

## **Purpose**

To ensure that the Burlington Public Library Board complies with the [Municipal Freedom of Information and Protection of Privacy Act, R.S.O 1990](#) (MFIPPA) and [Canada Anti-Spam Legislation](#) (CASL) by protecting an individual's personal information and privacy in their transactions with the library.

## **Statement of Policy**

Burlington Public Library is committed to protecting the personal privacy of all library customers. In accordance with provincial and federal legislation, records maintained by the Library that record an individual's personal use of the library's collections, programs or services constitute confidential information and are held in trust by the library.

Objectives of this policy are:

- To ensure BPL complies with the principles and intent of MFIPPA (1990) in protecting the privacy of library customers;
- To ensure that library customers have access to their own personal information, provide or decline consent, maintain accuracy, request clarification or challenge practices;
- To ensure that information retained by BPL about a customer is protected in compliance with MFIPPA;
- To ensure that the library will state the purpose of collecting personal information and will obtain consent for its use with exception of consent implied by obtaining a library card
- To ensure that the library will comply with all principles of CASL regarding electronic communication
- To ensure that the privacy policy is enforced by all library staff and any organization that may have legitimate access to this information to provide service

## **Definitions**

For the purpose of this policy the following definitions from the Municipal Freedom of Information and Protection of Privacy Act, 1990 and Canada Anti-Spam Legislation are used:

**Personal Information:** identifiable information about an individual such as name, phone, address, email, date of birth, etc. and any correspondence between the individual and the organization which may or may not be confidential in nature. Exceptions and further definition is defined in the Act.

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

Spam: an electronic message sent without explicit or implied consent of the recipient.

### **Policy Details**

Purpose for which personal information may be collected: the primary purpose for which BPL collects personal information is for the administration of library services and programs—the planning, executing and evaluating of these services and programs consistent with this.

Collection of personal information: The library collects personal information to conduct its business to fulfill library service to the community. Library service may be access to collections, resources, databases, programs, wifi, personal computers, service, fundraising, room rentals, collecting of fees, etc. A customer of the library may not necessarily require a library card but they may have personal information collected for the purpose of attending a program, making a donation or renting a room. The Burlington Public Library Board will comply with the Municipal Freedom of Information and Protection of Privacy Act, 1990 and Canada Anti-Spam Legislation.

Consent: Obtaining a library card, attending a registered library program, using a library service or resource, and renting a room implies the individual's consent to authorize the library to collect and access personal information, including borrowing and transaction history, for the purpose of conducting the library business.

Possessing a library card, overdue notice or collection letter by another person implies written consent for the holder to pay fees or pick up materials on behalf of the card owner but does not allow access to personal records. Individuals can provide consent for another person to access their records by signing a consent form.

Individuals may choose not to allow the collection of their personal information however this action may affect their ability to use the affected library services, resources, programs and room rentals.

Use and Disclosure of Personal Information: Personal information will only be collected in accordance with MFIPPA. Personal information will not be shared, used or disclosed for purposes other than that for which it was collected, except with the consent of the individual, exceptions outlined in this policy or as required by the law.

Personal information may be shared with agencies and companies working to provide resources and services on behalf of the Library and in compliance with this policy.

Personal information including borrowing and transaction history, will not be disclosed to another person unless to a parent or guardian, who is listed as the guardian responsible, for a person who is less than 16 years of age, or where a written signed consent form is provided.

Staff will honour court orders issued by a judge that require the release of personal information. With approval of the Chief Executive Officer, staff may also disclose personal information in compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.

Any disclosure to law enforcement officials or in compassionate circumstances must be reported to the Library Board, without identifying the individual concerned.

Electronic Communication: The library will ensure that all electronic messages clearly identify the subject of communication, the library's email address and contact information and identify Burlington Public Library as the sender.

Obtaining a library card implies the individual's consent to authorize the library to send electronic notifications regarding personal borrowing, transaction activities and fundraising using their preferred method. Individuals may request not to receive notifications although such action may affect their ability to use the affected library services.

The library may, at times, use electronic means to promote services, share information or announce special events. The library will seek the individual's consent before sending promotional electronic messages. The library will provide options for individuals to unsubscribe from the service or change their preferences at any time.

Accountability: BPL uses reasonable security measures to protect against risks such as unauthorized access, collection, use, disclosure or disposal of personal information. Measures include administrative, physical, technological and operational safeguards that are appropriate to the nature and format of personal information.

Customers should report any lost or stolen library cards immediately to library staff to reduce the potential for unauthorized access to their records and protect their information.

All library staff and volunteers will fully comply with the provisions of MFIPPA and CASL in administering the policy within the scope of their duties.

Questions regarding the collection and use of personal information can be directed to:

Chief Executive Officer, Burlington Public Library 2331 New St., Burlington, ON L7R 1J4

**Retention:** The Library retains records of library transactions identifying specific individual's use of the library for as long as they remain an active library cardholder.

Inactive records with no outstanding balance are purged after five years.

Customers who have an outstanding balance on their account, may have their information forwarded to a collection agency in order to recoup revenue for lost or damaged materials.

**Accuracy:** **All** personal information collected shall be as accurate, complete and up-to-date as is necessary to fulfill the purpose for which it is collected.

The library will update customer information and ensure that the collection, storage and disposal of information are carried out in a manner that conforms to legislation. Customers are responsible for identifying changes in personal information such as name, address or contact information to maintain the accuracy of their information.

**Access:** Individuals have access to their own personal information about themselves. Parents or legal guardians who are listed as the responsible person for the child, may obtain information about their child's account until they are 16 years old.

**Research:** The library may, on occasion, permit valid research which may include the use of customer library records. Any personal information that may be used under approved terms for research purposes will be destroyed before publication of any research results. Any such research conducted will be governed by this policy and vetted through an ethics committee where an outside research organization is engaged.

**Privacy By Design:** The library will endeavor to apply Privacy by Design principles in technology, business practices and physical design to protect customer privacy when conducting library business.

Effective Date: May 2019

Projected Review Date: Sep 2023

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#21-48, Sep. 23, 2021

Associated Policies: Fees and Charges Policy, Borrowing Policy.