

## **Policy: Operational - Confidentiality & the Protection of Privacy**

**Department: Library**

**Effective Date: August 2014**

**Review Date: April 2023**

**Next Year of Review: 2025**

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### **Introduction**

In accordance with the Public Libraries Act (PLA) and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Bruce County Public Library adheres to its legal responsibility to protect the rights of the Library's members to privacy. In order to achieve the mission of the Library, and to encourage the uninhibited use of the Library's services, library members must be confident that the personal information they entrust to the Library remains confidential.

Personal information means recorded information in any format about an identifiable individual.

### **Collection of Information**

The Bruce County Public Library Board will protect the privacy of all individuals' personal information in its custody or control, in keeping with the privacy provisions of MFIPPA and other applicable legislation.

1. Personal information is defined in the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, in part, as "recorded information about an identifiable individual." This could include, in the library context, information on a patron's borrowing habits, or related to computer use or program registration.
2. The Bruce County Public Library collects personal information for the management and administration of Library services. Information collected may include but is not limited to:
  - Name, address, telephone number and email address of each registered library card holder;
  - Name of guardian (in the case of children under 14 years of age);
  - Date of birth (optional for individuals 18 and over);
  - Information about what an individual library patron has on loan or items placed on hold;
  - Information about fines and fees;
  - Information about public meeting room space booked by an individual;
  - Information about programs an individual has registered to attend;
  - Information about when an individual booked a public computer and/or the Internet search history;
  - Information about individual's requests for materials through interlibrary loan;
  - Library donations and fund development.

3. The Library collects comment forms, surveys, requests for material reconsideration, purchase suggestions, and correspondence from individual users.
4. Staff who are registered as patrons of the library have the same privacy and confidentiality rights as members of the public.

## **Use of Information**

1. The purpose for collecting personal information is identified by the library at, or before, the time the information is collected, and consent is given by the individual at that time.
2. Information will only be used for the purpose it was collected for.
3. Staff may view and amend patron information as required to perform appropriate library functions. Staff are not permitted to view or amend records outside the scope of their duties.

## **Responsibility**

1. The Board is responsible for personal information under its control and designates the Chief Executive Office (CEO) as the individual accountable for the organization's compliance with legislation. The CEO ensures that requirements around the collection, use, and disclosure of information are followed.
2. All Bruce County Public Library staff and volunteers will be made aware of the importance of maintaining the confidentiality of personal information.
3. An individual who feels their privacy has not been protected may challenge library practices in writing to the CEO.

## **Disclosure of Personal Information**

BCPL has a responsibility to respect the privacy of individuals and the confidential nature of personal information.

Personal information related to a library visitor or patron will not be disclosed without obtaining written consent except in limited circumstances as provided in section 32 of MFIPPA:

- Parents and legal guardians may request access to library records for children under the age of 16. Access to records may be provided after the identity of the parent/guardian is confirmed and the age of the child is established.
- A subpoena or court order is presented, or an active law enforcement investigation is underway.
- An active child in need of protection investigation is being conducted by the Children's Aid Society.
- Information is required to ensure the safety of Library staff, the general public, to protect the Library property, or to enforce Library policy.
- Compassionate circumstances to facilitate contact with the spouse, a close relative, or a friend of an individual who is injured, ill, or deceased.

## **Consent**

Consent to collect personal information is provided by any one of the following scenarios:

- Verbally by the patron at the time of registration.
- Patron accepting and signing a BCPL card.
- Patron completing and submitting an application form.
- Patron completing and submitting an electronic form through the website.

Individuals may choose to not provide all requested information. However, this may result in the Library not being able to provide the individual with all available services.

Parents or legal guardian must be available to give consent for a child under the age of 14 to access library services.

## Accuracy

BCPL updates patron information every two years. Patrons may change their personal information at any time, by visiting any branch location or by electronically accessing their account through the BCPL online catalogue. Photo identification with a current address is required to verify patron records. If no photo ID is available, a second document may be used to establish identity.

## Retention of Information

Bruce County Public Library will not retain any personal information related to items borrowed or requested by a patron, or pertaining to a user's online activity, longer than is necessary for the provision of library services and programs.

Resource and service transactions remain on the database:

- As long as circulation records indicate an item remains on loan.
- As long as fees or fines associated with library materials or services remain unpaid.
- As a historical record of items lost, material fees and fines remain attached to all borrower records.

The Library may retain personal information related to library functions or services when users voluntarily opt-in to do so, for example, to enhance or personalize library functions or services. Examples may include:

- To provide a circulation record and to assist library staff with the selection of materials for patrons unable to independently attend the library.
- Maintaining borrower history in the library catalogue

## Disposal

Paper records no longer needed to conduct library business are shredded prior to disposal.

## Exception

If patrons do not return items on time, or owe the library money in fines, lost or overdue items, etc., the Bruce County Public Library reserves the right to provide such information to other libraries, a collection agency or to take legal action if warranted. Nothing in this policy prevents the appropriate library staff from using library members' information in order to conduct the legitimate business of the Library. This includes, but is not restricted to, the circulation of materials, the collection of outstanding financial accounts, and issues related to the temporary or permanent banning of patrons.

## **Related Documents**

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. M56 and Regulation 823

Bruce County Public Library - Circulation Policy

Bruce County Public Library - Internet Service Policy

Bruce County Public Library - Volunteer Program