

London Public Library

Access to Information & Protection of Privacy Policy

Effective: September 21, 2023

Next Review: September 2027

PURPOSE:

Ensure that:

- London Public Library (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 an Individual's Personal Information is protected in compliance with the privacy provisions of [MFIPPA](#).

SCOPE:

This policy applies to all services and operations of the Library, and all Board Members, Employees and Volunteers.

The Library collects Personal Information about Individuals under the authority of the [Ontario Public Libraries Act, R.S.O. 1990, c. P.44](#) and in accordance with [MFIPPA, R.S.O. 1990, c. M.56](#).

DEFINITIONS:

Disclosure means revealing information that was intended to remain confidential.

General Records means general information that is organized and capable of being retrieved. These Records contain no Personal Information.

Individual means a member of the public, about whom the Library retains Personal Information.

Personal Information, as defined by [MFIPPA](#), means recorded or unrecorded information about an identifiable Individual, including, but not limited to:

- Information relating to the race, national or ethnic origin, colour, religion, age, sex, 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, fingerprints or blood type 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; and
- 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.

Personal Information Bank means a collection of Personal Information that is organized and capable of being retrieved using an Individual's name or an identifying number or particular assigned to the Individual.

Record means any Record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:

- Correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine-readable Record, any other documentary material, regardless of physical form or characteristics, and any copy thereof; and
- Subject to the regulations, any Record that is capable of being produced from a machine-readable Record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.

POLICY STATEMENT:

The Library will make organizational information available to the public while protecting the privacy of an Individual's Personal Information in its custody or control in keeping with the access and privacy provisions of MFIPPA and other applicable legislation.

The Library recognizes that an Individual's choices about the Library services they use, is a private matter. The Library will therefore make every reasonable effort to ensure that information about its users and their use of Library services remains confidential.

The Library's [Video Surveillance Camera Policy](#) balances the needs for security with protection of the privacy of Individual's Personal Information in accordance with the privacy provisions of [MFIPPA](#) and the Library's policies and guidelines.

While photography/videography/filming is allowed in Library locations, the Library's [Photography/ Videography/Filming Policy](#) ensures that an Individual's right to enjoy the benefits of the Library is respected and that their right to privacy is protected in accordance with the privacy provisions of [MFIPPA](#) and the Library's policies and guidelines.

Access to Information

- Library Board agendas and minutes, annual reports, audited financial statements, policies and a variety of other information will routinely be made a matter of public record through the Library website and through Library publications.
- Access to General Records about Library operations will be provided to the public, subject to the provisions of [MFIPPA](#).
- Access to recorded Personal Information about a particular Individual will be provided to that Individual, upon verification of identity and subject to the exemptions outlined in [MFIPPA](#).
- Payment of a fee may be required and is done in accordance with [MFIPPA](#) regulations.
- Requests for access to General Records and recorded Personal Information shall be directed to the Office of the CEO & Chief Librarian (CEO).

Protection of Privacy: Users

Collection and Use of Information:

The Library will not collect any Personal Information about an Individual without obtaining their consent to do so, subject to the exceptions as contained in [MFIPPA](#).

There may be situations where one person represents another Individual or an organization. [MFIPPA](#) allows an Individual's rights or powers to be exercised by:

- A person with the written consent of the Individual that has been verified;
- A person having lawful custody of a child under the age of sixteen (16);
- A guardian for an Individual appointed by a court, or the Individual's attorney under power of attorney, or the Public Guardian and Trustee; under the [Mental Health Act](#) or [Substitute Decisions Act](#);
- A personal representative of a deceased Individual (e.g., executor named in a will, administrator or trustee appointed by a court) only if the exercise of the power relates to the administration of the Individual's estate.

Personal Information that is collected will be limited to what is necessary for the proper administration of the Library and the provision of services and programs and will only be used for the stated purpose for which it was collected or for a consistent purpose.

The Library will provide the following information to the Individual when Personal Information is being collected on behalf of the Library:

- Legal authority;
- Principle purpose or purposes for use; and
- Title, business address and telephone number of an official from the Library who can answer questions.

Individuals are informed of the reasons for collecting Personal Information at or before the time of collection. Examples of reasons are:

- Access to library materials and services;
- Room rentals;
- Email communications including, but not limited to, hold alerts and overdue notices;
- Protection of Library property and the safety of the public and Library Employees and Volunteers;
- Library fundraising; and
- Non-identifying statistical purposes.

Personal Information may only be obtained from the Individual to whom the Record relates, as required by MFIPPA, unless the Individual authorizes another manner of collection. A lawful parent or guardian may supply information about a child under the age of 16 years in their custody.

The Library will take reasonable steps to ensure that the Personal Information in the Records held by the Library is accurate and up to date. The Library will change an Individual's Personal Information held in the Library's Records if it is incorrect. The Library may ask for supporting documentation.

The Library will maintain a Personal Information Bank index of all Personal Information Banks in the custody or under the control of the Library, as set forth in [MFIPPA](#).

Disclosure of Information:

An Individual may request access to their Personal Information held by the Library.

Notwithstanding the specific applications of [MFIPPA](#) cited in this policy, the Library is subject to all requirements of Disclosure in [MFIPPA](#).

The Library will not disclose Personal Information, under its custody or control, related to an Individual to any third party without obtaining consent to do so, subject to certain exemptions as provided in [MFIPPA](#). Situations where the Library will disclose this information include the following:

- To a lawful parent or guardian of a child, under the age of 16 years and whose name is recorded on the child's patron Record.

- To an authorized support person/family member, or employee of long-term care facilities about the Individual enrolled in the Visiting Library Services as authorized by the Individual on the application form.
- To a third party who has been assigned supplementary card privileges (e.g. linked cards) provided that the Individual and the third party have indicated their agreement and the agreement has been recorded in the Individual's Library patron Record.
- To a company acting on its behalf for the collection of Library property or unpaid fees.
- Third party service providers will be required to ensure, by means of a statement in their contract, that any staff or users' Personal Information to which they have access is only to be utilised for the purposes of carrying out the service they provide to the Library and for no other purpose. Any additional information provided by the patron to a third-party vendor is considered voluntary and not within the scope of this policy.

The Library will release information to the Children's Aid Society, under the authority of the [Child, Youth and Family Services Act](#), which states that a person who believes, on reasonable grounds, that a child under 16 is at risk of harm, must report this suspicion to the Children's Aid Society immediately, directly and on an ongoing basis.

The Library requires any contracted service provider that may have access to Personal Information (e.g. integrated library system provider) to sign a confidentiality agreement.

Retention of Records:

The Library will not retain any Personal Information, such as information related to items borrowed or requested by an Individual, or pertaining to an Individual's on-line activity, longer than is necessary for the provision of library services and programs or for the purposes of data storage for ongoing service analysis and improvement. Examples include:

- Personal Information regarding library transactions is retained as long as the circulation Record indicates that an item remains on loan or fees remain unpaid.
- Personal Records of Individuals who have not used their card in the current + 6 years and do not have any outstanding activity are purged on an annual basis.
- The Library may retain Personal Information related to library functions or services in order to enhance or personalize specific library services and when Individuals voluntarily opt in to do so; for example: Welcome emails to new patrons; membership renewal notifications; promotion of services; email campaigns; etc.
- The Records of materials borrowed by Individuals using Visiting Library Services are retained with their permission in order to assist Library Employees in selecting materials for the Individual.

Accountability

The CEO, through the [CEO-Board Linkage Policy](#), is responsible and accountable for documenting, implementing, enforcing, monitoring and updating the Library's privacy and access compliance.

INQUIRIES:

CEO & Chief Librarian