



PRIVACY POLICY

Municipality of the Township of Gore

September 2023

CHAPTER I — APPLICATION AND INTERPRETATION

Definitions

For the purposes of this policy, the following expressions or terms have the following meanings:

CAI: Refers to the *Commission d'accès à l'information* created under *the Access Act*.

Council: Refers to the municipal council of the Municipality of the Township of Gore.

Employee: Refers to an elected official, officer, or employee, full-time or part-time, permanent, seasonal, or contractual.

Life cycle: Refers to all stages of existence of information held by the Municipality and more specifically its creation, modification, transfer, consultation, transmission, preservation, archiving, anonymization, or destruction.

Access Committee: Refers to the municipality's access to information and privacy committee.

Access Act (the Act): Refers to the *Act respecting Access to documents held by public bodies and the Protection of personal information*, CQLR v. A -2.1.

Data Subject: Refers to any natural person for whom the Municipality collects, holds, communicates to a third party, destroys, or anonymizes, one or more item containing personal information.

Stakeholder: Refers to a natural person in relation to the Municipality and in the context of its activities and, without limiting the general nature of the preceding information, an employee or a supplier.

PPI: Refers to the protection of personal information.

Personal information (or PI): Refers to any information that relates to a natural person and that allows him to be directly or indirectly identified, such as: postal address, telephone number, email or bank account number, whether it be in the form of personal or professional data regarding the individual.

Sensitive Personal Information (or SPI): Refers to any personal information that gives rise to a reasonable expectation of privacy for an individual, due to the potential harm that would be caused in the event of a privacy incident, such as financial information, medical information, biometrics, social insurance number, driver's licence information or sexual orientation.

Person Responsible for the access to documents (or RAD): Refers to the person who, in accordance with the *Access Act*, exercises this function and responds to requests for access to documents from the Municipality.

Privacy Officer (or PO): Refers to the person who, in accordance with the *Access Act*, exercises this function and ensures the protection of personal information held by the Municipality.

Handwritten signatures in blue ink, including a stylized 'M' and a signature that appears to be 'J. B. Le'.

Objectives

The Privacy Policy has the following objectives:

- State the guidelines and guiding principles to effectively ensure the confidentiality of all personal information collected by technological means.
- Protect the confidentiality of personal information collected by the Municipality throughout its life cycle.
- Indicate the technological means used to collect personal information, the purposes for which it is collected and its processing within the Municipality.
- Ensure public confidence in the Municipality, remain transparent regarding the processing of personal information and the protection measures applied by the Municipality as well as to provide appropriate access to information when required.

CHAPTER II — COLLECTION OF PERSONAL INFORMATION AND CONSENT

Confidentiality

The Municipality keeps confidential all PI collected, making it accessible only to the employees who require it to perform their duties.

The Municipality refers to its confidentiality practices when obtaining consent from any data subject when collecting PI.

Regardless of the sensitivity of the collected PI, the Municipality applies equivalent security measures to prevent confidentiality and integrity breacher as per the exceptions provided for in the *Access Act*.

Types of Personal Information Collected by Services

Each year, the Municipality determines the type of PI that must be collected, identifies the purposes for which it is collected, which employees of the Municipality have access to the PI and how it is collected. This information is assembled in a table based on the one shown in Appendix I.

Collection of Personal Information Consent

The Municipality does not collect and store any PI without the consent of the data subject, unless an exception is provided for in the *Access Act*.



It is understood that consent is given for a specific **purpose**, for a **necessary period of time** to achieve the purposes for which it is requested, and must be:

Manifest: which means that it is obvious and clear.

Free: which means that it must be free of constraints.

Informed: which means that he is taken with full knowledge of the facts.

Except in the circumstances permitted by the *Access Act*, the Municipality does not transmit PI to a third party without the specific consent of the data subject.

Subject to obligations identified in laws or regulations, a data subject may refuse to consent to having its PI collected and still receive services from the Municipality.

To refuse the collection, use and possession of PI, the data subject must:

- After having listened to a telephone message indicating that the conversation will be recorded, the data subject must address the municipal employee answering the call and notify them of their refusal to consent to the said recording of the call and the collection, use and retention of personal information disclosed during said call.
- After having received a municipal form or any other document requesting the data subject's consent to the collection of personal information, notifying the municipal employee having sent the form of their refusal and by not signing said form.
- To benefit from the services provided by the Municipality while navigating the municipal website, the data subject must follow the instructions allowing them to indicate their refusal to consent to the collection of PI by said website.
- To benefit from the services provided by the Municipality while using a transactional site managed by the Municipality, the data subject must follow the instructions allowing them to indicate their refusal to consent to the collection of PI by said transactional site.

A data subject may be refused access to various services of the Municipality when they do not give their consent to the collection and retention of PI.

Notwithstanding the foregoing, a data subject will be denied access to Municipal service in the following circumstances:

- A job applicant that refuses to consent to the collection of PI for the purpose of evaluating their candidacy for the position being offered by the Municipality.
- A data subject applying for a seat on a municipal committee who refuses to consent to the collection of PI for the purpose of evaluating their candidacy to become a member of said committee.
- An owner of an immovable within the Municipality, subject to a property evaluation to be listed on the Municipal valuation roll, who refuses to consent to the collection of PI by the municipal evaluators for this purpose.



The consent to the collection of PI by means of a voice or visual recording includes the right for the Municipality to reproduce or broadcast any such recording, if justified by the purposes for which it was collected. Each reproduction is subject to the same rules for the protection of personal information.

CHAPTER III –ACCESS AND ADJUSTMENT RIGHTS

Access Rights

Subject to the exceptions provided for in the *Access Act*, everyone has the right to be informed of the existence of any PI concerning them that is being kept in file.

Except in cases provided for in *the Access Act*, any data subject has the right to receive the PI held by the Municipality concerning them.

The Municipality shall provide access to PI relating to a data subject, to the data subject in question, by allowing them to read it remotely or at the Municipal office during regular business hours and providing a copy of it when requested.

If the data subject is disabled, at their request, the Municipality shall take reasonable accommodation measures to enable them to exercise their access rights as provided for in this section. To this end, the Municipality shall take into account the policy established under section 26.5 of the *Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration* (CQLR c. E-20.1);

A data subject's access to any PI concerning them is free of charge. However, a fee not exceeding the cost of transcribing, reproducing, and transmitting the PI may be charged to the data subject. The Municipality establishes the amount and the terms of payment of these fees in accordance with the requirements of the *By-law respecting fees payable for the transcription, reproduction and transmission of documents and personal information*, CQLR c A-2.1, r 3;

When the Municipality intends to charge a fee, it must inform the data subject of the approximate amount that will be charged before proceeding with the transcription, reproduction, or transmission of the document.

Adjustment Rights

Any data subject who receives confirmation that a file containing PI concerning them exist may, if the information is inaccurate, incomplete or equivocal, request that the file be corrected. The same applies if the collection, communication or retention of the information is not authorized by the *Access Act*;

If ever the Municipality refuses to correct the information, in whole or in part, the data subject may demand that this request be registered.

When the Municipality proceeds with requested adjustments to a file containing PI, it will issue a copy of the amended information or an attestation of the withdrawal of the PI, as the case may be, free of charge to the data subject making the request.

Access or Adjustment Procedures

A request for receiving or adjusting PI may only be considered when made in writing by a natural person proving their identity as either the data subject, the data subject's representative, heir, successor, liquidator of the succession, life-insurance or death beneficiary of the data subject or guardian of a minor, even if said minor has died.

Such request is addressed to the PO of the Municipality.

The PO notifies the applicant in writing of the date the request was received.

The mandatory timetable identifying the time restrictions for responding to a request begins on the date referred to in the PO's acknowledgement of receipt, which also outlines the consequences provided for by the *Access Act* if the PO fails to respect the timetable. The acknowledgement of receipt also informs the applicant of the review procedures provided for in Section III, Chapter IV of the *Access Act*.

The PO will respond to a request for access or adjustment to PI diligently and no later than twenty days after the date of receipt.

If processing the request within the prescribed time seems impossible to respect without interfering with normal Municipal activities, the PO may, before the twenty-day period expires, extend the time limit by a maximum of ten days. The applicant is informed of the extension by any means of communication that makes it possible to reach said applicant.

In the case where the PO refuses to grant the requested access or adjustment, they must justify the reason for doing so by identifying the provision of *the Access Act* on which the refusal is based.

The PO makes their decision known in writing and sends a copy to the applicant. The decision is accompanied by the text citing the provision on which the refusal is based, if any, and by a notice informing the application of the review process, including time restriction regarding the exercising of said process, with the CAI as provided for in Section III of Chapter IV of *the Access Act*.

The PO ensures that the information that is the subject of the request is retained for the time required to allow the applicant to exhaust the remedies available under the *Access Act*.

Retention and Protection of Personal Information

The Municipality hosts and processes PI, itself, in Quebec.

In circumstances when the Municipality entrusts the collection, holding or processing of PI to a service provider in Quebec or outside Quebec, it takes the best possible measures to ensure that the rights of the data subject provided for in this policy are respected by that provider. The laws of jurisdiction outside of Quebec may affect the rights of data subjects.

Handwritten signature and initials in the bottom right corner of the page. The initials appear to be 'YJB' and there is a large 'X' mark below them.

Transfer of Personal Information Outside the Municipality

Except for cases authorized in *the Access Act* or when specific consent is obtained by the data subject, the Municipality does not transfer any PI to third parties outside the Municipality.

When PI is transferred to a third party through technological means, the privacy policy of that third party, if any, applies to the PI.

Access Rights to a Municipal Document

The *Access Act* applies to any document held by the Municipality, whether it is the Municipality that ensures its preservation or a third party.

The *Act* also applies to any document in any form; written, graphic, audio, visual, computerized, or other.

Any person, who so requests in writing, has the right to access documents held by the Municipality unless said documents are exempt from public access by the provisions of the *Access Act*. The access rights apply to documents that can be communicated without having to undergo calculations, comparison of information or special preparation.

To be admissible, the request for access to a document must be sufficiently precise to enable it to be identified and found.

The RAD must respond to a request for access no later than twenty days after the date of receipt. If processing the request within the prescribed time seems impossible to respect without interfering with normal Municipal activities, the RAD may extend the time limit by a maximum of 10 days. The RAD must then notify the applicant, by any means of communication that makes it possible to reach said applicant, within the first 20 days after receiving the access request.

The applicant may obtain a copy of the document, by any means of communication enabling him to be reached, unless its reproduction causes its preservation to be jeopardized or raises serious practical difficulties due to its form. The access rights to a document may also be exercised by on-site or remote consultation during the Municipality's regular working hours.

The access rights are free of charge. However, fees not exceeding transcription, reproduction or transmission cost may be charged to the applicant in accordance with the *Regulation respecting fees payable for the transcription, reproduction and transmission of documents and personal information* (CQLR c. A-2.1, r. 3).

If the applicant is disabled, at their request, the Municipality shall take reasonable accommodation measures to enable them to exercise their access rights as provided for in this section. To this end, the Municipality shall take into account the policy established under section 26.5 of the *Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration* (CQLR c. E-20.1);

The RAD must give reasons for any refusal to grant a request and indicate the provision of the *Access Act* on which the refusal is based.



Privacy Officer

Any request to access a document held by the Municipality containing PI must be addressed **in writing** to the person responsible for access to information and the protection of personal information using the following contact information:

Attn: Privacy Officer

By email: Jboyer@cantondegore.qc.ca

By mail: 9 chemin Cambria, Gore, QC. J0V1K0

Anyone may send in a question regarding this Municipality's Privacy Policy.

Access to Information Committee

The roles and responsibilities of the committee include, but are not limited to:

- Establishing the current policy which defines the rules for the use and retention of personal information, thus ensuring the protection of information held by the Municipality.
- Defining the responsibilities of staff members in relation to processing personal information.
- Providing appropriate training on the responsibilities regarding the use and retention of personal information to municipal staff and ensuring that each person's responsibilities are updated when necessary.
- Implementing procedures for identifying and disclosing incidents affecting the confidentiality of personal information.
- Be consulted, from the outset of any project involving the request for personal information (ie. surveys, the development or modification of information systems or services involving the collection, use, disclosure, retention or destruction of personal information) to assess the project's impact on the secure treatment of personal information.
- Preparing an annual report from the mandatory registers and statistics regarding access to document requests as required by the *Act respecting Access to documents held by public bodies and the Protection of personal information*.
- Ensuring that mandatory elements are completed by the municipality to comply with the *Act to modernize the legislative provisions relating to the protection of personal information (Bill 64)*, such as an inventory of the personal information collected by the municipality.

A handwritten signature in black ink, appearing to be 'J. Boyer', is located in the bottom right corner of the page.

CHAPTER IV — ADMINISTRATIVE MEASURES

Complaints

Any person who feels aggrieved by the way the Municipality manages the protection of a PI may file a complaint by following the provisions of the Administrative Policy governing the protection of personal information of the Municipality of the Township of Gore published on the Municipality's website.

In the case of an applicant's written request for access to a document held by the Municipality has been refused, in part or in whole, by the person in charge of access to information or if the time limit for responding to the applicant has expired, the applicant may request the *Commission d'accès à l'information* to review the decision or treat the expired time limit. The review request must be made, in writing, within 30 days of the date of the decision or the expiry of the time limit by the PO. It should also briefly explain why the decision should be reviewed.

Final provisions

This privacy policy must be published on the Municipality's website, in its own section.

This Privacy Policy and any amendments thereto come into effect upon its adoption by the Access to Information Committee of the Municipality.

Any modification to this policy must be the subject of consultation with the PO and must be preceded by a 15-day notice of amendment published on the Municipality's website.

Approval

The members of the Access to Information and Privacy Committee approve this policy. It comes into effect on the date of approval by said committee.



Julie Boyer – General Manager PO

25 sept 2023
Date



Sarah Channell – Clerk-Treasurer

25 sept 2023
Date



Administrative Assistant

25 sept 2023
Date

inventaire des renseignements collectés

toutes les catégories de renseignements ce qu'on collecte et en identifier les fins (pourquoi on demande aux gens de nous communiquer ces renseignements)
il faut évaluer la nécessité de ce qui est collecté

Obligatoire																
Nature	PG Solution (taxes)	Émission de Permis	Inspections	Amilia & Réservoirtron	Activités	Cyberimpact	Lepointdevente	Payes et RH	Location salle	Animaux de compagnie	Site Web municipal	Telmatik	Programme de bourses	caméras de surveillance	Élections	
Nom de famille	x	x	x	x	x	x	x	x	x	x		x	x		x	
Prénom	x	x	x	x	x	x	x	x	x	x		x	x		x	
Adresses postales	x	x	x	x				x	x	x		x	x		x	
Adresses courriels				x		x	x				x (lorsqu'envoi d'un courriel)	x	x			
Téléphone		x	x	x	x			x	x	x		x	x		x	
Date de naissance				x				x					x		x	
numéros d'ass. Sociale								x								
numéros d'ass. Maladie								x								
permis de conduire								x							x (candidats)	
numéros de cartes de crédit				x			x									
informations médicales																
plaque d'immatriculation														x		
Adresses IP - fureteur - horaire et durée de l'utilisation				x		x	x				x					
Facultative																
Nature	PG Solution (taxes)	Émission de Permis	Inspections	Amilia/Réservoirtron	Activités	Cyberimpact	Lepointdevente	Payes et RH	Location salle	Animaux de compagnie	Site Web municipal	Telmatik	Programme de bourses	caméras de surveillance	Élections	
Nom de famille																
Prénom																
Adresses postales																
Adresses courriels	x	x	x		x				x							
Téléphone	x					x										
Date de naissance																
numéros d'ass. Sociale																
numéros d'ass. Maladie																
permis de conduire																
numéros de cartes de crédit																
informations médicales																
plaque d'immatriculation																
Adresses IP - fureteur - horaire et durée de l'utilisation				x		x	x				x					