



POLICY FRAMEWORK ON GOVERNANCE OF THE PROTECTION OF PERSONAL INFORMATION

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SECTION 1. INTERPRETATIVE PROVISIONS

Article 1. Object

This policy :

- [1.] sets out the roles and responsibilities of municipal employees throughout the personal information life cycle;
- [2.] develops the process for handling privacy complaints;
- [3.] describes the training and awareness activities offered by the Town to its employees regarding the protection of personal information;
- [4.] establishes safeguards for the protection of personal information collected or used in connection with a survey;
- [5.] sets out the rules governing the confidentiality of personal information collected by technological means.

Article 2. Normative framework

This policy is governed by the *Act respecting access to documents held by public bodies and the protection of personal information*, RLRQ, c. A-2.1 (the Act), and more specifically aims to meet the requirements of its section 63.3. In accordance with the Act, the policy is available on the Town's website.

Article 3. Definitions

For the purposes of this policy, the following terms mean :

- [1.] **Committee:** the Access and Privacy Committee, created by resolution number 08-309-22;
- [2.] **Life cycle:** all the steps involved in the processing of personal information, i.e. its collection, use, disclosure, retention and destruction;
- [3.] **Privacy Impact Assessment:** assessment carried out in accordance with section 63.5 of the Act. It includes the preventive approach to protecting personal information and respecting the privacy of individuals. It considers all factors that have an impact on the privacy of the individuals concerned;
- [4.] **Incident of confidentiality:** such an incident according to article 63.9 of the law;



- [5.] **Data subject:** a natural person to whom personal information relates;
- [6.] **Personal information:** any information relating to a natural person that enables that person to be identified directly or indirectly, in accordance with the law;
- [7.] **Sensitive personal information:** any personal information that by its nature, including medical, biometric or otherwise intimate, or by the manner in which it is used or disclosed, gives rise to a high reasonable expectation of privacy.

Article 4. Scope of application

This policy applies to personal information held by the Town and to any person handling such information.

SECTION 2. TREATMENT OF PERSONAL INFORMATION

The protection of personal information is ensured throughout its life cycle in accordance with the following principles, subject to exceptions provided for by law.

Article 5. Collection

The Town collects only the personal information required to carry out its mission and activities. Before collecting personal information, we identify the purposes for which it is to be used.

Personal information is collected from the person concerned. This information is collected by any means deemed useful and efficient.

At the time of collection, and thereafter upon request, by reference to this policy, the Town informs the persons concerned of the purposes and methods of processing their personal information and of their rights with respect to such information.

Any consent required by law is obtained in accordance with the law.

Article 6. Use

Personal information is only used for the purposes for which it was collected, as provided by law.

The Town may use personal information for secondary purposes without the consent of the individual concerned if the use is necessary for study, research or statistical purposes and if the information is de-identified.



Article 7. Communication

Subject to the exceptions provided for by law, the Town cannot disclose personal information without the consent of the person concerned. Such consent must be given expressly if sensitive personal information is involved.

If personal information is communicated by the Town to a co-contractor, the contract provides for any measures required to ensure compliance with this policy.

Article 8. Conservation

The Town takes all reasonable steps to ensure that the personal information it holds is up-to-date, accurate and complete for the purposes for which it is collected or used.

The Town retains personal information for as long as necessary to carry out its activities, subject to the time limits set out in its retention schedule.

Article 9. Destruction and anonymization

Once the purposes for which the personal information was collected have been achieved, it is destroyed or made anonymous, subject to *the Archives Act*, RLRQ, c. A- 21.1, and in accordance with the deadlines set out in the Town's retention schedule and document management rules.

SECTION 3. ROLES AND RESPONSIBILITIES OF MUNICIPAL EMPLOYEES WITH REGARD TO PERSONAL INFORMATION

Article 10. Roles and responsibilities

Municipal employees with access to personal information have the following roles and responsibilities:

- [1.] comply with this policy;
- [2.] refer any request for personal information to the Clerk's Office as soon as possible;
- [3.] retain the information requested for the time required to allow the applicant to exhaust legal recourses;
- [4.] keep records as required by law;
- [5.] participate in the assessment of the risk of serious harm associated with a confidentiality incident, particularly with regard to the sensitivity of the information concerned, the anticipated consequences of



its use, and the likelihood that this information will be used for malicious purposes;

- [6.] verify confidentiality obligations in connection with the communication of personal information under contracts, as required by this policy;
- [7.] proceed with caution;
- [8.] consult only the personal information required to perform its duties;
- [9.] integrate and retain only information in the files concerned;
- [10.] keep access to personal information for those who are entitled to it;
- [11.] protect access to personal information in its possession, or to which it has access by means of a password, or any other means established by the Committee;
- [12.] refrain from disclosing personal information that comes to their knowledge in the course of their duties, unless duly authorized to do so;
- [13.] refrain from retaining, after termination of employment or contract, personal information obtained or collected in the course of his or her duties;
- [14.] destroy any personal information in accordance with the rules established by the Committee;
- [15.] participate in the Town's privacy awareness and training activities;
- [16.] report any breach, confidentiality incident, or any other situation or irregularity that could in any way compromise the security, integrity or confidentiality of personal information.

The committee :

- [17.] oversees the implementation of awareness-raising and training measures for municipal employees;
- [18.] draws up the principles for disseminating information;
- [19.] approves the present policy and its amendments, and recommends its adoption to the Board;
- [20.] issues guidelines on the use of IT marketing tools involving the communication of data or profiling;



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- [21.] identifies the main risks to the protection of personal information, and notifies the General Manager so that corrective measures can be proposed;
- [22.] approves any departure from the general principles of personal information protection;
- [23.] issues guidelines for the protection of personal information, including its retention by third parties and outside Quebec;
- [24.] is consulted at the outset of a project and for privacy impact assessment purposes;
- [25.] ensures that the completion of the privacy impact assessment is proportionate to the sensitivity of the information concerned, the purposes for which it is to be used, the quantity and distribution of the information, and the medium on which it is to be hosted;
- [26.] where applicable, ensures that the project enables computerized personal information collected from the data subject to be communicated to him or her in a structured, commonly used technological format;
- [27.] is notified of any confidentiality incident involving personal information, and advises on measures to be taken and follow-up to be carried out;
- [28.] proposes any changes to the present policy and internal procedures;
- [29.] reviews measures relating to video surveillance and ensure that privacy is respected in its use;
- [30.] provides a framework for conducting surveys authorized by the Board and involving the collection of personal information.

Article 11. Privacy Impact Assessment

The Town carries out a privacy impact assessment in the cases provided for by law.

Article 12. Security of personal information

The Town implements reasonable security measures to ensure the confidentiality, integrity and availability of personal information that is collected, used, disclosed, retained or destroyed. These measures take into account the sensitivity of the personal information, the purpose for which it is collected, its quantity, location and medium.



The Town manages the access rights of municipal employees. Only employees whose duties require access to personal information have access to it.

Article 13. Privacy incident

The Town manages any confidentiality incident in accordance with the *Act respecting access to documents held by public bodies and the protection of personal information*, RLRQ c. A-2.1.

SECTION 4. COMPLAINTS HANDLING, AWARENESS-RAISING AND SURVEYS

Article 14. Handling complaints and requests for rectification

Any complaint relating to our privacy practices or our compliance with legal requirements concerning personal information must be forwarded to the Committee. The Committee must respond within 30 days.

Any request for rectification must be made in accordance with the law to the person responsible for access, whose contact details are provided on the Town's website.

Article 15. Awareness

The Town offers its employees training and awareness activities on the protection of personal information. These activities are provided on an as-needed basis and through a variety of available means.

Article 16. Survey

Any survey required by the municipal council must be authorized in advance if personal information is to be collected. In such cases, only essential personal information may be collected.

The committee must draw up ethical rules for the survey, taking into account the sensitivity of the personal information collected and the purpose for which it is to be used.

SECTION 5. FINAL PROVISIONS

Article 17. Sanction

Any person who violates this policy is liable to sanctions in accordance with the applicable regulatory framework and the *Act respecting access to documents held by public bodies and the protection of personal information*, RLRQ c. A-2.1.



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Article 18. Question

Any questions regarding this policy may be submitted to the Town Clerk's Office, whose contact information is provided on the Town's website.

Article 19. Entry into force

This policy takes effect on April 9, 2024.

Heidi Ektvedt,
Mayor

Marie-Hélène Brunet, Notary
Clerk



IMPLEMENTATION PROCEDURE

- [1.] Transmission of the draft policy to Council members on April 2, 2024, on CSP.
- [2.] Policy adopted at meeting of April 9, 2024 (resolution number 2024-04-53)
- [3.] Save the policy on the "Z" server and send an e-mail to all directors.
- [4.] Integration of the policy on the Town's website, April 15, 2024.

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