



Leeds and the Thousand Islands Public Library Board

Policy

SECTION: OPERATIONAL	NO: OP-03
TITLE: Privacy and Access to Information	Date: July 2022
	Next Review Date: July 2025

1.0 Policy Statement

1.1 The Leeds and the Thousand Islands Public Library Board recognizes that all visitors have the right to privacy and confidentiality regarding their use of the library's services, collections, and with respect to the collection of their personal information for library records. This policy outlines the Library's framework for compliance with the Ontario *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, known commonly as MFIPPA.

2.0 Legislative Responsibilities

- 2.1 The library board is responsible for ensuring compliance with all relevant legislation including *the Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M56 (MFIPPA), and *Canada's Anti-Spam Legislation*, S.C. 2010, c. 23 (CASL).
- 2.2 Personal information is defined in the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M56 (MFIPPA), in part, as "recorded information about an identifiable individual." This could include, in the library context, information on a user's borrowing habits, as well as information related to computer use.
- 2.3 The board will ensure that:
- 2.3.1 The Library complies with the spirit, principles and intent of MFIPPA
 - 2.3.2 Members of the public have access to information about the operations of the library and to their own personal information held by the library in accordance with the access and provisions of MFIPPA
 - 2.3.3 The privacy of an individual's personal information is protected in accordance with the privacy provisions of MFIPPA.
- 2.4 The Leeds and the Thousand Islands Public Library Board is responsible for personal information under its control and designates the CEO as the individual accountable for the organization's compliance with legislation. The CEO ensures that:

- 2.4.1 The collection of personal information is limited to that which is necessary for the proper administration of the library and the provision of library services and programs
- 2.4.2 The purposes for which personal information is collected from an individual is identified by the library at, or before, the time the information is collected and that consent to collect the information is given by the individual at the time of registration
- 2.4.3 Consent is required should the information be used for a purpose other than for which it was originally obtained
- 2.4.4 Personal information is not retained longer than is necessary for the provision of library services and that procedures for the retention and disposal of personal information are established and followed
- 2.4.5 Personal information shall be as accurate, complete and up-to-date as is necessary
- 2.4.6 Personal information shall be protected by security safeguards appropriate to the sensitivity of the information
- 2.4.7 The Annual Statistics Report to the Privacy Commission of Ontario is submitted.

3.0 Collection of Personal Information

- 3.1 The Leeds and the Thousand Islands Public Library collects information including:
 - 3.1.1 Name, address, and telephone number of each registered library user
 - 3.1.2 E-mail address, as optionally provided by registered library users. E-mail addresses are used in compliance with the *Canadian Anti-spam Legislation, S.C. 2010, c. 23*.
 - 3.1.3 Information about an individual library user's borrowing and items placed on hold.
 - 3.1.4 Information about fees owed to the Library
 - 3.1.5 Information about requests for material through interlibrary loan. As part of a provincial interlibrary loan network, some of this information resides on servers in other places and the library cannot monitor or control the use of this information.
 - 3.1.6 Comment forms, patron surveys and program evaluations
 - 3.1.7 Program registration forms, waivers, and photo releases
 - 3.1.8 Request for materials reconsideration forms
- 3.2 All correspondence received by the Board is part of the Board's public documents except for correspondence related to personnel or property issues which would be treated as confidential and handled in an in-camera session. Personal information about users and their use of library materials, services and programs is treated as confidential.
- 3.3 The Leeds and the Thousand Islands Public Library collects electronic information through the Ontario Library Consortium (OLC) using software licensed by SirsiDynix. This information is securely stored on a third-party server and is monitored by SirsiDynix and the OLC.
- 3.4 The Leeds and the Thousand Islands Public Library subscribes to additional third-party vendors to enhance our service offerings to patrons. These services may collect additional

data on patrons, including personal information and/or borrowing and search history. This information resides on third-party servers which the Library cannot monitor or control. The Leeds and the Thousand Islands Public Library shall make every effort to choose third-party vendors with clear privacy policies and a demonstrated commitment to patron privacy. Preference may be given to vendors who demonstrate strong protection of privacy policies.

4.0 Use of Information

- 4.1 The collection of personal information is limited to that which is necessary for the administration of the library and the provision of library services and programs
- 4.2 The purposes for which personal information is collected from an individual is identified by the library at, or before, the time the information is collected and that consent is given by the individual at that time
- 4.3 As using personal information for other purposes than originally intended is not permitted by MFIPPA, if the library wishes to use a patron's personal information for a purpose that is not consistent with the one for which it was originally obtained or compiled, it must first acquire the patron's written consent to use the personal information for that new purpose.

5.0 Retention of information

- 5.1 The Leeds and the Thousand Islands Public Library Board shall use the Township of Leeds and the Thousand Islands' Information Management policies as a guideline for the maintenance, retention and disposal of electronic and physical records.

6.0 Disclosure of Information

- 6.1 The Library will not disclose personal information related to a visitor or library patron to any third party without obtaining consent to do so, subject to certain exemptions as provided by MFIPPA. Information will be disclosed:
 - 6.1.1 To a parent or guardian of a person up to 16 years of age
 - 6.1.2 Upon the presentation of a search warrant
- 6.2 The Library *may* also disclose information in accordance with the exemptions provided in section 32 of MFIPPA, including:
 - 6.2.1 To police in the absence of a search warrant to aid an investigation (at the CEO's discretion)
 - 6.2.2 Personal information may be released in compassionate circumstances to facilitate contact with next of kin of an individual who is injured, ill or deceased

7.0 Breach of Privacy

- 7.1 A breach is any unauthorized or illegal collection, use or disclosure of personal information. In the event of a breach the CEO or designate will:
 - 7.1.1 Contain the breach and secure the information
 - 7.1.2 Assess the severity of the breach

- 7.1.3 Notify affected parties and the Information and Privacy Commissioner as required
- 7.1.4 Investigate the cause of the breach
- 7.1.5 Implement corrective actions

8.0 Access to Information

- 8.1 The Leeds and the Thousand Islands Public Library Board upholds the rights of the public to access their personal information held by the library and is committed to making access to information about the governance and operations of the library available to the public, in accordance with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M56 (MFIPPA).
- 8.2 The Leeds and the Thousand Islands Public Library is committed to making access to information about the operations of the library available to the public. Board agendas and minutes, annual reports, policies and a variety of other information are made a matter of public record through the Library website and through Library publications. In accordance with the *Public Libraries Act* the public can inspect any records that the board’s secretary has on file except where exemptions are allowed under Section 6-16 of MFIPPA.
- 8.3 Responding to requests for other library information is a statutory obligation and will be completed promptly.
- 8.4 Upon request, an individual will be informed of the existence, use, and disclosure of his or her personal information, and be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.
- 8.5 All requests for information or for records not publicly available, must be made in writing. The CEO will give written notice to the person making a request, as to whether or not access to the record or part of it will be given as prescribed in MFIPPA. Fees will be applied according to the Municipal Freedom of Information and Protection of Privacy Act R.R.O. 1990 Regulation 823.

History			
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