Office of the
Saskatchewan Information
and Privacy Commissioner

INVESTIGATION REPORT 166-2026

Collège Mathieu

October 28, 2026

Summary: In August 2023, the President/CEO of Collège Mathieu (Collège) sent an email to the Collège's staff distribution list advising that the Complainant would gradually return to work pursuant to an agreement made between the Collège and the Saskatchewan Workers' Compensation Board. The Complainant subsequently filed a complaint with the Collège, alleging, among other things, the unauthorized disclosure of their personal information in the email.

An independent investigator was retained to investigate the complaint, and an investigation report was completed. Dissatisfied with the findings of that report, the Complainant submitted a complaint to the Office of the Saskatchewan Information and Privacy Commissioner.

The Commissioner found that:

(1) the Collège does not qualify as a local authority as defined in section 2(1)(f) of *LA FOIP*.

(2) OIPC does not have jurisdiction to investigate this matter pursuant to PART IV of *LA FOIP*.

The Commissioner concluded that OIPC has no jurisdiction to entertain this complaint and recommended that the Minister of Advanced Education request the Minister of Justice and Attorney General to consider an amendment to *LA FOIP* to include Collège Mathieu as a local authority.

I. BACKGROUND

[1] Collège Mathieu[1] (Collège) is a French-language post-secondary educational institution located in Gravelbourg, Saskatchewan. It is established under *The Collège Mathieu Act*[2], which continues the Collège as a corporation under the name of Collège Mathieu.

[2] In May 2023, the Complainant, an employee of the Collège, experienced a workplace assault and subsequently took a leave while receiving support from the Saskatchewan Workers' Compensation Board (WCB).

[3] On August 11, 2023, the Collège President/CEO emailed the Collège's staff distribution list, "Colmat", advising that the Complainant would begin a gradual return to work the following week, pursuant to an agreement between the Collège and WCB. The data elements in the email included the Complainant's first and last name, in conjunction with the Complainant's involvement with the WCB.

[4] On February 18, 2025, the Complainant emailed the Collège's board of directors to submit a written complaint concerning the unauthorized disclosure of their personal information by the Collège's President/CEO and the resulting confidentiality concerns, as well as other concerns that the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) is unable to investigate.

[5] On March 10, 2025, the board of directors responded to the Complainant, advising that it would retain an independent investigator, Magalie Poulin Services Conseils (MPSC), to assess the merits of the complaint.

[6] On August 26, 2025, the investigation report was completed. The report examined several of the Complainant's concerns, some of which fall outside the scope of OIPC's privacy

[1] Website: Collège Mathieu.

[2] *The Collège Mathieu Act*, S.S 2022, c 02 (Private).

mandate. The report concluded that, although certain incidents were partially substantiated as having occurred, they did not constitute breaches of the Collège's policies or regulations.

[7] On October 22, 2025 and January 30, 2026, the Complainant submitted additional correspondence to the board of directors disputing the findings of the investigation report.

[8] On April 10, 2026, the Collège responded to the Complainant, advising that, based on the investigation report findings, the board of directors has requested that the Collège engage an external provider to deliver training on preventing workplace harassment and to ensure employee confidentiality.

[9] On April 28, 2026, the Complainant requested an investigation by OIPC.

[10] On June 2, 2026, OIPC notified the Collège's board of directors that it had received a complaint and requested contact information for a representative of the Collège for the purposes of our investigation.

[11] On June 3, 2026, the President of the Collège's Board of Directors provided OIPC with the contact information for the Collège's legal counsel.

[12] On August 7, 2026, OIPC contacted the Conseil des écoles fransaskoises (CÉF), Saskatchewan's francophone school division, to request a call to determine whether its involvement in the investigation was warranted. That same day, the CÉF's Executive Assistant to the CEO clarified that, although there are two schools located in Gravelbourg, Saskatchewan, with similar names, the Collège is a post-secondary institution that is not affiliated in any way with the CÉF.

[13] Consequently, on August 18, 2026, OIPC notified the Collège's legal counsel that we would be conducting a jurisdictional analysis to determine whether the Collège is subject

to *The Local Authority Freedom of Information and Protection of Privacy Act*[3] (*LA FOIP*) and invited counsel to provide submissions on this issue.

[14] On August 27, 2026, the Collège's legal counsel provided a submission.

[15] On October 16, 2026, OIPC notified the Complainant that our office would undertake an investigation to determine if OIPC has jurisdiction over this matter.

II DISCUSSION OF THE ISSUES

1. Establishing Jurisdiction

[16] OIPC will consider if the Collège is subject to its statutory jurisdiction.

[17] The preamble and sections 3, and 5(1) of *The Collège Mathieu Act* provides that:

> **PREAMBLE**
> …
>
> WHEREAS, in 2004, Collège Mathieu became a postsecondary institution devoted to the development of francophone postsecondary education in Saskatchewan through partnerships with Saskatchewan Polytechnic, the University of Regina and other francophone postsecondary institutions across Canada;
> …
>
> **3** Collège Mathieu Gravelbourg, Sask. is continued as a corporation under the name of Collège Mathieu.
>
> …
> **5**(1) The primary role of the Collège is to operate a postsecondary education and continuing education institution which fulfills the needs of the Francophone and Francophile community and, in doing so, contributes to the cultural and linguistic development of the Fransaskois community.
>
> [Emphasis added]

[3] *The Local Authority Freedom of Information and Protection of Privacy Act*, SS 1990-91, c L-27.1, as amended.

[18] Order in Council 380/2022[4] provided that *The Collège Mathieu Act* shall come into force on August 15, 2022, thereby continuing the Collège as a corporation pursuant to that Act.

[19] OIPC provides oversight for three laws: *The Freedom of Information and Protection of Privacy Act*[5] (*FOIP*), *LA FOIP*, and *The Health Information Protection Act*[6] (*HIPA*). Given that the Collège is a post-secondary educational institution, OIPC will only need to consider whether *LA FOIP* applies to this matter involving the Collège's employee (the Complainant) and the Collège.

[20] In order for *LA FOIP* to be engaged, a "local authority" as defined by section 2(1)(f) of *LA FOIP* must be present on the facts. Because it is an educational institution, the following sections of 2(1)(f) of *LA FOIP* must be considered:

> **2**(1) In this Act:
>
> …
> (f) **"local authority"** means:
>
> …
> (viii) any board of education or conseil scolaire within the meaning of *The Education Act*;
>
> …
> (ix) a regional college within the meaning of *The Regional Colleges Act*, other than the Saskatchewan Indian Community College;
>
> (x) the Saskatchewan Polytechnic;
>
> (xi) the University of Saskatchewan, including Saint Thomas More College;
>
> (xii) the University of Regina, including:
>
> (A) Campion College; and

[4] Order in Council 380/2022 – Coming into Force – The Collège Mathieu Act (August 15, 2022).

[5] *The Freedom of Information and Protection of Privacy Act*, SS 1990-91, c F-22.01, as amended.

[6] *The Health Information Protection Act*, SS 1999, c H-0.021, as amended.

> (B) Luther College with respect to its post-secondary level activities;
>
> …
> (xvii) any board, commission or other body that:
>
> (A) receives more than 50% of its annual budget from the Government of Saskatchewan or a government institution; and
>
> (B) is prescribed;

a. Is the Collège a board of education or conseil scolaire?

[21] The section in *LA FOIP* under consideration is as follows:

> **2**(1) In this Act:
>
> …
> (f) **"local authority"** means:
>
> …
> (viii) any board of education or conseil scolaire within the meaning of *The Education Act*;

[22] *The Education Act, 1995*[7] defines "board of education" and "conseil scolaire" as:

> **2**(1) In this Act:
>
> …
> "**board of education**" means the board of education of a school division that is elected pursuant to *The Local Government Election Act, 2015*; (*« commission scolaire »*)
>
> …
> "**conseil scolaire**" means the Conseil scolaire fransaskois established pursuant to section 42.1; (*« conseil scolaire »*)

[23] Section 42.1(1) of *The Education Act, 1995* provides that:

> **42.1**(1) The Conseil scolaire fransaskois is established as a corporation on the date set out in the minister's order establishing the Conseil scolaire fransaskois.

[7] *The Education Act, 1995*, SS 1995, c E-0.2, as amended.

[24] The statutory definitions above do not capture the Collège.

[25] The Conseil scolaire fransaskois[8] (CSF) appears to govern the CÉF[9], which is the statutory body responsible for the administration of Saskatchewan's francophone kindergarten to grade twelve education system. However, there is no indication that responsibility extends to post-secondary institutions. The CÉF *Manuel des Politiques de Gouvernance du Conseil Scolaire Fransaskois* provides:[10]

> Par l'entremise de la Loi sur l'éducation de 1995, le ministère de l'Éducation de la Saskatchewan, délègue au Conseil scolaire fransaskois (CSF) le pouvoir et l'autorité de gérer le Conseil des écoles fransaskoises (CÉF).

[26] The Collège does not meet the statutory definitions of a "board of education" outlined in *The Education Act, 1995*. Similarly, the Collège does not meet the statutory definition of a "conseil scolaire" outlined in *The Education Act, 1995* and established pursuant to section 42.1 of that *Act*. The Collège is a post-secondary educational institution continued as a corporation, with its own board of directors responsible for overseeing and managing the Collège's operations. Therefore, I find that the Collège does not qualify as a local authority pursuant to section 2(1)(f)(viii) of *LA FOIP*.

b. Is the Collège a regional college within the meaning of The Regional Colleges Act, other than the Saskatchewan Indian Community College?

[27] The section in *LA FOIP* under consideration is as follows:

> **2**(1) In this Act:
>
> …
> (f) **"local authority"** means:

[8] Website: Conseil scolaire fransaskois.

[9] Website: Conseil des écoles fransaskoises.

[10] CÉF Manuel des Politiques de Gouvernance du Conseil Scolaire Fransaskois. An English translation provides: Through *The Education Act, 1995*, the Saskatchewan Minister of Education delegates to the Conseil scolaire fransaskois (CSF) the power and authority to administer the Conseil des écoles fransaskoises (CÉF).

> …
> (ix) a regional college within the meaning of *The Regional Colleges Act*, other than the Saskatchewan Indian Community College;

[28] *The Regional Colleges Act*[11] defines "college" and "regional college" as:

> **2** In this Act:
>
> …
> (b) **"college"** or **"regional college"** means a regional college continued or established under this Act

[29] Section 3(1) of *The Regional Colleges Act* provides that:

> **3**(1) The Lieutenant Governor in Council may, on the recommendation of the minister:
>
> (a) establish one or more regional colleges; and
>
> (b) assign a name to or change the name of a college established pursuant to clause (a) or section 32 or continued pursuant to section 31.
>
> (2) A college is a corporation consisting of the persons appointed as the board or the administrator appointed pursuant to section 28.

[30] This is also consistent with section 3(1) of *The Regional Colleges Regulations,*[12] which outlines:

> **3**(1) Where the Lieutenant Governor in Council establishes a college pursuant to section 3 of the Act, a person appointed by the minister as chairperson shall:
>
> (a) set a date for the first meeting of the board that is not later than 10 days after the date on which the Order appointing the members of that board appears in the Gazette;

[31] Section 31 and 32 of *The Regional Colleges Act* provides that:

[11] *The Regional Colleges Act*, SS 1986-87-88, c R-8.1, as amended.

[12] *The Regional Colleges Regulations*, RRS c R-8.1 Reg 1 (July 19, 1988), as amended.

> **Community colleges continued**
> **31**(1) Subject to section 32, the community colleges established under *The Community Colleges Act* are continued as regional colleges under this Act.
>
> (2) The members of the boards of community colleges continued pursuant to subsection (1) continue as members of the boards of their respective regional colleges until such time as their successors are appointed pursuant to section 7.
>
> **Northlands Career College**
> **32**(1) In this section:
>
> …
> (2) The Northlands Career College is hereby established as a regional college.
> …
>
> **RSS 1978, cC-19 repealed**
> **34** *The Community Colleges Act* is repealed.

[32] As noted earlier in this Investigation Report, the Collège was continued under *The Collège Mathieu Act*. There does not appear to be an Order establishing the Collège as a regional college or appointing members to its board in the Saskatchewan Gazette. Instead, the selection of the Collège's Board of Directors is governed by the Collège's bylaws. Similarly, there does not appear to be an Order establishing the Collège as a college pursuant to *The Community Colleges Act*[13] or continuing the Collège pursuant to section 31(1) of *The Regional Colleges Act*. Section 32 of *The Regional Colleges Act* is also not applicable, as that provision specifically establishes the Northlands Career College as a regional college.

[33] OIPC also reviewed the list of regional colleges[14] published on the Government of Saskatchewan's official website. The Collège does not appear on that list.

[34] Finally, the Collège provided OIPC with a submission stating:

[13] *The Community Colleges Act*, RSS 1978, c C-19, is repealed.

[14] Government of Saskatchewan website, *Post Secondary Education Institutions, Regional Colleges*. See item 6.

> The Collège is not a regional college within the meaning of the *Regional Colleges Act*. That Act states that "college" or "regional college" means a regional college continued or established under that Act.
>
> Collège Mathieu is not established or continued under that Act. Instead, the Collège is created by a separate act called *The Collège Mathieu Act,* SS 2022, c 02 (Private).
>
> There are no references in the *Collège Mathieu Act* to the *Regional Colleges Act,* nor are there any references to the Collège Mathieu in the *Regional Collèges Act*. Indeed, the preamble to the *Collège Mathieu Act* states:
>
> **PREAMBLE**
>
> …
> *WHEREAS Collège Mathieu was constituted as a body corporate by College Mathieu, Gravelbourg, Sask., Incorporating, being Chapter 75 of the Statutes of Saskatchewan, 1917;*
>
> And continues in the text:
>
> **College Mathieu Continued**
> **3** *Collège Mathieu Gravelbourg, Sask. is continued as a corporation under the name of Collège Mathieu.*
>
> The Collège is therefore incorporated and continued pursuant to the *Collège Mathieu Act* rather than being a regional college as defined in the *Regional Colleges Act*.
>
> This interpretation is confirmed by the Government of Saskatchewan which lists all of the regional colleges and the Collège Mathieu separately (see [15]).
>
> Finally, the Collège notes that other universities and colleges are named in the *LA FOIP* which is not the case for the Collège. This is not a matter of legislative oversight as the Collège is named in other regulations pursuant to other acts not related to access to records (see: Accessible Saskatchewan Regulations, Sask Reg 108/2023[16]).

[35] Accordingly, we find that the Collège does not meet the statutory definition of a "college" or "regional college" under *The Regional Colleges Act* and, therefore, does not qualify as a local authority pursuant to section 2(1)(f)(ix) of *LA FOIP*.

[15] *Ibid*.

[16] *The Accessible Saskatchewan Regulations*, Sask Reg 108/2023, as amended.

c. ***Does the Collège receive more than 50% of its annual budget from the Government of Saskatchewan or a government institution and is it listed as a prescribed body?***

[36] The section in *LA FOIP* under consideration is as follows:

> **2**(1) In this Act:
>
> …
> (f) **"local authority"** means:
>
> …
> (xvii) any board, commission or other body that:
>
> (A) receives more than 50% of its annual budget from the Government of Saskatchewan or a government institution; and
>
> (B) is prescribed;

[37] PART II of the Appendix of *The Local Authority Freedom of Information and Protection of Privacy Regulations*[17] (*LA FOIP Regulations*) mandates:

> PART II: Boards, Commissions and Other Bodies Prescribed as Local Authorities
> [*Subclause 2(f)(xvii) of the Act*]
>
> 1. **Repealed.** 15 Dec 2017 SR 125/2017 s12.
> 2. Community clinics as defined in section 263 of *The Co-operatives Act, 1996*
> 3. health care organizations as defined in *The Provincial Health Authority Act*
> 4. **Repealed.** 1 Feb 2019 SR 6/2019 s5.
> 5. Health Quality Council
> 6. Saskatchewan Assessment Management Agency
> 7. Saskatchewan Cancer Agency
> 8. The Saskatchewan Health Research Foundation
> 9. Saskatchewan Impaired Driver Treatment Centre

[38] The Collège appears to receive significant funding from the Government of Saskatchewan. OIPC identified multiple Orders in Council authorizing grants to the Collège through the Minister of Education and the Minister of Advanced Education over the years, with grant

[17] *The Local Authority Freedom of Information and Protection of Privacy Regulations*, RRS c L-27.1 Reg 1 (July 1, 1993), as amended.

amounts ranging from $59,250 to $2,616,625.[18] However, the Collège does not fall within any of the categories of prescribed boards, commissions, or other bodies set out in Part II of the Appendix of the *LA FOIP Regulations*.

[39] With respect to the above provisions, the Collège's submission stated:

> To be subject to the *LA FOIP* are a result of subsection (xvii) a board, commission or other body must: 1) Receive more than 50% of its budget from the Government of Saskatchewan **and** 2) be prescribed in a regulation.
>
> The *LA FOIP* has one regulation, and the Collège is not named in it. The list of prescribed entities is:
>
> …
>
> In any event, even if it were designated in the regulation, the Collège does not receive its funding from the provincial government. Rather, its operations are financed exclusively by the Government of Canada.

[40] Although the Collège submitted that its operations are financed exclusively by the Government of Canada, OIPC identified evidence of funding from the Government of Saskatchewan. Regardless of the source of this funding, I find that the Collège does not fall within any of the seven categories of prescribed boards, commissions, or other bodies set out in Part II of the Appendix of the *LA FOIP Regulations* and, therefore, does not qualify as a local authority pursuant to section 2(1)(f)(xvii) of *LA FOIP*.

d. What is the relationship between the Collège and the University of Regina and Saskatchewan Polytechnic?

[41] OIPC also considered the College's relationship with the University of Regina (U of R). In 2023, the two institutions entered into a Memorandum of Understanding (MOU) intended to support collaboration. The U of R describes the MOU as an agreement between the "two institutions". Based on the information available, the relationship appears to be a collaborative partnership between two separate institutions, rather than an affiliation that makes the Collège part of the U of R or subject to its governance. Further information

[18] Order in Council 385/2013, Order in Council 430/2024, Order in Council 360/2026, Order in Council 192/2022.

regarding the partnership between the Collège and the U of R is available in the U of R's June 28, 2023, news release. In terms of Saskatchewan Polytechnic, "Collège Mathieu and Saskatchewan Polytechnic have jointly offered a bilingual practical nursing program in the province since 2019."[19] In both cases these institutions appear to be at arms' length from each other.

III FINDINGS

[42] I find that the Collège does not qualify as a local authority as defined in section 2(1)(f) of *LA FOIP*.

[43] OIPC does not have jurisdiction to investigate this matter pursuant to PART IV of *LA FOIP*.

IV RECOMMENDATION

[44] OIPC has no jurisdiction to entertain this complaint.

[45] I recommend the Minister of Advanced Education request the Minister of Justice and Attorney General to consider an amendment to *LA FOIP* to include Collège Mathieu as a local authority.

Dated at Regina, in the Province of Saskatchewan, this 28th day of October, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner

[19] News Release: University of Regina and Collège Mathieu News Release on Memorandum of Understanding (June 28, 2023).