

**TEMISKAMING SHORES PUBLIC LIBRARY
POLICY**

SUBJECT: Confidentiality of Patron Information
LAST APPROVAL DATE: June 23, 2021
NEXT REVIEW DATE: 1st quarter 2025

POLICY NO: Circ-5
MOTION NO: 2021-41

The Temiskaming Shores Public Library adheres to its legal responsibility to protect the rights of the Library's patrons to privacy. In order to achieve the mission of the Library, and to encourage the uninhibited use of the Library's services, library patrons must be confident that the personal information they entrust to the Library remains confidential as required by law. The Temiskaming Shores Public Library abides by the provisions of the *Public Libraries Act, R.S.O. 1990, Chapter P. 44* and the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M.56*.

Definition:

A 'record' means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:

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, a machine readable record, any other documentary materials, regardless of physical form or characteristics, and any copy thereof

2. 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.

Responsibility for privacy

1. 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.

2. All Temiskaming Shores Public Library employees will be made aware of the importance of maintaining the confidentiality of personal information

3. Only the positions of Library CEO, Library Clerk and Substitute Library Clerk have continual access to collected confidential information. Library Page and contract positions do not have continual access.

4. Any library patron who feels their privacy has not been protected may challenge library practices with the CEO. A library patron 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 in order to address a perceived issue.

5. 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:
 - a. Contain the breach and repatriate the information
 - b. Assess the severity of the breach
 - c. Notify affected parties and the Information and Privacy Commissioner as required
 - d. Investigate the cause of the breach
 - e. Implement corrective actions

Collection of information

1. Personal information is defined in the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 (MFIPPA), in part, as “recorded information about an identifiable individual.” This could include, in the library context, information on a patron’s borrowing habits, as well as information related to computer use.
2. The Temiskaming Shores Public Library collects the following identifiable pieces of information:
 - name, address, telephone number and e-mail address of each registered library patron
 - information about what an individual patron has borrowed or items placed on hold
 - information about fines
 - information about a meeting room space booked by a specific individual
 - information about programs an individual has registered to attend
 - information about when an individual booked a public computer as well as the Internet search history for a brief period of time until the workstations are re-started.
 - information about patrons’ requests for material through interlibrary loan. As part of a provincial interlibrary loan network, some of this information resides on servers in other places and the library cannot definitely guarantee the use of this information.
2. The library collects book suggestion forms, requests for material reconsideration and correspondence from individual users. All 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.
3. The library 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.

4. The personal information may be given in any of three formats – in person, in writing, electronically – and this privacy policy covers all three circumstances.

Storage of information

1. The Library may keep collected confidential patron information on a permanent basis. This information may include, but is not limited to:
 - All paper and electronic records identifying the names, addresses, contact information, and identification numbers of library patrons
 - All records identifying the materials borrowed by any library patron
 - All outstanding financial account balances
 - All inter-library loan transactions
 - All reserves placed, caught or held
 - Internet sign in sheets
2. The following confidential patron information may be kept for up to twelve months:
 - Security camera video recordings are automatically deleted after two months
 - Reference questions asked by a library patron
 - Items photocopied for library patrons
 - Items faxed to or from library patrons
 - Suggestions for purchase of library materials submitted by library patrons
 - Sign in sheets for programs and other reasons
 - Databases and other files or materials consulted by, or on behalf of, library patrons
 - Comments submitted by library patrons
 - Volunteer application forms

Use of Information

1. The collection of personal information is limited to that which is necessary for the administration of the library and the provision of library services and programs.
2. The purposes for which personal information is collected from an individual is identified by the library at, or before, the time the information is collected and that consent is given by the individual at that time.
3. 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.

The confidential information of library patrons will not be released to any person, other than the library patron, or their legal guardian, in the case of a child patron (age 12 and

under, Policy Circ-2), or to any institution or agency for any reason save as may be required by Federal or Provincial legislation.

Requests for information from patron records by police and/or government officials shall only be provided on the presentation of a warrant. The CEO or his/her designate shall consult the Library Board's solicitor to ensure that the warrant is properly executed and to seek further advice. When appropriate, information shall be given only to the extent stated in the warrant.

Rights of Library Patrons

1. Library patrons are able to obtain information from their patron record:
 - a. In person by presenting their library card or by showing identification with their name and address
 - b. By telephone to a library staff member by having their library card number and verification of contact information.
2. Library patrons are entitled to know (this information is stored on their online account):
 - a. What information is recorded in their patron records
 - b. What materials are charged out to them
 - c. The outstanding balance of their financial accounts, if any
 - d. The status of reserves placed on their behalf
3. Library patrons are entitled to ask that information in their records be corrected if possible.
4. Parents and guardians of children who have a children's library membership for children aged 12 and under may see the list of material their child has overdue. The parent must verify contact information, and be able to verify the child's library card number to confirm that they are the child's parent/guardian. Requests by parents to see the list of material overdue for children who have an adult card must be referred to the Chief Executive Officer (CEO).
5. Library patrons are to be given a copy of this policy if there is a concern about privacy of information or if a patron has been refused access to confidential information as a result of this policy.

Rights of the Library

1. Nothing in this policy prevents the appropriate library staff from using patrons' 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 banning of patrons.
2. Library patrons' addresses may not be given or sold to other organizations and may only be used for mailings by the Temiskaming Shores Public Library on library business.

3. The Library will retain the name of the last borrower of Library material and this information will only be used by the appropriate Library staff members in order to conduct legitimate business of the Library such as billing for materials that have been damaged by the most recent borrower.

Disposal of Records

1. All paper records subject to disposal containing confidential information will be disposed of by shredding.
2. Electronic information subject to disposal will be properly disposed of.

Related Documents

- *Public Libraries Act, R.S.O. 1990, Chapter P. 44*
- *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M.56.*
- TSPL Circulation Policy Circ-2 Membership and Card Use Policy

(June 23, 2021)