

# Policy regarding the Protection of Personal Information

**Overseeing the application of the Policy : General Secretariat**

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# 1. PURPOSE OF THE POLICY

- 1.1 This Policy's aim is to inform the various clienteles of HEC Montréal of HEC Montréal's commitments with regard to the protection of personal information which is collected both for institutional purposes by HEC Montréal and for research purposes by the people who carry out research projects as employed researchers at HEC Montréal or as part of their studies.
- 1.2 The person who heads the general secretariat of HEC Montréal is responsible for the application of this policy and is responsible for the protection of personal information at HEC Montréal.

# 2. COLLECTION OF PERSONAL INFORMATION FOR INSTITUTIONAL PURPOSES

## 2.1 Commitments and access

- 2.1.1 HEC Montréal is committed to collecting and protecting personal information collected for institutional purposes in accordance with the obligations established in this regard by the Civil Code and the Act respecting access to documents held by public bodies and the protection of personal information (RLRQ , c.A-2.1).
- 2.1.2 HEC Montréal is committed to respecting the confidential nature of personal information that is not public.
- 2.1.3 HEC Montréal undertakes to collect personal information only when it has a serious and legitimate interest in doing so; HEC Montréal undertakes to collect only the information necessary for this purpose.
- 2.1.4 HEC Montréal undertakes to obtain the express consent of people who entrust personal information to HEC Montréal. Each user service is required to retain the consents that are given when collecting personal information.
- 2.1.5 In order to obtain free and informed consent, HEC Montréal undertakes to inform these people of the reasons justifying the collection of the personal information.
- 2.1.6 Personal information collected by HEC Montréal can only be used for the purposes for which it was collected. Personal information may also be used for purposes compatible with those for which it was collected when its use is clearly for the benefit of the person concerned or when its use is necessary for the application of a law in Quebec.
- 2.1.7 The personal information thus collected may be communicated to third parties only with the authorization of the person concerned or under a provision of the law. Notwithstanding the above, the data subject must give express consent to the communication to third parties of sensitive personal information of a medical, biomedical or otherwise intimate nature or

which gives rise to a high degree of reasonable expectation of privacy due to the context of its use or communication.

- 2.1.8 Personal information held by HEC Montréal is accessible, without the consent of the person concerned, to any person who is entitled to receive it at HEC Montréal when this information is necessary for the exercise of their functions.
- 2.1.9 Any person who has communicated personal information to HEC Montréal may request access to it and to correct information that is inaccurate, incomplete or ambiguous. This person may also request the deletion of any information that is outdated or unauthorized under the reason that justified its collection.
- 2.1.10 Any person who has entrusted personal information to HEC Montréal may withdraw their consent at any time. HEC Montréal will follow up on the withdrawal of this consent to the extent that the law authorizes it to delete personal information that has already been entrusted to it.
- 2.1.11 When the purposes for which the information was collected have been accomplished, HEC Montréal undertakes to destroy it in accordance with its retention schedule. HEC Montréal may retain a copy of the destroyed information for purposes of public interest after this information has been anonymized.

## **2.2 Video surveillance**

- 2.2.1 The use of video surveillance with recording by HEC Montréal aims to ensure the protection and security of people and property.
- 2.2.2 HEC Montréal Security Service must take reasonable measures to ensure the conservation and confidential treatment of recorded information.
- 2.2.3 Apart from legal requirements and police or administrative investigations, recordings are erased or destroyed as soon as their retention is no longer necessary.

## **2.3 Information security**

- 2.3.1 HEC Montréal has adopted an Information Security Policy which complies with the obligations and recommendations of the Treasury Board, the Ministry of Cybersecurity and Digital Technology, the Ministry of Higher Education and which respects the requirements of the Act respecting access to documents held by public bodies and the protection of personal information (RLRQ, c. A-2.1).
- 2.3.2 In support of this Policy, HEC Montréal has also adopted an Information Security Framework composed of directives and processes inspired by the international standard ISO-27001 and the standards of good security practices of the information.

## **2.4 Committee on Access to Information and Protection of Personal Information**

2.4.1 HEC Montréal sets up a committee on access to information and the protection of personal information.

2.4.2 This committee is made up of the following people:

2.4.2.1. A person representing the general secretariat and who is also responsible for access to information and the protection of personal information.

2.4.2.2. A person representing the information technology department and who is responsible for information security.

2.4.2.3. A person representing the institutional information management and archives department and who is also responsible for document management.

2.4.2.4. A person representing the main users of personal information at HEC Montréal:

2.4.2.4.1. The registrar;

2.4.2.4.2. Human Resources Management;

2.4.2.4.3. The finance department for student billing;

2.4.2.4.4. The Executive Education Service;

2.4.2.4.5. The library;

2.4.2.4.6. Management of the HEC Montréal Foundation and alumni relations; and

2.4.2.4.7. The communications and government relations department for personal data collected by technological means (cookies).

2.4.3 This committee's main mandates are

2.4.3.1. to approve the rules governing governance with regard to personal information;

2.4.3.2. to give its opinion from the start of any project for the acquisition, development and overhaul of an information system or electronic provision of services involving the collection, use, communication, conservation or destruction of personal information in the context of the privacy impact assessment;

2.4.3.3. to suggest personal information protection measures applicable to the projects mentioned in the previous article.

## **2.5 Complaints and appeals**

2.5.1 Any person who wishes to correct information that is inaccurate, incomplete or ambiguous or request the deletion of information must contact the department that collected or holds the information in question.

2.5.2 If there is no response from the department concerned, or if the response is not satisfactory, this person may request the intervention of the general secretariat.

2.5.3 The general secretariat receives complaints in the event of an alleged violation of this section.

## 3. COLLECTION OF PERSONAL INFORMATION FOR RESEARCH PURPOSES

### 3.1 Responsibilities of researchers

- 3.1.1 People who carry out research projects, as salaried researchers or as part of their studies, are responsible for managing the personal information they collect as part of their research project.
- 3.1.2 Individuals carrying out research projects must obtain consent from those participating in the research in accordance with the Tri-Council Statement of Principles: Ethics in Research Involving Humans (TCPS2) and the ethics certificate authorizing the project of research. People who carry out research projects must respect all commitments they have made to research participants.
- 3.1.3 HEC Montréal provides people who carry out research projects with the necessary means to respect the confidential nature of the personal information that has been collected.

### 3.2 Complaints and appeals

- 3.2.1 Any person who has communicated personal information to a person carrying out a research project at HEC Montréal may request the intervention of the Research Ethics Committee in the event of difficulty or to file a complaint.
- 3.2.2 The Research Ethics Committee may inform the person filing a complaint of the possibility of recourse under the HEC Montréal Policy on Responsible Conduct of Research or under the Policy on Conflicts of Interest in Research at HEC Montreal.
- 3.2.3 The Research Ethics Committee may, on its own initiative, file a complaint with the Research and Transfer Directorate under the Policy on the Responsible Conduct of Research in the event of an allegation of breach of the rules relating to the protection of personal information by a person who carries out research projects at HEC Montréal.

## 4. DOCUMENT RETENTION

- 4.1 The general secretariat is responsible for keeping the committee's files on access to information and the protection of personal information.

## 5. ACCOUNTABILITY

- 5.1 The general secretariat is responsible for producing and submitting reports relating to this policy to the competent authorities.

## **6. ENTRY INTO FORCE AND REVISION**

- 6.1 This directive comes into force upon its adoption by the Board of Directors on May 26, 2022. It must be revised every five years or upon the adoption of major legislative changes.