

The System protects data and enables Church compliance with PoPI law

It has been asked and said: *Is my data safe in the 'cloud'? I am afraid that my data will be hacked!*

MyChurchIT has done everything reasonable to protect the data in our System and is compliant with the Protection of Personal Information Act (PoPI).

The obligations under PoPI as it relates to the data hosted in the MyChurchIT Management system include:

- Facilitating the collection of **only the required information needed** for a specific purpose;
- Applying **reasonable security measures** to protect all the data;
- Having a way where congregations ensure that their **data is relevant and accurate**, by granting the subject the right to unsubscribe and change their own details;
- Allowing the **subject of the information to see it upon request.** ¹

Overview

The system assists the **Responsible Parties**, who are the congregations and denominations who store the data in the MyChurchIT System, meet these obligations in these ways:

- While the **data belong to the members and the various participating congregations/denominations**, while **MyChurchIT owns the system** which assists them in being responsible for the collecting of the relevant information and maintaining its accuracy as needed for their purposes. The permanent deleting of records is done by the MyChurchIT Team on a written request.
- Personal information at different levels:
 - Members of my Congregation have full control over their data in their Profile and who sees it;
 - The system stores relevant information such as names, DOBs, contact details, family relationships and areas of involvement, but no ID numbers, bank details, personal views and correspondence.
 - Those granted with Administration rights can see all the data in their areas of responsibility, can make changes, and can be added and removed by those in authority in the denomination. The system has the facility for the Administrators to store additional personal information in 'Notes'.
- The software and data are stored on separate and dedicated servers that are backed up daily;
- Everything reasonable has been done to keep the members private information safe;
- The participating person can see all their captured information on the system, once they have registered, using their 'user' name (their email address) and their own created password;
- The security levels have different options for each member in their personal portal. The only other people who can change the information are those appointed officials from the congregation who have been given the right to 'access' the data;

¹ <https://www.PoPI-compliance.co.za/start-here/>

General and relevant information regarding PoPI and the Church:

What is personal information (as protected by in the PoPI Act)?

In terms of the Act, **personal information** is data that can be used to identify a person. It is defined as “**information** relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person.”

Why is it important to protect personal information?

Stolen identity and related personal information can lead to fraud. (For a broader picture on why this is important see: <https://www.michalsons.com/blog/why-you-should-care-about-PoPI/18290>)

What is the PoPI Act South Africa?

In simple terms, the purpose of the PoPI Act is to ensure that all South African institutions conduct themselves in a responsible manner when collecting, processing, storing and sharing another entity's personal information by holding them accountable should they abuse or compromise your personal information in any way.

What is the purpose of PoPI act?

The **purpose** of the **PoPI Act**, as defined by the **Act** itself, is to protect personal information, to strike a balance between the right to privacy and the need for the free flow of, and access to information, and to regulate how personal information is processed

What are some of the important aspects of the PoPI Act?

The purpose of Act to is protect personal information, by holding all to an established standard for data protection and in so doing to strike a balance between the right to privacy and the need for the free flow of, and access to information, as well as to regulate how personal information is processed.

Personal Information as it related to MyChurchIT:

The POPI Act grants us permission to keep the following for the use of Denominations, congregations and organisations, including Information about a person's **identity** (e.g. name, address and contact information age, language, disability). What is **not kept**: ID numbers, bank details, personal views and private correspondence.

Responsible Parties

Responsible parties are the main subject of the PoPI Act and are **the congregations and denominations who store the data in the MyChurchIT System**. The Responsible Parties determine the purposes and means of the processing of personal information. E.g. The Responsible Party collects a person's address in order to mail them information.

When will PoPI affect me?

The Act is now law, as at 1st July 2020, as stated by the President, Cyril Ramaphosa. A compliance grace period of 1 year is expected to be applied.

How the Church can comply with the PoPI Act

- **Conduct a Personal Information Audit**
Make sure your data is accurate. You can't comply with the rules in the POPI Act unless you know what personal information is in your control.
- **Designate an Information Official**
Appoint a Membership or Statistical Secretary for each congregation.

Conditions for Lawful Processing

These are as follows:

1. **Accountability** - The responsible party must ensure compliance with the Act.
2. **Lawfulness** - The collection of personal data must be legally justifiable.
3. **Purpose limitation** – Data must only be collected for a specific purpose and kept only if needed.
4. **Restriction on further processing** - Personal data may only be processed for another purpose under specific conditions
5. **Information quality** - Personal information must be complete and accurate
6. **Openness** - Personal information must be processed in a transparent manner
7. **Security safeguards** - Personal information must be processed securely and the responsible party must provide notification of any data breaches
8. **Data subject participation** - People must be allowed to access their personal information and request that it is corrected or deleted if it is inaccurate.

Penalties for Non-Compliance.

Penalties for violating the POPI Act include: **Administrative fines** and **Prison sentences**

Facilitate Data Subject Rights

The Act provides three data subject rights: **access, correction, and deletion.**

- Access to Personal Data: If a data subject requests **access** to their personal information, you must provide them with a copy of any personal information you hold on them. You must also let them know which **third parties** have had access to their personal information (if any).
- Correction and Deletion of Personal Data: The rights of **correction and deletion** apply only to personal information

Implement Security Measures

One of the most important aspects of data protection law is the requirement to **store and transfer personal information in a secure way.**

- Risk Assessment: This relates to who needs access to the data, so the Responsible Parties are required to make sure that only authorised persons are given access.
- Existing Customers: You need to offer the person a clear means to opt out.

Summary

- The PoPI Act is a big step forward for privacy in South Africa. It brings the country closer to the data protection standards of other large economies, such as those in the EU.
- Ultimately, if Responsible Parties process data fairly, ethically, and safely, then PoPI is unlikely to require dramatic changes to your business.
- MyChurchIT does all reasonable to enable Responsible Parties to comply with the PoPI law.
- It is essential to get to grips with PoPI and start working on compliance procedures, including the appointment of a data officer who is held accountable by the Responsible Parties.

References:

<https://www.justice.gov.za/infoereg/docs/InfoRegSA-POPIA-act2013-004.pdf>

<https://www.privacypolicies.com/blog/popii-act/>

<https://www.termsfeed.com/blog/south-african-popii-act/>