



# Dryden Public Library Board

## POLICY

<b>SECTION: OPERATIONAL</b>		<b>NO: OP-03</b>
<b>TITLE: Protection of Privacy</b>		<b>Date: January 2023</b>
		<b>Next Review Date: January 2027</b>

### 1.0 Policy Statement

1.1 The Dryden Public Library recognizes that patrons' choice of materials they borrow and websites they visit is a private matter. The Library will therefore make every reasonable effort to ensure that personal information about its users and their use of library materials, services and programs remains private.

### 2.0 Legislative Responsibilities

2.1 The Library Board is responsible to make sure that the Library follows all the requirements of 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 privacy provisions of MFIPPA.
- 2.3.3 The privacy of an individual's personal information is protected in accordance with the privacy provisions of MFIPPA.

### 3.0 Collection of Personal Information

- 3.1 The Dryden Public Library collects, in electronic records, 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 *Canada's 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 fines.
  - 3.1.5 Information about Library users request for material through interlibrary loan. As this is a provincial loan network, some of this information is stored on servers in other places and the Library cannot monitor or control the use of this information.
- 3.2 The Library collects, in hard copy, information including:
- 3.2.1 Comment forms, patron surveys and program evaluations.
  - 3.2.2 Program registration forms, waivers, and photo releases.
  - 3.2.3 Computer sign-in sheets and internet agreement forms.
  - 3.2.4 Request for materials forms.
  - 3.2.5 Comments from individual users.
- 3.3 All comments received by the Board are part of the Board's public documents except for comments related to personnel or property issues which would be treated as private and handled in an in-camera session. Personal information about users and their use of Library materials, services and programs is treated as private.
- 3.4 The Dryden Public Library collects electronic information through the Joint Automated Server Initiative (JASI) using software licensed by SirsiDynix. This information is securely stored on a third-party server and is managed by SirsiDynix and Ontario Library Service (OLS).
- 3.5 The Library will follow the schedule laid out in Appendix 7 of the Dryden Public Library Policy Manual binder to guide the maintenance and disposal of library records.
- 3.6 The Dryden Public Library Board works in co-operation with the City of Dryden's Human Resources and Finance Departments to maintain Human Resources records and financial records. The City of Dryden's policies regarding record retention and disposal for these records will be automatically adopted by the Library.

Human resources records may include applications from unsuccessful job candidates, including letters, resumes and references; employee personnel files; employee payroll records; other payroll records; pay equity documentation and all other Human Resources documentation.

Financial records may include annual financial audits and statements; records of monthly disbursements, cancelled cheques, invoices, account statements, annual library budgets; contracts; accounts receivable and all connected documentation for granting programs; income reports; staff expense reports and other (money-related) records.

- 3.7 The Dryden Public Library subscribes to many third-party vendors to improve our service offerings to patrons. These services may collect additional data on patrons, including personal information and/or borrowing and search history. This information lives on third-party servers which the Library cannot monitor or control. The Dryden Public Library will make every effort to choose third-party vendors with clear privacy policies and that exhibit loyalty to privacy. Preference may be given to vendors who comply with the American Library Association's *Library Privacy Guidelines for E-Book Lending and Digital Content Vendors*.
- 3.8 The Dryden Public Library Board is responsible for personal information under its control and names the CEO as the individual responsible for the organization's compliance. The CEO makes sure of that:
  - 3.8.1 The collection of personal information is limited to what is necessary for the proper management of the Library and of the provision of Library services and programs.
  - 3.8.2 The purposes for which personal information is collected from a person is identified by the Library staff 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.
  - 3.8.3 Consent is obtained before personal information is used for a purpose other than for which it was received.
  - 3.8.4 Personal information is not kept longer than is necessary for the library services and that procedures for the keeping and disposal of personal information are established and followed.
  - 3.8.5 Personal information will be as correct, complete, and up to date as is necessary.
  - 3.8.6 Personal information will be protected by security safeguards appropriate to the sensitivity of the information.
  - 3.8.7 The Annual Statistics Report to the Privacy Commission of Ontario is submitted.

3.9 The Dryden Public Library will not share personal information related to a visitor or a Dryden Public Library user to any third party without getting permission to do so, subject to certain exemptions as given by MFIPPA. Information will be shared:

3.9.1 With a parent or guardian of a person up to 16 years of age.

3.9.2 Upon the presentation of a search warrant.

3.9.3 At the CEO's discretion:

3.9.3.1 With the police without a search warrant to aid in an investigation

3.9.3.2 For compassionate reasons to help contact family or friends of an individual who is hurt, ill or missing.

3.10 Library users may, at any time, request information related to the existence, use and disclosure of their personal information. Users may also request the correction of any personal information that is wrong or incomplete. Users shall address questions or concerns related to the retention or disclosure of their personal information to the CEO.

#### **4.0 Breach of Privacy**

4.1 A breach of privacy is any unauthorized or illegal collection, use or disclosure of personal information. In the event of a mistake the CEO will:

4.1.1 Contain the breach and secure the information.

4.1.2 Assess the severity of the breach.

4.1.3 Notify affected parties and the Information and Privacy Commissioner as required

4.1.4 Investigate the cause of the breach.

4.1.5 Implement corrective actions.

#### **Related Documents:**

Dryden Public Library *OP-01 Circulation Policy*

City of Dryden Corporate Policy Manual *MU-IN Information Management*

*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.S.O. 1990, Regulation 823

Information and Privacy Commissioner of Ontario. *What are the Privacy Responsibilities of Public Libraries?* 2002.

*Canada's Anti-spam Legislation*, S.C. 2010, c. 23

American Library Association. *Library Privacy Guidelines for EBook Lending and Digital Content Vendors*. 2015.

History			
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