSONAL DATA**

**6.1 General:** In line with our general approach to PDPA compliance, each Ministry/Committees/Council must, as far as possible, ensure that they seek and obtain an individual’s valid consent before collecting any personal data on such individual.

**6.2 Definition:** For the purposes of the PDPA and this Policy, “*collection*” refers to any act or set of acts through which a Ministry/Committees/Council obtains control over or possession of personal data, and includes both active collection (e.g. verbally asking a customer for specific information) and passive collection (e.g. leaving an unattended visitor logbook near the entrance where personal data is recorded).

**6.3 Scope:** Ministry/Committees/Council are only allowed to collect personal data to the extent that is necessary for the purposes notified to the individual.

**6.4 Collection of data involving third parties:** Whenever Ministry/Committees/Council collect personal data from third party organisations, or personal data is collected by third party organisations (other than data intermediaries) for Ministry/Committees/Council, Ministry/Committees/Council are to ensure that the third party organisation has obtained consent from the individuals to disclose the personal data to them for their intended purposes and notified the individuals of such usage or disclosure of personal data collected by the third party organisation. Ministry/Committees/Council are to discuss with the Data Protection Officer the clauses which need to be incorporated into binding contracts to impose obligations on the third party organisation to obtain consent.

## **ACCESS AND CORRECTION OF PERSONAL DATA**

### **7.1 Access requests**

**7.1.1** An individual may submit a request to Gospel Baptist Church to access the personal data that it holds on that individual.

**7.1.2** Gospel Baptist Church, upon receiving such a request, must provide the following:

- (i) all the personal data about the individual that is in possession or under the control of the Gospel Baptist Church and
- (ii) information about the ways in which the personal data of that individual has been or may have been used or disclosed by the Gospel Baptist Church in the past year, subject to any exceptions granted by the Data Protection Officer under paragraph 7.2.3.

**7.1.3** Gospel Baptist Church is required to respond to access requests in respect of personal data in its possession as well as personal data that is under its control, taking into account personal data which is in the possession of a data intermediary. Gospel Baptist Church is required to accede to access requests for the following:

- (i) personal data about the individual that is in the possession or under the control of the organisation; and
- (ii) information about the ways in which the personal data referred to in above has been or may have been used or disclosed by the organisation within a year before the date of the request.

### **7.2 Exceptions to access requests**

**7.2.1** The PDPA provides a list of circumstances where an organisation is not required to provide an individual with the individual's personal data.

For example, in respect of "opinion data kept solely for an evaluative purpose" and "any request:

- (i) would unreasonably interfere with the operations of the organisation because of the repetitious or systematic nature of the requests;
- (ii) if the burden or expense of providing excess would be unreasonable to the organisation or disproportionate to the individual's interests;

- (iii) for information that does not exist or cannot be found; (iv) for information that is trivial; or
- (iv) that is otherwise frivolous or vexatious”.

**7.2.2** The PDPA specifies the following situations in which an organisation must not provide the personal data or information referred to in paragraph 4.2 that could reasonably be expected to:

- (i) inform the requestor of the fact that Gospel Baptist Church has disclosed personal data to a prescribed law enforcement agency;
- (ii) threaten the safety or physical or mental health of an individual other than the individual who made that request;
- (iii) cause immediate or grave harm to the safety or physical or mental health of the individual who made the request;
- (iv) reveal personal data about another individual;
- (v) reveal the identity of an individual who has provided personal data about another individual and the individual providing the personal data does not consent to the disclosure of his identity; or
- (vi) be contrary to the national interest.

**7.2.3** Unless the Data Protection Officer instructs otherwise in writing, no exceptions are applicable.

**7.3 Correction requests:** The PDPA also provides individuals with the right to request Gospel Baptist Church to correct an error or omission in the personal data about him/her that is in the possession or under the control of the organisation. Further, unless the organisation is satisfied on reasonable grounds that a correction should not be made or where the exceptions apply, the organisation is required to:

**7.3.1** correct the personal data as soon as practicable; and

**7.3.2** send the corrected personal data to every other organisation to which the personal data was disclosed by the organisation within a year before the date the correction was made, unless that other organisation does not need the corrected personal data for any legal or business purpose. The relevant individual may consent to the organisation providing the corrected personal data only to such organisations to which the personal data was disclosed within a year before the date the correction was made.

**7.4 Exceptions to correction requests:** The PDPA provides a list of circumstances where an organisation is not required to comply with correction requests. For example, “opinion data kept solely for evaluative purposes”. Unless the Data Protection Officer instructs otherwise in writing, no exceptions are applicable.

**7.5** Staff/Members must deal with access and correction requests strictly in accordance with the current procedure as set by the Data Protection Officer.

## **8. DEALINGS WITH SERVICE PROVIDERS AND TRANSFER OF PERSONAL DATA**

**8.1** Gospel Baptist Church is responsible for personal data processed on its behalf by service providers, agents or other data intermediaries. Staff/Members that wish to engage data intermediaries must undertake an appropriate level of due diligence to assure that a potential data intermediary is capable of complying with the PDPA, and discuss with the Data Protection Officer the clauses which need to be incorporated into such binding contracts.

**8.2 Dealings with service providers which are not data intermediaries or processors:** Where Gospel Baptist Church engages service providers or agents who may be in the position to access or retrieve personal data (but who are not required to process personal data on behalf of Gospel Baptist Church), such service providers or agents (for example, printing companies which lease photocopiers with storage facilities, to Gospel Baptist Church) should be requested to agree in writing to a blanket undertaking not to collect, use or disclose personal data in the course of provision of those services.

**8.3 External transfers to other organisations:** When Gospel Baptist Church transfers data to a third party that is not merely acting on behalf of Gospel Baptist Church in processing data, then the rules in Paragraph 8.1 shall not apply, but the general rules on disclosure of personal data shall apply.

## **9. TRANSFER OF PERSONAL DATA OUT OF SINGAPORE**

**9.1** Gospel Baptist Church is allowed to transfer any personal data to a country or territory outside Singapore only after Gospel Baptist Church has entered into a legally enforceable contract with the receiving organisation which specifies the countries or territories to which the personal data may be transferred, and where the receiving organisation agrees to provide to the transferred personal data a standard of protection that is at least comparable to the protection under the PDPA.

**9.2 Exceptions:** An exception to the transfer requirements set out in Paragraph 9.1 in respect of a transfer of personal data requires the following:

**9.2.1** the individuals whose personal data is to be transferred have been provided with a reasonable summary in writing of the extent to which Personal Data transferred to those countries and territories will be protected to a standard comparable to the protection under the PDPA;

**9.2.2** the individuals whose personal data is to be transferred have not been required to consent to the transfer as a condition of being provided with a product or service, except if the transfer is reasonably necessary to provide the product or service to that individual;

**9.2.3** the individuals whose personal data is to be transferred have not been provided with false or misleading information about the transfer; and

**9.2.4** the individuals whose personal data is to be transferred have given consent and such consent was not obtained by using other deceptive or misleading practices.

A list of other exceptions can be found in Annex 1. Any staff, if in doubt as to whether the exceptions apply or how they are to be understood, are to seek guidance from the Data Protection Officer.

## **10. APPROVED PURPOSES FOR STATS CHIPPAC LTD. DATA**

**10.1** Gospel Baptist Church collects, uses and discloses personal data for the purposes as tabulated in Annex 2.

**10.2** While Gospel Baptist Church has obtained relevant consents from the relevant individuals for the use and disclosure of their personal data for the purposes as described above, consent has not been obtained for any other use of data. Gospel Baptist Church. Data should only be used and disclosed on a “need to know” basis.

**10.3** Staff/Members who notice that the table of purposes in Annex 2 is inaccurate or incomplete, please contact the Data Protection Officer.

**10.4** Current procedures for dealing with questions or requests from employees, former employees and/or job applicants (current and former) are available from the Data Protection Officer. Staff must deal with any such questions or requests strictly in accordance with the current procedure.

## **11. SECURITY AND DOCUMENT RETENTION**

**11.1** Staff must take all technical, physical, and organisational measures to protect Gospel Baptist Church. Data from misuse or accidental, unlawful or unauthorised destruction, loss, alteration, disclosure, acquisition or access as described in the Church’s data retention policies.

**11.2** Gospel Baptist Church *Data must be disposed of/destroyed in accordance with the following:*

**11.2.1** Staff Personal Data and Members Personal Data must be destroyed after 15 years unless the information may be relevant to any pending or potential litigation, inquiry, or investigation, in which case the information may not be destroyed and must be retained for the duration of that litigation, inquiry, or investigation.

## **DISCIPLINARY ACTION**

Gospel Baptist Church takes compliance with the PDPA seriously and Staff/Members may be subject to disciplinary measures where they breach this Policy or through act or omission allow this Policy to be breached.

## Annex 1

### List of Exceptions to the Overseas Transfer Requirements

#### 1. Definitions –

a. **“Data In Transit”** means personal data transferred through Singapore in the course of onward transportation to a country or territory outside Singapore, without the personal data being accessed or used by, or disclosed to, any organisation (other than the transferring organisation or employee of the transferring organisation) while the personal data is in Singapore, except for the purpose of such transportation.

#### 2. **Exceptions:** each of the following is an exception –

- a) the personal data is Data in Transit;
- b) the personal data is publicly available in Singapore;
- c) the transfer is necessary for the performance of a contract between Gospel Baptist Church and the individual (for example, if Gospel Baptist Church is a data intermediary of the individual pursuant to a contract between them in relation to the transfer);
- d) the transfer is necessary to do anything at the individual’s request with a view to his entering a contract with Gospel Baptist Church;
- e) the transfer is necessary for the conclusion or performance of a contract between Gospel Baptist Church and a third party which is entered into at the individual’s request;
- f) the transfer is necessary for the conclusion or performance of a contract between Gospel Baptist Church and a third party if a reasonable person would consider the contract to be in the individual’s interest; or
- g) the transfer of the personal data to the receiving organisation is necessary for the personal data to be used under paragraph 1(a), (b) or (d) of the Third Schedule to the PDPA or disclosed under paragraph 1(a), (b), (c), (e) or (o) of the Fourth Schedule to the PDPA, and the transferring organisation has taken reasonable steps to ensure that the personal data so transferred will not be used or disclosed by the receiving organisation for any other purpose.

## Annex 2

### Approved purposes Staff / Members Personal Data

Function / Activity	Purpose
General	<ul style="list-style-type: none"><li>✓ Background screening</li><li>✓ Internal audit</li><li>✓ Disclosures permitted or required by law</li><li>✓ <i>Announcements in relation to appointments and termination of employment</i></li><li>✓ Access control administration</li></ul>
Hiring Requirement	<ul style="list-style-type: none"><li>✓ Assessing suitability for a vacancy</li><li>✓ Sending announcements on future career opportunities]</li><li>✓ Background screening</li></ul>
Human Resource – for managing or terminating Staff employment relationship	<ul style="list-style-type: none"><li>✓ <i>Managing or terminating an employment relationship; employment-related benefits, security badge issuance and monitoring, employee reference checks, mobile accounts, travel visas, company recreational events, compensation and payroll; performance appraisals, promotion and career development activities; job references; training; emergency contact; making disclosures to insurers and bankers, medical practices providing medical cover for employees, administrators or Leaders of employment-related schemes, companies engaged in contractual activities on department's behalf for the</i></li></ul>

*above mentioned purposes, governmental, regulatory or other competent authorities, and as permitted or required by applicable law; Governmental and other institutional grants and surveys*

✓ *Conducting investigations and proceedings; taking appropriate actions, in relation to any suspected or proven wrongdoings, unlawful conduct or malpractices that are against the public interest*

✓ *Cooperating with governmental, regulatory or other competent authorities, in any part of the world, in relation to any suspected or proven wrongdoings, unlawful conduct or malpractices that are against the public interest.*

For Ministry purposes

✓ *Collate Members data for registration purposes of specific Church Organise event*

Transfer Of Membership

✓ *Transfer of personal data to Other Churches if Individual Member request for transfer to other churches had been approved by the church in a Business Meeting Forum*