



The City of Kawartha Lakes Public Library

Policy Number: LIB2022-02

Policy Name: PRIVACY

Developed By:	David Harvie, Library Director/CEO	Date:	23 May 2017
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POLICY STATEMENT AND RATIONALE

The purpose of this policy is to provide guidelines and legal framework with respect to collection, use and retention of personal information by the City of Kawartha Lakes Public Library.

SCOPE

This policy shall apply to the City of Kawartha Lakes Public Library and all of its branches.

DEFINITIONS

In reading and interpreting this policy, the following definitions shall apply:

“CEO” means the Chief Executive Officer of the City of Kawartha Lakes Public Library

“FOI” means Freedom of Information.

“Library” means the City of Kawartha Lakes Public Library

“Library Board” means the City of Kawartha Lakes Public Library Board

“Library Staff” means all staff employed by the City of Kawartha Lakes Public Library Board.

“Personal Information” means recorded information about an identifiable individual. For the Library’s purposes, that information includes:

- name, address, telephone number, gender, email address
- the name of a parent or legal guardian of a children
- borrowed materials
- ~~overdue~~ fines or other charges

- holds/request for materials
- information related to registration for Library programs (e.g. age) and fundraising

“Record” means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise.

POLICY, PROCEDURE AND IMPLEMENTATION

1.0 Responsibility

- 1.1 The CEO is responsible and accountable for documenting, implementing, enforcing, monitoring and updating the Library's privacy and access compliance. The City Clerk acts as the Library's Freedom of Information (FOI) Coordinator.

2.0 Objectives

- 2.1 To ensure that the Library continues to be seen as a trusted institution by our patrons.
- 2.2 To ensure that the Library complies with the spirit, principles and intent of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- 2.3 To ensure that 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 provisions of MFIPPA.
- 2.4 To ensure that the privacy of patrons' personal information is protected in compliance with the privacy provisions of MFIPPA.

3.0 General Guidelines

- 3.1 The Library collects personal information for the purposes of identifying patrons, in order that they may borrow materials, access electronic services and register for programs.
- 3.2 All information collection from patrons under the authority of the Public Libraries Act, is subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Under these acts, all patrons of the Library have the right to privacy and confidentiality regarding their use of the library's services, programs and collections. Patron borrowing and electronic use records are held in confidence by the Library and are accessed only for the purposes identified at the point of collection.

4.0 Collection of Personal Information

- 4.1 The Library will not collect any personal information about patrons without obtaining their consent to do so, subject to the expectations as contained in MFIPPA. Personal information that is collected will be limited to what is necessary for the proper administration of the Library and the provision of library services and programs.
- 4.2 Personal information will only be used for the stated purpose for which it was collected or for a consistent purpose.
- 4.3 Patrons are responsible for identifying changes in personal information such as name, address or contact information to maintain the accuracy of their information.
- 4.4 Patrons should report immediately any lost or stolen library cards to reduce the potential of unauthorized access to their records and protect their information.

5.0 Access of Personal Information

- 5.1 Access to patron information is limited to Library Staff working within the scope of their duties.
- 5.2 The Library and patrons have the right to request a correction of personal information if erroneous data is identified. The Library has a right to request supporting documentation from a patron when making any corrections.

6.0 Disclosure of Information

- 6.1 The Library will not disclose personal information related to a patron to any third party without obtaining consent to do so, subject to certain exemptions as provided by MFIPPA. Disclosure is permitted in some situations with the approval of the CEO, including the following:
 - 6.1.1 The Library will disclose personal information to a parent or guardian of a person under sixteen (16) years of age who exercises the right to access to the child's personal information in Library databases.
 - 6.1.2 The Library may also disclose information in accordance with the exemptions provided in section 32 of MFIPPA including:

- a) disclosure to an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result; or
- b) disclosure under compassionate circumstances, to facilitate contact with the spouse, a close relative or a friend of an individual who is injured, ill or deceased.

7.0 Access Requests

7.1 All Library patrons have the right to access their personal information as well as information regarding library operations. The request may be submitted on an informal or formal basis, depending on the nature of the request. All requests are subject to the exemptions outlined in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

7.2 Informal Request

7.2.1 Patrons must provide appropriate identification before personal information will be provided. For example, upon presentation of their library card or other approved identification, a patron may query their records and/or the records of their under sixteen (16) years of age children or wards.

7.3 Formal Request

7.3.1 Information from the Library's database files shall only be released to the police or government agencies upon the presentation of a proper and valid warrant. In the absence of a warrant the information requested must be in accordance with Section 32(g) and 32(i) of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). In such cases, the CEO or designate, has the authority to release personal information to the police or government agencies in Canada to aid an investigation leading or likely to lead to a law enforcement proceeding or in compassionate circumstances to facilitate contact with next of kin of an individual who is injured or deceased. All such requests must be documented.

7.3.2 All formal requests for personal or operational information must be done in writing. Freedom of Information (FOI) forms are available through the City of Kawartha Lakes' Freedom of Information

Coordinator, via the Clerk's Office or City's website. For more information or to submit a formal request, patrons should contact

FOI Coordinator
City Clerk's Office
City of Kawartha Lakes
26 Francis Street
P.O. Box 9000
Lindsay, Ontario K9V 5R8
Phone: (705) 324-9411 ext. 1295
Fax: (705)324-8110

8.0 Retention of Personal Information

8.1 The Library will not retain personal information related to the items borrowed or requested by a patron, or pertaining to a patron's online activity, longer than is necessary for the provision of library services and programs.

9.0 Online Privacy

9.1 The use of the Library's online catalogue does not require the provision of any personal information unless account access is required. Patrons can access their personal library account with their library card number and password through the online catalogue. Personal account information can include name, address, telephone, e-mail as well as items checked, on hold and fines/fees. Verification of the library card number and password is done through the automated library's patron database.

9.2 Patrons using commercial databases through the Library website are required to enter their library card number to access the databases. The library card number is verified against the automated library's patron database. A log of this verification remains on the authentication server for a short time and is automatically purged.

9.3 Links to websites of other organizations are included on the Library's website. These links are provided for information only and are not subject to the privacy policy of the Library. Patrons are urged to consult the privacy policies of the specific websites before providing any personal information.

10.0 Public Computer Workstation

10.1 The public computer workstations are situated in public areas and as such the Library does not guarantee privacy.

- 10.2 Some of the Library's public computer workstations are managed by reservation software that records a patron's library card number, workstation, and time spent on the workstation. This data is stored in a log file that is purged on a regular basis.

11.0 Wireless Internet

- 11.1 The wireless network provided by the Library is an open, unsecured network and the Library does not guarantee the security of the patron's device while using it.
- 11.2 The Library's wireless network records unique device identifiers, date/time, duration, download usage and Web services accessed. This data is stored in a log file that is automatically purged after three months.

12.0 Photographs and Videos

- 12.1 The Library collects photos of patrons at Library events and programs to promote library services. Photographs and videos of recognizable individuals taken by Library staff or for Library purposes will not be used without prior permission.

13.0 Electronic Communications

- 13.1 Obtaining a library card implies the patron's consent to authorize the Library to send electronic notifications regarding personal borrowing and transaction activities using their preferred method. Patrons may request not to receive notifications although such an action may affect their ability to use the affected library services.
- 13.2 The Library may use electronic means to promote services, share information, or announce special events. The Library will seek the patron's consent before sending promotional electronic messages. The Library will provide options to patrons to easily unsubscribe from the services or change their preferences at any time.
- 13.3 In keeping with Canadian Anti-Spam Legislation (CASL), email addresses are used solely for the intended purpose, for which the patron has provided explicit consent, and will not be shared with any other individual or organization.

14.0 Challenging Compliance

- 14.1 Any patron who feels their privacy has not been protected may challenge library practices through the CEO. A patron who, after such a challenge, is

not satisfied with the result, may appeal to the Library Board, maintaining either that the current policy has been violated or that the current policy needs to be changed in order to address a perceived issue.

- 14.2 Any patron who is not satisfied with the appeal to the Library Board may file a privacy complaint with the Information and Privacy Commissioner (<https://www.ipc.on.ca/privacy-individuals/filing-a-privacy-complaint/>).

Related Documents

Children's Services Policy

Public Internet, Computer Access and Access to Public Wireless Policy

Public Libraries Act, R.S.O. 1990, c. P.44

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990. C. M56 (MFIPPA)

Canadian Anti-Spam Legislation (CASL)