

**POLICY ON ACCESS TO INFORMATION AND
THE PROTECTION OF PERSONAL INFORMATION – LAW 25**

Created by : General director

Approved by : Board

Approval date : December 2024

Resolution number :

Review frequency : 1 year

Policy on Access to Information and the Protection of Personal Information

1. Message from our board president / Introduction

In a context where new provisions are coming into effect to regulate the protection of personal information and privacy (Law 25), Big Brothers Big Sisters of Estrie is committed to staying up to date and protecting the privacy and integrity of all individuals connected to its organization.

Big Brothers Big Sisters of Estrie commits to ensuring the security and confidentiality of the information obtained, implementing mechanisms to protect confidential information, and ensuring the confidential processing of complaints. The organization encourages its entire team to collect only the necessary or useful data and to apply the confidentiality policy in accordance with its values.

Grands Frères Grandes Sœurs de l'Estrie commits to respecting those principles :

Consent - Grands Frères Grandes Sœurs de l'Estrie commits to collect personal information only with the person's consent through a consent form.

Responsibility - Grands Frères Grandes Sœurs de l'Estrie will ensure rigorous monitoring of all collected information and manage it securely.

Transparency – Grands Frères Grandes Sœurs de l'Estrie commits to manage personal information transparently, respecting confidentiality commitments and obtained consents, and informing individuals in the event of a confidentiality incident.

2. Responsible for the protection of data and personal information

The role of the responsible for the protection of personal information is held by the organization's Executive Director, who can be contacted by phone at 819-822-3243, ext. 101, or by email at direction.estrie@grandsfreresgrandessoeurs.ca.

The person responsible will contact you within thirty (30) days of receiving your request. Upon receiving a complaint, you will receive an acknowledgment of receipt within five (5) business days.

A complaint processing policy is available upon request.

3. Scope

This policy addresses the management and protection of confidential information within Big Brothers Big Sisters of Estrie and applies to all individuals whose personal information is held by the organization. This includes members in good standing, board members, staff, youth records, and volunteers.

It applies to relationships between all individuals involved, whether they are administrators, donors, staff members, volunteers, members, or partners. The policy covers the collection, processing, sharing, and retention of information within all GFGSE activities, whether operational or partnership based.

Elle poursuit les objectifs suivants :

- ✓ Ensure compliance with privacy protection regarding personal information held by Grands Frères Grandes Sœurs de l'Estrie;
- ✓ Establish guidelines for managing information exchanges, both internally and externally.

4. Roles and responsibility

The **Board of Directors** is responsible for approving this policy and ensuring its implementation. If the policy is violated by the management or coordination teams, the Board must intervene.

The **General Director** is responsible for implementing measures and overseeing operations to ensure consistency with the privacy policy.

Employees and volunteers are responsible for understanding and applying this policy and adhering to the rules and guidelines it establishes.

Partners must comply with this policy when collaborating with GFGSE and adhere to its principles.

Big Brothers Big Sisters of Canada establishes national guidelines regarding the handling of beneficiaries' information.

All board members, management, coordination staff, employees, and volunteers must sign a confidentiality agreement and a consent form.

Any deviation from this policy, including non-compliance with its rules and directives, is considered a serious offense and will result in appropriate consequences.

5. General provisions

5.1 Definitions (*)

Personal Information: Any information that relates to a physical person and allows for their unique identification. All personal information is considered confidential.

Principle of Least Privilege & Need to Know: Confidential information should only be accessible to individuals who need it for their job functions.

Necessity criteria

The necessity criteria are a fundamental principle aimed at reducing privacy breaches affecting individuals whose personal information is collected by private companies and public organizations. This criterion must take precedence in all circumstances.

The need to collect, use, or disclose personal information to achieve the organization's objectives must be assessed before obtaining valid consent.

The collection of personal information is considered necessary, according to applicable laws, if the pursued objective is legitimate, important, and real, and if the impact on privacy is proportional to that objective;

Validity criteria for consent

For a person's consent to be valid, it must be:

- **Explicit:** Clearly given in a way that demonstrates the person's genuine intention.
- **Freely given:** Involving a real choice, provided without coercion or undue pressure.
- **Informed:** Specific, given with full knowledge and all necessary information to understand its implications.
- **Specific:** Given for a clearly defined and precise purpose.
- **Temporary:** Valid only for the duration necessary to achieve the intended purpose.

- **Granular:** Requested for each specific purpose separately.
- **Comprehensible:** Requested in simple and clear terms.
- **Distinct:** Requested separately from any other information when made in writing

5.2 Collection

As part of our activities, we collect personal information daily for the purpose of providing our youth services, participating in events, awareness campaigns, and informational initiatives.

We only collect the personal information that is necessary, directly from you and through our interactions with you, in the following cases:

- When you apply as a youth, teenager, or young adult seeking a mentorship match;
- When you register as a volunteer for our organization;
- When you sign up for events, campaigns, or newsletters;
- When you make a donation to our organization, regardless of the form of your donation;
- During the provision of services we offer you;
- When you visit our website (through cookies);
- During the hiring process.

We collect only what is necessary to carry out our work—nothing more.

Our data collection practices for volunteer/child/parent/guardian/mentor strictly adhere to the principles of explicit, free, and informed consent, for a specific purpose and a limited duration. A consent form must be signed before collecting any confidential information.

5.3 Use and consultation

We may use personal information in the following ways, with your consent or, where applicable, based on another legal basis. In each case, we specify the purpose for which we use your personal information:

- To provide our services and conduct our business, including administering and delivering our services, as well as fulfilling any obligations arising from agreements between you and us.
- To facilitate the use of our website, ensure the relevance of its content, and optimize the way it is displayed for you and your device.
- For marketing and business development purposes – to provide details about new services, updates on our organization and sector, and invitations to seminars and events for individuals who have chosen to receive such information.
- For research and development purposes (including security aspects) – to conduct analyses that help us better understand the needs of our members.

- To meet the requirements of our suppliers and improve our service offerings.
- For recruitment purposes – to process job applications and assess whether a candidate meets the requirements of a position at Big Brothers Big Sisters of Estrie.
- To comply with our legal, regulatory, or risk management obligations.
- To enforce our rights, meet our legal or regulatory obligations regarding information disclosure, or protect the rights of third parties.
- To ensure we receive payment – to collect payments owed to us and, if necessary, enforce such collections by engaging collection agencies or taking other legal measures (including initiating legal proceedings).

Grands Frères Grande Sœurs de l'Estrie uses third-party services, such as Google and Facebook. We are not responsible for the privacy policies of these organizations and encourage you to review their regulations accordingly.

When you visit our website, these third parties may use cookies, tracking pixels, or similar technologies on your hard drive to collect or receive information about your browsing activity on our site and across the internet. You have full control over these cookies and may review and delete them if you wish.

All our employees and volunteers are required to sign a confidentiality agreement before being officially admitted to our organization.

5.4 Sharing

GFGSE is committed to not sharing any data without consent for this purpose.

Before sharing, transmitting, or obtaining information from another professional or organization, a GFGSE employee must ensure that they have obtained the individual's explicit, free, and informed consent, for a specific purpose and a limited duration.

To do so, the GFGSE employee must use the Authorization to Communicate form provided by Big Brothers Big Sisters of Estrie, which specifies the recipient of the information, the content (or report) being shared, the purpose and the duration (typically 30, 60, or 90 days).

Partners:

- Formal agreements must be in place before sharing confidential information.
- As the national office, Big Brothers Big Sisters of Canada holds a special status and has real-time access to the operational data of Big Brothers Big Sisters of Estrie.

Exception: In cases of imminent risk to a person's health or life, or when required by law or a court order.

5.5 Sécurité and conservation

Volunteer and user data are stored in accordance with the 2024 national standards established by Big Brothers Big Sisters of Canada.

Collected personal information is retained in a secure environment. Big Brothers Big Sisters has implemented appropriate measures to maintain the confidentiality of personal information and protect it, considering factors such as its sensitivity and the purposes for which it is used.

6 Complaint and confidentiality incident

6.1 Complaint process

Grands Frères Grandes Sœurs de l'Estrie is committed to appointing the General Director as the person responsible for handling all matters related to confidentiality and the protection of personal information. The name of this person will be displayed on the organization's website.

Any complaint related to Grands Frères Grandes Sœurs de l'Estrie or Big Brothers Big Sisters of Canada can be directed to this person and will be processed according to the established procedure.

6.2 Confidentially incident

Under the law, a confidentiality incident refers to any unauthorized access, use, or disclosure of personal information, as well as the loss of personal information or any other breach of its protection.

If an individual is a victim or witness of a confidentiality incident involving Big Brothers Big Sisters of Estrie, they must notify the person responsible for access to information and the protection of personal information.

GFGSE commits to taking the following actions:

- Immediately implementing measures to mitigate risks and prevent similar incidents from recurring.
- Assessing whether the incident poses a serious risk of harm.
- Notifying the Commission d'accès à l'information and the affected individuals.
- Maintaining a record of all confidentiality incidents.

In the event of an incident, GFGSE commits to contacting affected individuals. If the incident involves a partner, GFGSE will notify the partner and take the necessary measures. If the incident results in major harm, GFGSE will notify both the Commission d'accès à l'information du Québec and Big Brothers Big Sisters of Canada.

7 Your data protection rights

In certain circumstances and in accordance with applicable data protection laws, individuals have the following rights:

- ✓ **Access:** A request must be made to the RAIPRP (except when submitted by a partner with an existing agreement). Individuals have the right to inquire whether we process personal information and, if so, request access to their personal data. Subject to applicable law, individuals may receive a copy of the personal information we hold about them, along with relevant details.
- ✓ **Accuracy:** We are required to take reasonable measures to ensure that the personal information in our possession is accurate, complete, non-misleading, and up to date.
- ✓ **Rectification:** Individuals have the right to request the correction of any incomplete or inaccurate personal information we hold about them.
- ✓ **De-indexing:** Individuals have the right to request that their personal information ceases to be disseminated or that any hyperlink associated with their name leading to such information be removed if its publication causes them harm or violates the law or a court order (also known as the right to erasure or right to be forgotten).
- ✓ **Anonymization:** Instead of deleting personal information, our organization may anonymize it for serious and legitimate purposes (although, in some cases, deletion may be simpler than anonymization).
- ✓ **Right to be informed:** Individuals have the right to be informed when they are subject to a decision based exclusively on automated processing.
- ✓ **Right to file a complaint:** Individuals may file a complaint with a data protection authority, particularly in the country, province, or state where they reside (in Québec, this would be the Commission d'accès à l'information), where our organization is located, or where an alleged data protection violation has occurred.
- ✓ **Right to be forgotten:** GFGSE commits to respecting an individual's request to have their personal data removed from the organization's records, if this removal complies with the provisions outlined in this policy and meets legal requirements.

To exercise any of these rights, please contact us.

Note: Non-confidential information related to GFGSE's operations or administration is not considered public information, and the organization reserves the right not to disclose it, unless required by law.



8 Acceptance of the privacy policy

By browsing this website, you confirm that you have read and understood this privacy policy and that you accept its terms, particularly regarding the collection and processing of your personal information and the use of cookies.

You will have seen an invitation to acknowledge this policy during your first visit to the site. While this notice may not appear on subsequent visits, you have the right to withdraw your consent at any time.

9 Policy review

We may modify the content of our website and the way we use cookies without notice, and as a result, our Privacy Policy may be changed from time to time in the future. Therefore, we encourage you to review it each time you visit the website to stay informed about how we handle personal information.

This policy was last reviewed on January 9th, 2025.

10 Appendices

10.1 Legal and regulatory framework

Gouvernement of Quebec website – bill 25:

<https://www.quebec.ca/nouvelles/actualites/details/loi-25-sur-la-protection-des-renseignements-personnels-des-citoyens-du-quebec-entree-en-vigueur-de-nouvelles-dispositions-qui-font-du-quebec-un-chef-de-file-mondial-50726>

Press release bill 25:

<https://www.newswire.ca/fr/news-releases/loi-25-nouvelles-dispositions-protegeant-la-vie-privee-des-quebecois-certaines-dispositions-entrent-en-vigueur-aujourd-hui-850231083.html>

Changes made by bill 25:

<https://www.cai.gouv.qc.ca/protection-renseignements-personnels/sujets-et-domaines-dinteret/principaux-changements-loi-25>

Bar of Quebec website – bill 25:

<https://www.barreau.qc.ca/fr/nouvelle/avis-aux-membres/loi-25-vigueur-entierete/>

The Charter of Human Rights and Freedoms (R.S.Q., c. C-12)

The Civil Code of Quebec (R.S.Q., c. CCQ-1991)

The Act respecting Access to Documents held by Public Bodies and the Protection of Personal Information (R.S.Q., c. A-2.1), (hereinafter the 'Access Act').

The Regulation on the Dissemination of Information and the Protection of Personal Information (R.S.Q., Chapter A-2.1, r. 2)



10.2 Forms

Appendix 1: Appointment of a Person Responsible for the Protection of Personal Information – Bill 25

Appendix 2: Complaint Form Regarding the Protection of Personal Information or De-indexing

Appendix 3: Process for Handling Complaints Related to the Protection of Personal Information and De-indexing

Appendix 4: Roles and Responsibilities of Staff Members Throughout the Life Cycle of Personal Information

Appendix 5: Confidentiality Incident Register Table

Confidentiality Agreement (employees + volunteers + external partners)

Consent (employees + volunteers)

Consent for the Transfer of Information

Consent (beneficiaries)