

DIRECTIVE

ON GOVERNANCE REGARDING THE PROTECTION OF PERSONAL INFORMATION

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DIRECTIVE ON GOVERNANCE REGARDING THE PROTECTION OF PERSONAL INFORMATION

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1. PREAMBLE

As part of its activities and mission, the City of Dollard-des-Ormeaux (the “City”) processes personal information, including that of residents and employees who use its services. As such, it recognizes the importance of respecting privacy and protecting the personal information it holds.

In order to fulfill its obligations in this regard, the City has adopted a directive on the protection of personal information. This directive sets out the framework principles applicable to the protection of personal information held by the City throughout its life cycle and the rights of the individuals concerned.

The protection of personal information held by the City is the responsibility of everyone who processes this information. They must understand and respect the principles of personal information protection inherent in the performance of their duties or arising from their relationship with the City.

2. PURPOSE

This directive :

- a) sets out the principles governing the City's management of Personal Information throughout its life cycle and the exercise of the rights of the Persons Concerned;
- b) sets out the process for handling complaints relating to the protection of personal information;
- c) defines the roles and responsibilities for the protection of personal information at the City;
- d) describes the training and awareness activities that the City offers to its staff.

3. REGULATORY FRAMEWORD

This directive falls within a context governed in particular by the Act respecting Access to documents held by public bodies and the Protection of personal information (CQLR, c. A-2.1.).

In accordance with this Act, this directive is available on the City's website.

4. DEFINITIONS

For the purposes of this directive, the following terms shall mean:

"CAI":	Commission d'accès à l'information du Québec.
"Committee":	The City's Committee on Access to Information and the Protection of Personal Information.
"Life Cycle":	All steps involved in processing personal information, including collection, use, disclosure, retention, and destruction.
"Privacy Impact Assessment" or "PIA":	A preventive approach that aims to better protect personal information and respect the privacy of individuals. It involves considering all factors that could have positive or negative consequences on the privacy of the individuals concerned.
"Confidentiality Incident":	Any consultation, use, or communication of Personal Information that is not authorized by law, or any loss or other breach of the protection of such information.
"Act":	The Act respecting Access to documents held by public bodies and the Protection of personal information, CQLR, c. A-2.1.
"Person Concerned":	A natural person to whom the Personal Information relates.
"Personal Information":	Any information relating to a natural person that allows them to be identified directly or indirectly.
"Person in Charge of Access to Documents" or "PCAD":	The person within the City who performs this function and who must respond to requests for access to documents in accordance with the Act.
"Sensitive Personal Information":	Any personal information that, by its nature, particularly medical, biometric, or otherwise intimate, or due to the context of its use or disclosure, raises a high degree of reasonable expectation of privacy.

"Person in Charge of the Protection of Personal Information" or "PCPPI":	The person within the City who performs this function and ensures compliance with and implementation of the Act respecting the protection of personal information.
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5. SCOP OF APPLICATION

This policy applies to Personal Information held by the City and to any person who processes Personal Information held by the City.

6. HANDLING OF PERSONAL INFORMATION

The protection of Personal Information is ensured throughout its life cycle in accordance with the following principles, except as provided by law.

6.1. Collection

6.1.1. The City collects only the Personal Information necessary to carry out its mission and activities. Before collecting Personal Information, the City determines the purposes for which it will be processed. The City collects only the Personal Information necessary for the purposes indicated.

6.1.2. When the Act requires consent to be obtained, it must be express, free, informed, and given for specific purposes. It is requested for each of these purposes, in simple and clear terms. This consent is valid only for the time necessary to fulfill the purposes for which it was requested.

6.2. Use

6.2.1. The City uses Personal Information only for the purposes for which it was collected.

6.2.2. It may also use it for secondary purposes without the consent of the Person concerned in any of the following cases:

- a) when the use is for purposes compatible with those for which the information was collected;
- b) when the use is clearly for the benefit of the Person Concerned;
- c) when the use is necessary for the application of a law in Quebec, whether or not such use is expressly provided for by law;
- d) when the use is necessary for study, research, or statistical purposes and the information is depersonalized.

6.2.3. The City establishes and maintains an inventory of the Personal Information files it collects, uses, and discloses.

6.3. Disclosure

6.3.1. Except where required by law, the City may not disclose Personal Information without the consent of the Person Concerned. Consent must be expressly given when Sensitive Personal Information is involved.

6.3.2. When Personal Information is disclosed to an agent or service provider under a mandate or service contract, the City must enter into a written agreement with the service provider or agent that includes the City's standard contractual provisions informing the service provider or agent of its obligations regarding the protection of Personal Information to which it will have access or that it will otherwise process under the contract.

6.3.3. The agent or service provider mentioned above, to whom a contract has been awarded, must, at the City's request, complete and sign a mutual confidentiality agreement.

6.3.4. When Personal Information is disclosed to third parties outside Quebec, the City must conduct a PIA in accordance with section 7 hereof.

6.4. Retention

6.4.1. The City takes all reasonable measures 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.

6.4.2. The City retains Personal Information for as long as necessary to carry out its activities, subject to the retention periods set out in its retention schedule.

6.5. Destruction and anonymization

6.5.1. Once the purposes for which Personal Information was collected have been fulfilled, such information shall be destroyed or anonymized, subject to the Archives Act, CQLR, c. A-21.1, and in accordance with the retention schedule and document management rules of the City.

7. PRIVACY IMPACT ASSESSMENT

7.1. The City conducts a PIA, particularly in the context of the following processing of Personal Information:

- a) before undertaking a project to acquire, develop, or redesign an information system or electronic service delivery system that involves Personal Information;

- b) before collecting Personal Information necessary for the exercise of the powers or the implementation of a program of a public body with which it collaborates for the provision of services or the fulfillment of a joint mission;
- c) before disclosing Personal Information without the consent of the Persons Concerned to a person or organization that wishes to use such information for study, research, or statistical purposes;
- d) when it intends to disclose Personal Information without the consent of the Persons Concerned, in accordance with section 68 of the Act;
- e) when it intends to disclose Personal Information outside Quebec or entrust a person or organization outside Quebec with the task of collecting, using, disclosing, or retaining such information on its behalf.

7.2. When conducting a PIA, the City takes into account the sensitivity of the Personal Information to be processed, the purposes for which it will be used, its quantity, distribution, and medium, as well as the proportionality of the measures proposed to protect the Personal Information.

7.3. In addition, when Personal Information is disclosed outside Quebec, the City ensures that it is adequately protected, particularly with regard to generally recognized principles of Personal Information protection.

7.4. The completion of a PIA serves to demonstrate that the City has complied with all obligations regarding the protection of Personal Information and that all measures have been taken to effectively protect such information.

8. SURVEYS

When the City wishes to collect or use Personal Information in the context of a survey, protective measures are taken, including an upstream assessment of:

- a) the necessity of conducting the survey;
- b) the ethical aspect of the survey, taking into account, in particular, the sensitivity of the Personal Information collected and the purpose for which it will be used.

9. COMPLAINT PROCESSING

Any complaint regarding the processing and protection of Personal Information by the City must be sent to the PRPPI:

Person Responsible for the Protection of Personal Information

12001, boul. de Salaberry
Dollard-des-Ormeaux (QC)
H9B 2A7

10. SECURITY OF PERSONAL INFORMATION

10.1. The City 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, among other things, the sensitivity of the Personal Information, the purpose for which it is collected, the amount of Personal Information, its location, and the medium in which it is stored.

11. CONFIDENTIALITY INCIDENTS

11.1. Any Confidentiality Incidents shall be handled in accordance with the Privacy Policy and the Act. The City shall then take reasonable measures to minimize the risk of harm and prevent further incidents of the same nature from occurring.

12. ROLES ET RESPONSABILITIES

12.1. The protection of Personal Information held by the City relies on the commitment of all those who process this information, particularly the following:

12.2. The PRPPI:

- a) ensures the protection of Personal Information throughout its life cycle, from collection to destruction;
- b) sits on the Committee;
- c) responds to and complies with the requirements of the Act relating to requests for access to or correction of Personal Information
- d) assesses 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 it will be used for malicious purposes;
- e) where applicable, verify confidentiality obligations relating to the disclosure of Personal Information in connection with mandates or service contracts entrusted to third parties in accordance with section 6.3.2 of this directive.

12.3. The Committee:

- a) ensures that measures are put in place to raise awareness and train City staff on personal information protection obligations and practices and best practices in this area;
- b) approves this Directive and any amendments thereto;

c) helps identify the main risks related to the protection of Personal Information and notifies management so that corrective measures can be proposed;

d) suggests to management any measures deemed useful for improving the City's good governance of the processing of personal information;

e) is consulted at the outset of a project and, for the purposes of the PIA for all projects involving the acquisition, development, and redesign of information systems or electronic service delivery involving Personal Information:

- ensures that the PIA is proportionate to the sensitivity of the information concerned, the purposes for which it is used, its quantity, its distribution, and the medium on which it will be stored;

- where applicable, ensures that the project allows the individual concerned to be provided with the computerized Personal Information collected from them in a structured and commonly used technological format.

f) reviews measures relating to video surveillance and ensures that privacy is respected in its use;

g) advises management on any matter it submits to it regarding the protection of personal information.

12.4. Any person who processes Personal Information held by the City:

a) acts with caution and incorporates the principles set out in this directive into their activities;

b) only access information necessary for the performance of their duties;

c) only incorporate and retain information in files intended for the performance of their duties;

d) store any Personal Information of which it has a copy in such a way as to prevent anyone from gaining unauthorized access to it, in particular by implementing the “clean desk” principle, which consists, among other things, of:

- Do not leave any documents containing such information visible when leaving the office.

- Lock your computer screen when leaving your desk temporarily.

- Shred any documents containing Personal Information or dispose of them in a secure manner, which means avoiding simply placing them in a recycling bin, for example.

- Ensure that documents containing personal information that are printed remotely are retrieved promptly.

e) refrain from disclosing Personal Information that comes to their knowledge in the course of their duties, unless duly authorized to do so;

f) refrain from retaining, at the end of their employment or contract, Personal Information obtained or collected in the course of their duties and maintain their confidentiality obligations;

g) participate in awareness and training activities related to the protection of Personal Information that are intended for them;

j) 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 in accordance with the Directive – Confidentiality Incidents adopted by the City.

13. AWARENESS ACTIVITIES

The City offers training and awareness activities to its staff on the protection of personal information and organizes thematic workshops on this subject.

It makes materials available to help staff members fulfill their obligations, such as sample forms, information capsules, and lists of questions and answers.

It also ensures that its staff are informed of the policies, guidelines, and procedures adopted with regard to the protection of personal information that they must comply with.

14. COMING INTO FORCE

The Committee reviews this directive annually to update it as necessary.

This directive comes into force on April 16, 2025.