

CENTRE DE LA PETITE ENFANCE De McGill

McGill Childcare Centre

Privacy Policy

**Policy on the Management and Protection of
Personal Information**

September 2023

1. General provisions

The Privacy Policy references the practices of CPE McGill regarding the collection, use, conservation, processing, and eventual destruction of personal information gathered during the course of its activities as a not-for-profit legal entity.

The policy is adopted in application of the *Act respecting the protection of personal information in the private sector* (hereinafter referred to as the *Private Sector Act*), to which our centre is subject as a non-profit legal entity that processes personal information in the course of its activities. It is by virtue of the *Act Respecting Educational Childcare Services*, the *Regulation Respecting Educational Childcare Services*, the *Regulation Respecting Reduced Contributions* and the directives and instructions of the Ministère de la Famille that CPE McGill must collect, use and retain personal information.

The Privacy Policy applies to the entire CPE McGill community, including staff members, members of the Board of Directors, practicum students, and volunteers, as well as to anyone who provides services to the centre.

It applies to all personal information collected, used and retained by the centre whether contained in physical or digital documents, and whether in written, graphic, sound, visual, computerized or other form. It also applies to the CPE McGill website.

1.1 Definition of personal information

Personal information is defined as any information concerning a natural person that allows, directly or indirectly, that person to be identified. In the course of its activities, CPE McGill may collect and process various types of personal information, including:

- identity information, such as surname, first name, age, date of birth.
- contact details, postal address, e-mail address, telephone number.
- information required when registering a child, including registration form, service agreement, social security number, bank account information for pre-authorized payments, etc.
- information required to compile the file of parents applying for eligibility for the reduced contribution, such as the application for the reduced contribution, the parent's certificate, birth certificate or document establishing Canadian citizenship, the child's certificate or birth certificate, correspondence with the parent, etc.

- information required during a child's attendance, such as attendance records, incident reports, documents related to the administration of medication, parental directives related to dietary restrictions, etc.
- information needed to compile a child's educational file, particularly the educational profile.
- information relating to staff members, practicum students or volunteers, including personnel files, training certificates, documents relating to verification of legal impediments, etc.
- any other personal information required for its activities.

1.2 Privacy Officer

The people responsible for the protection of personal information and for the application of this policy are the Executive Director and Assistant Director. They can be contacted by telephone at 514-398-6943 or by e-mail at director.cpe@mail.mcgill.ca or assistantdirector.cpe@mail.mcgill.ca

2. Personal information management process

This policy describes the standards for collecting, using, communicating, and retaining personal information in order to ensure its protection and confidentiality. It explains the roles and responsibilities of the centre's staff members throughout the life cycle of this information. It also sets out a process for handling complaints about the protection of personal information.

2.1 Consent requirements and exceptions

The consent of any person for whom the childcare centre holds personal information is the key element of this policy. Consent must be obtained at various stages in the life cycle of personal information. Consent may be implied in certain situations, for example, when an individual voluntarily provides their personal information as part of the centre's activities, such as when registering a child or when hiring an employee.

There are exceptions, however, notably when provided for in the *Private Sector Act* or in any law, regulation or directive governing the childcare centre. For example, although in principle the centre cannot communicate personal information it holds on an individual without that person's consent, it can communicate personal information to a third party without the consent of the person concerned when there is a regulatory or legal requirement, or when the *Private Sector Act* or any other law so permits.

In certain specific circumstances, the centre may collect, use, or disclose personal information without the knowledge or consent of the individual concerned. Such circumstances may arise when, for legal, medical or security reasons, it is impossible or unlikely to obtain consent, when such use is clearly for the benefit of the individual concerned,

when necessary to prevent or detect fraud or for any other serious reason.

Unless an exception is provided for by law, the centre will seek the consent of the person concerned before collecting personal information about him or her from a third party.

2.2 Collection of personal information

The centre collects personal information, notably from the parents of the children who attend it and from its personnel, directly from the person concerned. In all cases, the centre collects personal information only if it has a valid reason to do so. The collection of personal information is limited to that which is necessary to fulfill the purpose for which it is collected.

Considering that the centre may collect personal information by technological means, the additional rules of its confidentiality policy are provided in point 3.1.

2.3 Use of personal information

CPE McGill undertakes to use the personal information in its possession solely for the purposes for which it was collected and for which the law authorizes it to use it. The same applies to the communication of such information to third parties when the disclosure is due to a regulatory, legal or safety/emergency requirement or when the Privacy Act or other law permits.

The centre limits access by staff and Board members and other sources such as auditors, government offices, or resource personnel, to personal information that is necessary for the performance of their duties.

2.4 Conservation of personal information

In the course of its activities, CPE McGill must keep numerous documents containing personal information. Certain documents must be kept for a period prescribed by the *Act respecting educational childcare services*, the *Regulation respecting educational childcare services*, the *Regulation respecting reduced contributions*, as well as by directives and instructions from the Ministère de la Famille.

Conservation sites

Depending on the nature of the personal information, the data may be stored in multiple locations and in different formats. For example, it may be stored in the centre's office file cabinets, in the classroom (such as parent and emergency contact information), in the centre's computers and tablets or service provider computer systems, or in the daycare or service provider storage facilities. Service providers may include but are not limited to the auditor, the accounting and payroll service, the pension plan provider, and insurance providers,

The document entitled *Conservation Calendar Timeline* (Appendix 1) is to be used as a reference tool indicating the duration of time that documents are to be conserved by the CPE. This document is subject to change. It is the responsibility of the Privacy Officers to ensure its relevance and accuracy.

Safety measures

The security and protection of personal information is important to CPE McGill. Security measures are in place to ensure that personal information remains strictly confidential and is protected against loss or theft, as well as unauthorized access, disclosure, copying, use or modification.

These safety measures may include organizational measures such as restricting access to what is necessary for the performance of duties, backing up and archiving data, keeping written documents under lock and key, and technical measures such as the use of passwords that are subject to frequent change, two factor authentication in some cases and the use of firewalls.

Document scanning

In the event that the centre wishes to destroy the original documents following their digitization, it must respect the following conditions:

- the information contained in the digitized documents has not been altered and has been maintained in its entirety.
- the digitization, as well as the medium used to preserve the digitized documents, ensures the stability and longevity of the documents.

The centre chooses a medium or technology for storing its documents that enables it to meet these conditions.

Quality of personal information

CPE McGill ensures the quality of the personal information it holds. In this sense, personal information kept is up to date, accurate and complete to serve the purposes for which it was collected or used.

Personal information does not need to be constantly updated unless this is justified by the purposes for which the information is collected. However, if the information is to be used to make a decision, it must be up to date at the time of the decision.

2.5 Destruction of personal information

Original documents containing personal or confidential information are securely destroyed. The centre uses final document destruction techniques adapted to the level of confidentiality of the document to be destroyed, such as shredding in the office or by an external shredding company on site for bulk shredding when warranted.

2.6 Request for access to or correction of personal information

Any person may request access to their own personal information held by the centre or, subject to certain legal restrictions, request the correction of inaccurate, incomplete or equivocal personal information.

The person concerned must submit a written request to the privacy officer (Executive or Assistant Director), who must respond in writing within 30 working days of receipt of the request.

Director.cpe@mail.mcgill.ca or assistantdirector.cpe@mail.mcgill.ca

3. Confidentiality of personal information

3.1 Collecting information by technological means

All the terms of the life cycle of personal information apply whether the information is collected in physical documents or by technological means. When a technological means is used, the following terms are added.

Many interactions between the centre, parents and staff take place via technological means. They are recorded, as are the documents attached to them. Consent is deemed to have been given when a person participates in these interactions.

Given the nature of the Internet as a public network, the security of Internet transmissions cannot be guaranteed. The centre uses secure communication networks when transmitting personal information, however the centre cannot guarantee, and assumes no responsibility for, any breach of confidentiality, hacking, virus, loss, or alteration of data transmitted via the Internet.

Use of Servers

Personal information provided to the centre is stored on secure servers with restricted access. The daycare ensures that the persons managing the servers takes reasonable technical measures to ensure a secure environment for the protection of personal information, such as firewalls, antivirus software, access management, intrusion detection and regular backups. Once reasonable or legal time limits have expired, personal information is removed from the daycare servers.

Servers that are used by CPE McGill include but are not limited to:

- Kaymbu for the developmental profiles of the children
- Caisse Desjardins for banking transactions
- Acceo for the children and family files

CPE McGill has reviewed and evaluated the privacy and security policies of the services we retain.

CPE Website

The CPE website is an informative, non-transactional site. As such, no personal information is collected, and no cookies are used.

The centre offers some links to third-party websites but is not responsible for the application of their own privacy policies or for any viruses or other destructive elements that may be present.

The centre does not warrant that its website or content will be uninterrupted or error-free, that defects will be corrected, or that the site or the server that hosts it are free of viruses or other harmful components.

3.2 Confidentiality Incidents

A confidentiality incident corresponds to unauthorized access, use or disclosure of personal information, as well as its loss or any other form of breach of protection.

If the centre has reason to believe that a confidentiality incident involving personal information in its possession has occurred, it takes reasonable measures to reduce the risk of harm caused and to prevent similar incidents from occurring in the future.

In the event of a confidentiality incident, the centre will assess the damage. This assessment takes into account: the sensitivity of the personal information concerned; the possible malicious

uses and their apprehended consequences; and the likelihood of the information being used for harmful purposes.

When the incident presents a risk of serious harm to the persons whose information is involved, the privacy officer notifies the Commission d'accès à l'information du Québec via the prescribed notice form and the persons concerned, in writing. The notice must provide adequate information on the scope and consequences of the incident, as well as on the measures taken, envisaged, or proposed to reduce the risk of harm being caused as a result of the incident.

The notice will contain:

- A description of the personal information involved in the incident. If this information is not available, the privacy officer must provide the reason why this description cannot be provided.
- A brief description of the circumstances surrounding the incident.
- The date or period when the incident took place or an approximation of this period if not known.
- A brief description of the measures taken or envisaged to reduce the risk of damage being caused because of the incident.
- Measure proposed to the person concerned to reduce the risk of harm being caused or to mitigate it.
- The contact details of a person or department that the person concerned can contact to obtain further information about the incident.

CPE McGill keeps a confidentiality incident register in which all confidentiality incidents involving personal information are recorded, whether they present a risk of serious harm or not. The information contained in the register is kept for a minimum period of five years after the date or period during which the centre became aware of the incident.

3.3 Privacy Impact Assessment

For all projects involving the acquisition, development or redesign of information systems or the electronic delivery of services involving personal information, the centre must carry out a privacy impact assessment. The assessment of these factors must be proportionate to the sensitivity of the information concerned, the purpose of its use, its quantity, its distribution and the medium used.

The centre can use the guide developed by the Quebec Access to Information Commission “Guide d’accompagnement; réaliser une évaluation des facteurs relatifs à la vie privée” to carry out the privacy impact assessment (PIA) if necessary.

www.cai.gouv.qc.ca

4. Complaints Handling Process

Any person concerned by the application of this policy may file a complaint concerning its application or, more generally, concerning the protection and confidentiality of their personal information held by CPE McGill by registering a written complaint to the Privacy Officer.

Director.cpe@mail.mcgill.ca or assistantdirector.cpe@mail.mcgill.ca

The individual must provide his or her name, contact information including a phone number as well as the subject and reasons for the complaint in sufficient detail to allow the complaint to be evaluated. If the complaint is not specific enough, the Privacy Officer may request additional information they deem necessary to assess the complaint.

CPE McGill undertakes to treat all complaints received confidentially. Complaints are processed within a reasonable period of time. The Privacy Officer will evaluate the complaint and provide a written response to the complainant stating the findings. The purpose of the assessment is to determine whether the CPEs handling of personal information complies with the present policy and practices in place within the organization and with applicable legislation and regulations.

The centre must establish a separate file for each complaint addressed to it under the present complaint handling procedure. Each file contains the complaint, the analysis and the documentation supporting its evaluation as well as the written response to the complainant.

The Board of Directors of CPE McGill will be informed of any complaints received by either of the Privacy.