



Privacy Policy

Policy Number: 18-00

Policy Approval Date: October 9, 2018

Policy Review Date: October 2021

Definitions

Access Request: a formal request for access to records made under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Delegate: refers to the individual appointed by the CEO/Chief Librarian to make recommendation for release of information in his/her absence.

Digital Privacy: refers to the protection of an individual information that is used or created using the Internet or a computer or personal device. A digital privacy information document shares more details.

Disclosure: revealing of piece of information that was intended to remain confidential.

General Records: means general information that is organized and capable of being retrieved. The records contain no personal information.

HPL or Library: means the Huntsville Public Library or, if the context so requires, any premises used by the Huntsville Public Library for Library purposes.

Individuals: members of the public, about whom the Library retains personal information.

MFIPPA: Municipal Freedom of Information and Protection of Privacy Act.

Personal information: (as defined by MFIPPA) is recorded or unrecorded information about an identifiable individual, including but not limited to:

1. Information relating to race, national or ethnic origin, religion, age, sex, sexual orientation or marital or family status of the individual.
2. 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.
3. Any identifying number, symbol or other particular assigned to the individual.
4. The address, telephone number, fingerprints or blood type of the individual.

5. The personal opinions or views of the individual except if they relate to another individual.
6. 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.
7. The views or opinions of another individual about the individual.
8. 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.

Record: any record of information however recorded, whether in printed form, on film, by electronic means for otherwise:

1. 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 or DVD, a machine readable record, any other documentary material.
2. 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.

Purpose

The purpose of this policy is to ensure:

- To ensure that the Huntsville Public Library Board complies with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O., c. 1990 (MFIPPA) and its regulations notwithstanding the specific applications outlines in this policy.
- All visitors to Huntsville Public Library have the right to privacy and confidentiality regarding their use of Huntsville Public Library's services, collections and virtual content, and regarding the collection of personal information by Huntsville Public Library.
- The privacy of individuals' personal information is protected in compliance with the privacy provisions of MFIPPA.

Policy

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

It is the policy of the Huntsville Public Library Board that the Library will make information about the Library available to the public and protect the privacy of all

individuals' personal information in its custody or control in keeping with the access and privacy provisions of MFIPPA and other applicable legislation.

Access to Information

1. Library Board agendas and minutes, annual reports, policies and a variety of other information will routinely be made a matter of public record through the Huntsville Public Library Virtual Library and through Library publications.
2. Access to general records about Library operations will be provided to the public, subject to the provisions of MFIPPA.
3. 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.
4. Payment of a fee may be required and will be assessed and collected in accordance with MFIPPA regulations.
5. Requests for access to general records and recorded personal information should be directed to the Office of the CEO/Chief Librarian. The form to complete and submit is available on the Province of Ontario's website in the [Forms Depository](#).

Protection of Privacy: Users

Collection and Use of Information:

- a. The Library will not collect any personal information about individuals without obtaining their consent to do so, subject to the exceptions 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 services and programs.
- b. Personal information will only be used for the stated purpose for which it was collected or for a consistent purpose.
- c. The Library will provide the following information to the individual when personal information is being collected on behalf of the Library:
 - i. legal authority
 - ii. principle purpose or purposes for use
 - iii. title, business address and telephone number of an official from the Library who can answer questions.
- d. Individuals are informed of the reasons for collecting personal information at or before the time of collection.

Examples of reasons are:

- a. Access to library materials and services
- b. Room rentals
- c. Library fund development

- d. Electronic communications including, but not limited to, hold alerts and overdue notices
- e. Non-identifying statistical purposes
- f. Protection of Library property and the safety of the public.
- g. Personal information may only be obtained from the individual to whom the record relates, as required in MFIPPA, unless the individual authorizes another manner of collection.
- h. A parent or guardian may supply information about a child under 16 years of age, in his or her custody.
- i. The Library will take reasonable steps to ensure that the personal information on the records held by the Library is accurate and up to date. The Library will change an individual's personal information if it is incorrect. The Library may ask for supporting documentation.
- j. Employee access to personal information is limited to those employees who need access in order to perform their assigned duties.

Disclosure of Information

Notwithstanding the specific applications of MFIPPA cited in this policy, the Huntsville Public Library Board is subject to all requirements of disclosure in the MFIPPA.

- a. 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:

- a. The Library will disclose personal information to a parent or guardian of a child, under 16 years of age, whose names are recorded on the child's user record.
- b. The Library will disclose relevant personal information about the individual enrolled in the Visiting Library Services, to an authorized support person/family member, or staff of long term care facilities, for the purposes of service delivery, authorized by the individual.
- c. The Library will disclose personal information concerning an individual to a third party who has been assigned supplementary card privileges (pick up material on hold) provided that the individual and the third party have indicated their agreement and the agreement has been recorded in the user record. Use of the card does not allow access to other services and programs or access to information in the individual's record.
- d. The Library may release relevant personal information to a company acting on its behalf for the collection of Library property or unpaid fines or fees.
- e. The Library will release information to the Family and Children's Services, under the authority of the Child and Family Services Act, R.S.O. 1990, c. C.11, 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 Family and Children's Services immediately, directly and on an ongoing basis.

- f. The Library ensures a confidentiality agreement any contracted service provider that may have access to personal information (e, g. integrated library system provider).

Retention of Records

The Huntsville Public Library Board formally adopted the Town of Huntsville's *Retention Schedule and Record Description- By-law 2016-20* October 9, 2018 (Motion: 18-00).

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. Examples include:

- a. Personal information regarding library transactions is retained as long as the circulation record indicates that an item remains on loan or fees remain unpaid.
- b. As part of the Library's commitment to offering personalized service, users may register for an online service which will allow them to view their ongoing record of items borrowed. Use of this service will be entirely voluntary.
- c. The circulation records of Visiting Library Services individuals are retained with their permission in order to assist the staff in selecting materials for the individual.
- d. Personal records of individuals who have not used their cards in the previous three (3) years and do not have a balance owing are purged on an annual basis.

Accountability

The CEO/Chief Librarian is responsible and accountable for documenting, implementing, enforcing, monitoring and updating the Library's privacy and access compliance. The CEO/Chief Librarian is the Freedom of Information/Privacy Officer for Huntsville Public Library.

Any Library employee who becomes aware of any unauthorized disclosure of a record in contravention of this policy has a responsibility to ensure that the CEO/Chief Librarian and appropriate staff are immediately informed of the breach.

Once a privacy breach has occurred (loss, theft, or inadvertent disclosure of personal information) immediate action must be taken to control the situation.

The CEO/Chief Librarian will identify the scope of the breach and take steps to contain the damage (e.g., determine if unauthorized access to the system has occurred, retrieve copies of recorded information, etc.).

The CEO/Chief Librarian will inform the Information and Privacy Commission and, if applicable, notify affected parties whose personal information was disclosed.

The CEO/Chief Librarian will conduct an internal investigation into the matter to review the circumstances surrounding the event as well as the adequacy of existing policies and procedures in protecting personal information.

Training

All Library staff will be made aware of their obligations under MFIPPA and this policy. Training will be provided to the appropriate staff responsible for the administration and application of this policy.

Compliance

Failure by staff to comply with this policy may result in disciplinary action up to and including termination of employment

Municipal Freedom of Information and Protection of Privacy Act

The Municipal Freedom of Information and Protection of Privacy Act protects the privacy of your personal information in the Library's records. It also gives you the right to ask about your own personal information in these records.

The Act includes rules on how the Library can collect, use and dispose of personal information in its records. The Library must follow the Act.

You have the right to ask us to correct your information if you can prove that it is incorrect.

The Library cannot give you information about another person, unless that person is under sixteen and you are his/her parent or legal guardian. You may also give permission for another person to see your information; but you must complete a special consent form.

If you bring a Library card; overdue notice or collection letter that belongs to another person, it implies consent for you to pick up material on hold for that person or pay that person's fines. It does not allow you to have access to other information in that person's record.

Related Documents

Canada's Anti-Spam Legislation
Circulation & Fines Policy
Code of Conduct Policy & Signage
Digital Privacy Information Document
Intellectual Freedom Policy
Interlibrary Loan Policy
Membership Policy

Municipal Freedom of Information and Protection of Privacy Act

[MFIPPA Access or Correction Request Form](#)

Planning for Success: Privacy Impact Assessment Guide – Information & Privacy

Commission of Ontario, May 2015

Privacy Statement

Public Libraries Act

Security & Video Surveillance Policy

Social Media Policy

Staff Use of Technology Policy

Technology @ HPL Policy

History

Adopted by the Huntsville Public Library Board October 9, 2018 | Motion 18-00.

January 11, 2016 | Motion 16-05

December 14, 2015 | Motion: 15-112

April 16, 2012 | Motion 12-33

June 15, 2011 | 11-32

Privacy Statement | Adopted May 21, 2008