



BRACEBRIDGE LIBRARY POLICIES AND PROCEDURES

Policy Number: OP-36
Title: Privacy, Confidentiality, Access to Information and Electronic Messages

Board Approval Date: February 2025

Category: Operational
Policy Replacing: OP-36: Privacy, Confidentiality, Access to Information and Electronic messages (May 2023)

Year of next review: 2027

PURPOSE:

The Bracebridge Library (the Library) recognizes that all users have the right to privacy and confidentiality regarding their use of the library's services, collections and online spaces, and the collection of personal information. In matters related to privacy and access to information, the Bracebridge Library is guided by the Ontario ***Municipal Freedom of Information and Protection of Privacy Act***, R.S.O. 1990, c. M.56, as (MFIPPA).

Section 1: Privacy and Confidentiality

The Bracebridge Library will protect the privacy and confidentiality of all individuals' personal information in its custody or control, in keeping with the privacy provisions of **MFIPPA** and other applicable legislation.

1. Collection of information

- a) Personal information is defined in **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.
- b) The Bracebridge Library collects the following identifiable pieces of information:
 - name, date of birth, address, telephone number and e-mail address of each registered library user
 - what an individual library user has borrowed or items placed on hold
 - charges incurred
 - a public meeting room space booked by a specific individual
 - programs an individual has registered to attend
 - public computer bookings as well as the Internet search history.
 - requests for material through interlibrary loan.
- c) Information as noted in (b) may be collected for the purpose of interlibrary loan requests. This information will be shared, if required, on the Interlibrary Loan System server to process the request(s).

- d) The library collects comment forms, requests for library material reconsideration and correspondence from individual users.
- e) All Board correspondence received 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 library board session.
- f) The library system collects images and video clips through security cameras. Images are only used to ensure the security and safety of staff and individuals using the library.
- g) Personal information may be given in any of three formats – in person, in writing, electronically – and this privacy policy covers all three circumstances.

2. Use of information

- a) Collection of personal information is limited to what is necessary for the administration of the library and the provision of library services and programs
- b) 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.

3. Disclosure of information

- a) The Library *will not* disclose personal information related to a visitor or library user to any third party without obtaining consent to do so, subject to certain exemptions as provided in section 32 of **MFIPPA**. Disclosure is permitted in some situations, including the following:
 - The Library will disclose personal information to a parent or guardian of a person up to fourteen (14) years of age who has the right of access to the child's library account.
- b) The Library *may* also disclose information in accordance with the exemptions provided in section 32 of MFIPPA, including:
 - Subsection (g), 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;
 - Subsection (i), 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.

4. Retention of information

- a) The Library *will not* retain any personal information related to the items borrowed or requested by a user, or pertaining to a user's on-line activity, longer than is necessary for the provision of library services and programs. The retention of personal information includes the following situations:
 - Personal information regarding library transactions is retained in the user database as long as the circulation record indicates that an item remains on loan or fees remain unpaid.
 - Records of returned items that have no outstanding fees/charges remain on the user record in the circulation database until the end of the working day.
 - Personal records of all users who have not used their cards in the previous three (3) years and do not have outstanding charges are purged on an annual basis.
 - All files, information and activity, stored on public computers is erased at the end of the day.
- b) The Library *may* retain personal information related to library functions or services as described below, when users voluntarily opt in to do so; for example, in order to enhance or personalize library functions or services.

- The personal information and borrowing history of Home Library Services users are retained with their permission. This is done in order to assist staff in selecting and delivering materials for the user.
- Records relating to the answering of questions and/or in-depth research for the public in person, by phone, or e-mail, are retained for two years.

5. Responsibility for privacy and confidentiality

- a) The Board is responsible for personal information under its control and designates the Chief Executive Officer (CEO) as the individual accountable for the library's compliance with legislation. The CEO ensures that the policy with respect to collection, use and disclosure of information is followed.
- b) All Library staff, Board members and volunteers will be made aware of the importance of maintaining the confidentiality of all personal information. This includes but is not limited to all information obtained in written, verbal, visual, or other means.
- c) Any user who feels their privacy has not been protected may challenge library practices with the CEO. A user who is not satisfied with the result, may appeal to the Library Board, maintaining either the current policy has been violated or that the current policy needs to be changed to address a perceived issue.
- d) A breach is any unauthorized or illegal collection, use, or disclosure of personal information. In the event of a breach the CEO or their designate will:
 - i. Stop the breach
 - ii. Assess the severity of the breach
 - iii. Notify affected parties and the Information and Privacy Commissioner as required
 - iv. Investigate the cause of the breach
 - v. Implement corrective actions
- e) Any user who violates this policy will be promptly asked to stop taking photos or videos and may be asked to immediately leave the library.

Section 2: Access to Information

1. Upon request, the Library is committed to providing publicly available information about the operations of the library. Board agendas and minutes, annual reports, policies and a variety of other information are 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**.
2. Responding to requests for Library information is a statutory obligation and will be completed as soon as reasonable.
3. Upon request, an individual will be informed of the existence, use, and disclosure of their 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.
4. 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 **MFIPPA**.

Section 3: Electronic Messages under Canada's Anti-Spam Legislation

1. All electronic messaging sent by the library will be consistent with Canada's Anti-Spam Legislation (CASL).

2. The library will ensure that all electronic messages clearly identify the:
 - i. subject of the communication
 - ii. sender (Bracebridge Library)
 - iii. library's mail address and contact information.
 - iv. method an individual may use to "unsubscribe" from receiving further messages

3. At the time of registration for a library card, specific pieces of information are collected (see Section 1 above). Obtaining a library card implies the individual's consent to authorize the library to send electronic notifications regarding personal borrowing and transaction activities if an e-mail address was provided at the time of registration. Individuals may request not to receive electronic notifications although such an action may affect their ability to use the affected library services.

4. The library may, at times, use electronic means to promote services, share information, or announce special events. The library will provide an opportunity for individuals to sign up to receive such specific notifications, and will seek the individual's consent before sending promotional electronic messages and notifications. The library will provide instructions to individuals to unsubscribe from these services or to change their preferences at any time.

Previous Revisions: Privacy, Confidentiality, Access to Information and Electronic messages (June 2022)

Related Documents:

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M56
Municipal Freedom of Information and Protection of Privacy Act R.R.O, 1990, Regulation 823
Information and Privacy Commissioner of Ontario. *What are the Privacy Responsibilities of Public Libraries?* 2002.
Canada's Anti-Spam Legislation (CASL)