



Woodstock Public Library Policy

Policy Name: Access to Information and Protection of Privacy

Category: Library Administration

Version: 7 January 2021

POLICY STATEMENT AND RATIONALE

The purpose of this policy is to provide guidelines with respect to the collection, use, and retention of personal information by the Woodstock Public Library.

The purpose of this policy is to ensure that:

- the Woodstock Public Library complies with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and its regulations, notwithstanding the specific applications outlined in this policy;
- 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; and
- the privacy of individuals' personal information is protected in compliance with the privacy provisions of MFIPPA.

SCOPE

This policy applies to all services and operations of the Woodstock Public Library Board, its staff, Board members and volunteers.

DEFINITIONS

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

“CEO” means the Chief Executive Officer of the Woodstock Public Library.

“*HTTP cookies*” means a small piece of data stored on the user’s computer by a web browser while browsing a website. Cookies are designed to be a reliable mechanism for websites to remember stateful information, as they can be used

to remember pieces of information that the user previously entered into form fields, such as names, addresses, and passwords.

“IPC” – Information and Privacy Commission of Ontario. IPC oversees compliance with the privacy protection provisions of MFIPPA and conducts investigations into privacy complaints. IPC also provides guidance regarding Ontario’s access and privacy legislation.

“City Clerk” means the City Clerk of the Municipality of the City of Woodstock.

“Library” means the Woodstock Public Library.

“Library Board” means the Woodstock Public Library Board.

“Library Staff” means all staff employed by the Woodstock Public Library.

“Permanent record” means records determined to have historical, administrative, legal, or other value to the Library to warrant continuous preservation.

“Personal information” means recorded information about an identifiable individual, including:

- Information relating to the race, national or ethnic origin, colour, religion, age, gender, sexual orientation or marital or family status of the individual.
- Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved.
- Any identifying number, symbol, or other particular assigned to the individual.
- The address, telephone number, email address of the individual.
- The personal opinions or views of the individual except if they relate to another individual.
- Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence.
- The views or opinions of another individual about the individual.
- The individual’s name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

For Library purposes this definition also includes recorded information such as:

- borrowed materials,
- overdue fines or other charges,

- holds/requests for materials,
- information related to registration for Library programs and fundraising.

“Record” means recorded information in any format or medium, created, received, and maintained as evidence in pursuance of legal obligations or in the transaction of business. This may include paper and electronic records, minutes, correspondence, financial statements, maps, drawings, photographs, etc.

POLICY, PROCEDURE AND IMPLEMENTATION

1.0 Responsibility

- 1.1 The Board Chair shall be designated as Head of the Library for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.
- 1.2 For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, the Board Chair shall appoint the City Clerk as the Library's Freedom of Information (FOI) Coordinator, and is delegated all powers and duties.
- 1.3 The CEO is responsible and accountable for documenting, implementing, enforcing, monitoring and updating the Library's privacy and access compliance.

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.
- 2.5 To ensure that the privacy of Library employees' 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 collected 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:

- a) The Library will disclose personal information to a parent or guardian of a person up to sixteen (16) years of age who exercises the right to access the child's personal information in Library databases.
- b) The Library may also disclose information in accordance with the exemptions provided in section 32 of MFIPPA including:
 - i) 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;
 - ii) 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 Requests

7.2.1 Patrons must provide appropriate identification before personal information will be provided. For example, upon presentation of his/her library card or other approved photo identification, a patron may query his/her records and/or the records of his/her minor age children or wards.

7.3 Formal Requests

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 Woodstock Public Library's Freedom of Information Coordinator, or via the City's website. For more information or to submit a formal request, patrons should contact:

FOI Coordinator,
City Clerks Department,
Woodstock City Hall,
P.O. Box 1539,
Woodstock, ON N4S 0A7
519-539-1291

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, email as well as items checked, on hold and fines/fees. Verification of the library card number and password is done through the 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 library's patron database. A log of this verification remains on the authentication server.
- 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.
- 9.4 Library websites may use HTTP cookies to improve functionality and personalization. These cookies may be either sessional or persistent in nature and are stored local to the user and not on library servers.

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 every three months.

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 two months.

12.0 Photographs and Videos

- 12.1 The Library collects photos of patrons and employees at Library events and programs to promote library services. Photographs and videos of recognizable individuals taken for Library promotional purposes, will not be used without prior written permission of the patron or the Library employee.

13.0 Electronic Communication

- 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 Unauthorized Access and/or Disclosure (Privacy Breach)

- 14.1 Any Library staff member who becomes aware of unauthorized disclosure of record in contravention of this policy, and/or a potential privacy breach has a responsibility to ensure that the CEO is immediately informed of the breach.
- 14.2 Any breaches of unauthorized access or disclosure of privacy will be reported to the IPC for advice and assistance.

15.0 Challenging Compliance

- 15.1 Any patron or staff member who feels their privacy has not been protected may challenge library practices through the CEO.
- 15.2 A patron or employee 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.
- 15.3 A patron or employee 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-organizations/privacy-complaints/>).

RELATED DOCUMENTS AND POLICIES

Woodstock Public Library – Video Surveillance Policy
Public Libraries Act, 2011, S.O. 2001, c. P. 44
Municipal Act, 2011, S.O. 2001, c. 25
Municipal Freedom of Information and Protection of Privacy Act, RSO, 1990, c. M.56

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