



Directive Relating to The Governance Rules of The Western Québec School Board Regarding Personal Information

1. LEGAL FRAMEWORK

As a public organization, the Western Québec School Board (hereinafter “WQSB”) collects personal information about students, staff, parents/guardians, community members, partners, contractors, and volunteers in accordance with legislative requirements.

This directive is in compliance with sections 52.2 and 63.3 of the Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information (CQLR, c. A-2.1, hereinafter “the Act”). And the Regulation respecting the confidentiality policies of public bodies that collect personal information through technological means, CQLR c A-2.1, r 4.1

This directive must be read in conjunction with the guidelines, frameworks or other tools in effect at WQSB regarding the protection of personal information, including, but not limited to:

- By-Law 15: Code of Ethics and Professional Conduct, for the Commissioners of the Western Quebec School Board (C-21/22-120)
- By-law 30: By-law to Establish the Delegations of Powers and Functions of the Western Québec School Board (C-17/18-204)
- Policy no. E-9: The Appropriate Use of Information and Communication Technology (C-19/20-118)
- Policy no. E-11: Information Security (C-18/19-165)
- Policy no. E-10: Video Surveillance (C-24/25-188)
- Policy no. F-17: Code of Conduct for Employees and Volunteers (C-18/19-44)

2. PURPOSE AND OBJECTIVES OF THE DIRECTIVE

The purpose of this directive is to provide the WQSB with governance rules regarding personal information to enable all individuals covered by this directive to know and understand the legal requirements and the principles applicable to the protection of personal information under the Act.

It is also intended to inform any person likely to transmit personal information to the WQSB of the rules applicable to its collection, use, release, and retention.

The directive’s objectives are as follows:

1. Identify the roles and responsibilities of the Persons covered by this directive.
2. State the legal requirements and principles governing the protection of personal information collected, used, released, and kept in the exercise of the duties of the WQSB.
3. Identify specific protective measures applicable to personal information collected or used as part of a survey.
4. Establish a complaint processing mechanism regarding the protection of personal information collected, used, released, and kept by the WQSB.
5. Describe the training and awareness activities regarding the protection of personal information offered to WQSB personnel.

3. SCOPE

This directive applies to all WQSB personnel (schools, centres, and departments). It also applies to members of the Council of Commissioners, members of Governing Boards and members of the various committees of the WQSB. It also applies to volunteers, anyone acting on behalf of an outside organization and students on co-op work placements.

It applies to personal information collected in any form: written, digital, visual, audio, or otherwise.

It does not have the effect of limiting the guidelines, other frameworks, or directives adopted by the Council of Commissioners, the General Directorate, or the schools, centres, or departments with respect to the protection of personal information.

4. DEFINITIONS

The terms used in this directive are those of the Act and other applicable legal frameworks, unless otherwise indicated.

To facilitate understanding of this directive, the following terms mean:

<i>Anonymized Personal Information</i>	Personal information that no longer directly or indirectly identifies the Person concerned. Anonymization is irreversible.
<i>Applicant</i>	Person submitting a request for access to documents, a request for release of personal information, or a request for correction under the Act.
<i>Person Concerned</i>	Natural person concerned by the personal information collected, used or released

	who is capable of giving consent, or when applicable, his or her legal representative or the person having parental authority. Without limiting the generality of the foregoing, and barring exceptions, the person having parental authority consents for a minor under the age of 14. Parents can access information of a minor over 14 years of age, but the minor must be consulted to determine if access is likely to result in harm to their health or safety.
<i>Commission / CAI</i>	<u>Commission d'accès à l'information du Québec</u>
<i>Committee</i>	WQSB Committee for the Protection of Personal Information composed of the Designated Person, Coordinator of IT Infrastructure and Security, and ideally, a member from the following departments: Corporate Services, Complementary Services, Human Resources, School Organization, Education and the General Directorate
<i>Confidentiality incident</i>	Access, use, and/or release of personal information not authorized by law. Loss of personal information. Any other breach of the protection of personal information.
<i>Consent</i>	Agreement, acquiescence, voluntary assent of an Authorized Person to the collection, use or release of personal information. To be valid, subject to other legal requirements, consent must be manifest (clearly given, not assumed); free (given freely, without pressure); informed (the person understands what they are agreeing to); and given for specific

	purposes. It must be requested in clear terms. It is valid only for as long as is necessary to achieve the purposes for which it is requested.
<i>Designated Person</i>	Person designated by Council under the Act who is responsible for coordinating and oversight of the protection of personal information within the WQSB.
<i>Person</i>	Person covered by the Scope (as per section 2 above, "Scope") of application of this directive, who acts on behalf of the WQSB in the exercise of their duties.
<i>Personal Information</i>	Information concerning a natural person that directly or indirectly allows the identification of that person.
<i>Privacy Impact Assessment</i>	A preventive assessment process that involves considering all the factors of a project that could have positive and/or negative consequences on the privacy of the people concerned, to identify measures that will better protect their personal information and respect their privacy.
<i>Qualified Person</i>	Person who has received proper training
<i>Sensitive Personal Information</i>	Personal information that, because of its medical, biometric, or other intimate nature, or because of the context in which it is used or released, gives rise to a high level of reasonable expectation of privacy.

5. ROLES AND RESPONSIBILITIES

5.1. Persons

- 5.1.1. Be aware of and comply with this directive, in particular the legal requirements and principles concerning the protection of personal information set out in this directive.

- 5.1.2. Participate in the training and awareness activities provided for in this directive.
- 5.1.3. Use tools, model documents, reference documents or any other documents made available to them to promote compliance with applicable rules, where appropriate.
- 5.1.4. Collaborate, upon request, with the Designated Person when processing a request for access to documents, release or correction of personal information or any other similar procedure under the Act.
- 5.1.5. Collaborate, upon request, with the Designated Person when dealing with a complaint covered by this directive.
- 5.1.6. Communicate, as needed, with their supervisor with respect to this directive to obtain clarification, advice or to inform them of a problem in the application of this directive or of a specific case or risk involving the protection of personal information.

5.2. Director General

- 5.2.1. Exercise or delegate in writing the function of the Designated Person.
- 5.2.2. Implement measures to preserve the autonomy of the Designated Person.
- 5.2.3. As soon as possible, notify the Commission in writing of the title, contact information and starting date of the person who exercises the function of Designated Person.
- 5.2.4. Ensure all written requests for access to documents, requests for release or for correction are transmitted to the Designated Person with diligence.
- 5.2.5. Ensure that the Committee is set up and functions properly in compliance with section 8.1 in the Act.
- 5.2.6. Establish the terms and conditions under which members of the personnel may release information without the consent of the persons concerned, in order to prevent an act of violence, including violence or harm to oneself.
- 5.2.7. Adopt the governance rules and any other directive required to ensure compliance with the Act and update them as needed.
- 5.2.8. If the Designated Person delegates their functions, ensures the exercise of functions is facilitated for the Designated Person.

5.3. Committee

- 5.3.1. Support the WQSB in the exercise of its responsibilities and the performance of its obligations under the Act.
- 5.3.2. Approve the governance rules regarding personal information.
- 5.3.3. Be consulted at the beginning of any project to acquire, develop, or revise an information system or the electronic department delivery system

involving the collection, use, release, retention or destruction of personal information.

- 5.3.4. Recommend, at any stage of a project covered by the above section (5.3.3), personal information protection measures applicable to the project.
- 5.3.5. Exercise any other function related to the protection of personal information at the request of the highest authority.

5.4. Designated Person

- 5.4.1. Receive requests for access to documents, release, or correction of personal information, ensure that they are processed in accordance with the provisions of the Act, including the transmission of any notice required by the Act, and render a decision within the time limits prescribed. Note that standard request for student records to facilitate the student are delegated to the qualified person in each school, centre or department.
- 5.4.2. Assist the applicant when their request is not sufficiently precise, or when they so request, in identifying the document likely to contain the information sought.
- 5.4.3. Assist the applicant, on request, in understanding the transmitted decision.
- 5.4.4. Ensure that every document that has been the subject of a request for access, release or correction be kept for as long as is required to enable the applicant to exhaust the recourses provided for in the Act.
- 5.4.5. Coordinate and participate as required in Privacy Impact Assessments for the WQSB projects that require it.
- 5.4.6. Analyze and take position on the application of an exception provided for in the Act regarding the collection, use, release or retention of personal information.
- 5.4.7. Where applicable, oversee the drafting of a mandate, agreement, or contract between the WQSB and a person or body involving personal information for which they are responsible, when required by the Act.
- 5.4.8. Exercise the responsibilities vested in them by the Directive Respecting Roles and Responsibilities in the Event of a Confidentiality Incident of the WQSB.
- 5.4.9. Ensuring that the required data is set up, maintained and entered in the various registers provided for in the Act.
- 5.4.10. Establish and keep up to date, in collaboration with principals of schools and centres, an inventory of its personal information files, including in particular, the categories of persons who have access to each file in carrying out their duties.
- 5.4.11. Set up and keep up to date the classification plan for the documents it holds.

- 5.4.12. Receive and address complaints regarding the protection of personal information in accordance with this directive.
- 5.4.13. Ensure the awareness and training of Persons with respect to the protection of personal information in compliance with this directive.
- 5.4.14. Ensure the development, implementation and dissemination of tools, templates, reference documents or other materials to promote compliance with the Act by the WQSB and the Persons.
- 5.4.15. Provide support and advice on all matters relating to access to documents or to the protection of personal information.
- 5.4.16. Act as a representative with other public bodies and the Commission for all matters relating to access to documents and the protection of personal information.
- 5.4.17. Exercise any other function provided for in the Act or at the request of the Director General.

5.5. Schools, Centres and Departments

- 5.5.1. Ensure compliance with this directive by Persons under their responsibility.
- 5.5.2. Identify, for their school, centre or department, the personal information it holds.
- 5.5.3. Identify the Persons or categories of Persons under their responsibility who have access to personal information, as well as the categories of personal information that are accessible to them.
- 5.5.4. Implement in their school, centre or department, personal information protection measures that are reasonable considering, among other things, the sensitivity of the information, the purpose for which it is to be used, its quantity, distribution and medium, and ensure that it is disseminated and applied by the Persons under their responsibility.
- 5.5.5. Subject to the Retention Schedule of the WQSB, or any applicable law, implement in their school, centre or department a procedure for the secure destruction of personal information when the purposes for which it was collected or used have been achieved.
- 5.5.6. Exercise the responsibilities assigned to them in accordance with the Directive Respecting Roles and Responsibilities in the Event of a Confidentiality Incident of the WQSB.
- 5.5.7. In collaboration with the Designated Person, ensure that the training and awareness activities provided for in this directive are offered to the Persons under their responsibility and that they participate in them.
- 5.5.8. Collaborate with the Designated Person to develop, implement and disseminate tools, model documents, reference documents or other

materials to promote compliance with the Act in their school, centre or department.

- 5.5.9. Communicate, as required, with the Designated Person for any question relating to requests for access to documents or the protection of personal information in their school, centre, or department.

6. LEGAL REQUIREMENTS AND PRINCIPLES CONCERNING THE PROTECTION OF PERSONAL INFORMATION

6.1. Collection

- 6.1.1. A Person shall only collect personal information that is necessary for the exercise of the rights and powers of the WQSB or for the implementation of a program under its management.
- 6.1.2. Any collection carried out for another purpose will be permitted in the cases provided for by law and must be authorized in advance by the Designated Person.
- 6.1.3. Generally, the information is collected from the person concerned, or his or her representative, and the following information must be provided:
 - 6.1.3.1. The name of the public body on whose behalf the information is being collected.
 - 6.1.3.2. The purposes for which the information is collected.
 - 6.1.3.3. The means by which the information is collected.
 - 6.1.3.4. The fact that a reply is obligatory, or that it is optional.
 - 6.1.3.5. The consequences in case of a refusal to reply to the request or a withdrawal of consent to the release or use of information collected following an optional request.
 - 6.1.3.6. The rights of access and correction provided by the Act.
 - 6.1.3.7. Where applicable, any other information required by the Act and applicable to the situation in question.
- 6.1.4. Any person who provides their personal information during collection under the Act consents to its use and release for the purposes disclosed at the time of collection.
- 6.1.5. If the collection is performed from the person concerned using technology that includes functions allowing the person concerned to be identified, located or profiled, the person concerned must be informed beforehand:
 - 6.1.5.1. Of the use of such technology.
 - 6.1.5.2. Of the means offered to activate the functions that allow a person to be identified, located or profiled.
- 6.1.6. The collection of personal information of a minor under 14 years of age may not be made without the consent of the person having parental authority or

of the tutor, unless collecting the information is clearly for the minor's benefit. In this case, the Designated Person must be informed in advance.

- 6.1.7. Any collection of personal information when offering to the public a technological product or service having privacy settings must be carried out in such a way that those settings provide the highest level of confidentiality by default, without any intervention by the person concerned. This does not apply to privacy settings for browser cookies (see section 63.7 of the Act).

6.2. Use

- 6.2.1. A Person may use personal information for the purposes for which it was collected.
- 6.2.2. Use for another purpose will be permitted with the consent of the Authorized Person.
- 6.2.3. Wherever possible, such consent should be obtained expressly, preferably in writing.
- 6.2.4. However, when Sensitive Personal Information is involved, consent must be obtained expressly.
- 6.2.5. Use for another purpose may be permitted, without the consent of the Authorized Person, in situations provided for in the Act.
- 6.2.6. Any other use based on an exception provided for in the Act must be authorized in advance by the Designated Person.
- 6.2.7. A Person has access, without the consent of the Authorized Person, to personal information when they are qualified to receive it and it is necessary for the discharge of their duties.
- 6.2.8. At WQSB we do not render any decisions based exclusively on fully automated analyses of personal Information. However, should such a system be introduced in the future, the Person responsible for the decision shall inform the person concerned accordingly not later than the time at which they inform them of the decision. This Person must also, at the request of the person concerned, inform them:
 - 6.2.8.1. Of the personal information used to render the decision.
 - 6.2.8.2. Of the reasons and the principal factors and parameters that led to the decision.
 - 6.2.8.3. Of his or her right to a correction of the personal information used to render the decision.
 - 6.2.8.4. Of his or her right to submit observations to a Person who is in a position to review the decision.

6.3. Release

- 6.3.1. A Person shall not release personal information without the consent of the Person Concerned or parental authority.

- 6.3.2. Wherever possible, consent should be obtained expressly, preferably in writing.
- 6.3.3. However, when Sensitive Personal Information is involved, consent must be obtained expressly.
- 6.3.4. A Person may release personal information without the consent of the person concerned in the cases provided for by law, taking into account, where applicable, any internal framework measures that may exist at the WQSB.
- 6.3.5. The release of personal information without the consent of the Person Concerned in the cases provided for by law must be authorized in advance by the Designated Person.

6.4. Retention and destruction

- 6.4.1. A Person must know and apply the security measures determined by the WQSB for each piece of personal information to which they have access.
- 6.4.2. Failing this, a Person shall take such security measures as are appropriate to ensure the protection of personal information to which they have access, and as are reasonable considering the sensitivity of the information, the purpose for which it is to be used, its quantity, distribution and medium.
- 6.4.3. A Person who has knowledge of a confidentiality incident must apply the Regulation Respecting Roles and Responsibilities in the Event of a Confidentiality Incident of the WQSB as per the Regulation respecting confidentiality incidents (chapter A-2.1, r. 3.1)
- 6.4.4. When a Person becomes aware or has reasonable cause to believe that the personal information in their care is no longer up to date, accurate and complete for serving the purposes for which it was collected or used, they shall promptly notify their school, centre or department management so that appropriate action can be taken.
- 6.4.5. A Person shall be aware of and apply the Retention Schedule of WQSB, or any other similar measure implemented in his or her school, centre or department with respect to personal information to which they have access
- 6.4.6. Failing this, a Person must take measures to securely destroy any personal information they keep once the purposes for which it was collected or used have been accomplished. Such measures must be reasonable in light particularly of the sensitivity, quantity and medium of the personal information concerned.
- 6.4.7. The use of Anonymized Personal Information is permitted for purposes of public interest when the purposes for which it was collected or used have been accomplished and with the authorization of the Designated Person.

6.5. Particular Projects

- 6.5.1. A Person responsible for a project covered by sections 63.5, 64, 67.2.1, 68 and 70.1 of the Act must ensure that a Privacy Impact Assessment is carried out under the coordination of the Designated Person and that all the conditions set out in the Act with respect to this project are met.
- 6.5.2. A Person responsible for a project covered by sections 64, 67.2, 67.2.1, 68 and 70.1 of the Act must ensure that a written agreement or contract has been concluded under the direction of the Designated Person and is in force before proceeding with any collection, use or release of personal information.

7. Special Protective Measures for Surveys

7.1. Surveys Covered

- 7.1.1. Only a survey involving the use or collection of personal information is covered by this directive.
- 7.1.2. Where applicable, all types of survey (e.g. opinion, satisfaction, department quality measurement, market research) are covered, whatever their form (e.g. individual or group interview, questionnaire survey, automated survey).

7.2. Necessity

- 7.2.1. A Person must, before beginning a survey, assess the necessity of conducting the survey as part of the mission of the WQSB.
- 7.2.2. In doing so, a Person must:
 - 7.2.2.1. Establish the purpose and objectives of the survey.
 - 7.2.2.2. Verify the possibility of conducting the survey without the use or collection of personal information.

7.3. Protective Measures

- 7.3.1. A Person must also, before beginning a survey:
 - 7.3.1.1. Identify the personal information to be used and obtain the necessary authorizations.
 - 7.3.1.2. Ensure that the quantity of personal information used or collected is limited to essential information only and avoid the collection of Sensitive Personal Information.
 - 7.3.1.3. Determine who will have access to the personal information used or collected in the course of the survey, the security measures that will be applied to ensure its protection, the length of time it will be kept and destroyed, all in accordance with legal requirements and the principles set out in this directive.
 - 7.3.1.4. If necessary, carry out a Privacy Impact Assessment.

- 7.3.1.5. Information collected through Surveys will not be used for any other purpose than that which it was collected, and any Personal Information will not be transmitted to another body.

7.4. Approval and Consultation

- 7.4.1. Before conducting the survey, a Person must obtain the approval of the Director of Education as per By-law 30 Establishing Delegations of Powers and Functions of the Western Québec School Board. The Director will conduct an assessment of the ethical aspect of the survey, taking into account, in particular, the nature of the survey, the persons concerned, the sensitivity of the personal information collected and the purpose for which it is to be used, with the support of a person with knowledge of ethics, if necessary.
- 7.4.2. The Designated Person may be consulted.
- 7.4.3. The Person Responsible for Ethics and Integrity may be consulted.
- 7.4.4. In circumstances that involve personal information, the Committee shall be informed and may also be consulted.

8. Training And Awareness Activities

- 8.1. When a Person begins work, and as needed thereafter, their superior must provide them a copy of this directive and the Directive Respecting Roles and Responsibilities in the Event of a Confidentiality Incident of the WQSB *and* ensure that the Person understands them.
- 8.2. On an annual basis, the school, centre or department management, in collaboration with the Designated Person, ensures that the Persons under their responsibility are made aware of the requirements and principles surrounding the protection of personal information, for example:
 - 8.2.1. Their roles and responsibilities with regard to the protection of personal information.
 - 8.2.2. The security measures for the protection of personal information.
 - 8.2.3. The rules governing the holding and destruction of personal information.
 - 8.2.4. The identification and management of Confidentiality Incidents.
- 8.3. Awareness activities may be carried out in a variety of ways: training, discussion sessions, e-mail memos, webinars, etc.
- 8.4. If necessary, the Designated Person may identify training or awareness activities that need to be implemented for a category of people, a school, a centre or a department, on one or more subjects that they determine.

9. COMPLAINTS PROCESSING

9.1. Filing a Complaint and Contents

- 9.1.1. A person may file a complaint with the Designated Person regarding the non-compliance of the WQSB with its obligations regarding the protection of personal information.
- 9.1.2. Such complaints should be submitted using the online contact form and selecting to send to the Secretary General.
- 9.1.3. The complaint must include a description of the event leading to the complaint, including the period concerned, the personal information involved, and the nature of the remedy sought.

9.2. Processing a Complaint

- 9.2.1. The Designated Person acknowledges receipt of the complaint within a reasonable timeframe.
- 9.2.2. The Designated Person may summarily reject any complaint that is frivolous, vexatious or made in bad faith. They must then inform the person who lodged the complaint.
- 9.2.3. The Designated Person may refuse to process a complaint if the event has been the subject of legal proceedings, including any application before the Commission
- 9.2.4. If the complaint falls under a different mechanism for types of complaints, the Designated Person will inform the complainant and direct them to the correct process
- 9.2.5. The Designated Person analyses the complaint with diligence and transmits his or her conclusion to the person who lodged the complaint within 30 days of receiving it.
- 9.2.6. Where applicable, the Designated Person ensures that the appropriate corrective action is taken.
- 9.2.7. If the complaint involves the conduct of the Designated Person, the complaint may be submitted to the Director General of the WQSB.

10. ENTRY INTO FORCE

- 10.1. This directive comes into force upon its approval by the Committee for the Protection of Personal Information of the WQSB on July 15, 2026.