



Privacy Policy and Access to Information

Board motion number: 26-052

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Policy Type: Board

Chair's signature: _____

Policy Statement:

Orangeville Public Library is committed to protecting the privacy and confidentiality of personal information in its custody or control. The Library shall collect, use, disclose, retain, safeguard, and dispose of personal information in accordance with the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA"), the Public Libraries Act, and other applicable legislation.

Purpose:

To establish the principles and responsibilities by which Orangeville Public Library manages personal information in its custody or control, including the collection, safeguarding, access, correction, and disposal of that information, in accordance with the Municipal Freedom of Information and Protection of Privacy Act and other applicable legislation

Scope:

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

Definitions:

Personal information: identifiable information about an individual such as name, phone, address, email, date of birth, financial transaction, etc. Exceptions and further definitions are defined in the Act.

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

Policy Details:

1. The Library and Privacy

- 1.1 The Orangeville Public Library shall protect personal information in the custody or control of Orangeville Public Library in accordance with the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA"), the Public Libraries Act, and other applicable legislation.
- 1.2 Personal information shall be collected, used, disclosed, retained, safeguarded, and disposed of only as authorized or required by law and in accordance with this policy and approved Library operations.
- 1.3 Accountability and Privacy Administration: The Orangeville Public Library Board is responsible for the governance of the Library's privacy framework. The Chief Executive Officer is responsible for administering this policy and may designate a Library Privacy Lead to coordinate the Library's day-to-day privacy program.
 - The Privacy Lead shall coordinate the Library's day-to-day privacy program, including staff guidance, privacy training, privacy breach response, access and correction matters, privacy reviews, and, where applicable, liaison with the Town of Orangeville's privacy, information technology, records-management, and legal service providers.
 - The Library may obtain support from the Town of Orangeville through shared-service arrangements. Such support does not transfer the Library Board's statutory accountability for records in the Library's custody or control.
- 1.4 Collection of Personal Information: The Library shall collect personal information only where authorized by law and where necessary to the proper administration of a lawfully authorized Library activity, service, program, or statutory responsibility.
- 1.5 Notice of Collection: At or before the time personal information is collected, the Library shall provide a notice of collection in accordance with MFIPPA. The notice shall identify:
 - the legal authority for collection;
 - the principal purpose or purposes for which the information is collected; and
 - the title, business address and phone number of a Library employee who can answer questions about the collection.
- 1.6 Use of Personal Information: Personal information shall be used only for the purpose for which it was collected or compiled, or for a consistent purpose, unless another use is authorized or required by law or the individual has provided valid consent.

- 1.7 Disclosure of Personal Information: The Library shall not disclose personal information except with the individual's valid consent or as authorized or required by MFIPPA or another applicable law.
- Requests from police, government agencies, legal representatives, insurers, or other third parties for personal information shall be referred to the Privacy Lead. The Library shall not disclose personal information in response to such a request unless it has confirmed the applicable legal authority or obtained appropriate advice.
- 1.8 Retention and Disposal of Personal Information: The Library collects personal information about the identity of library customers voluntarily and stores it electronically in a database. The Library also records current transactions that identify a specific individual's use of the Library. This transaction information is temporary and is deleted once a given transaction or use is deemed complete.
- An exception applies to authorized uses, such as tracking use data for customers served by the Library's home delivery service.
 - The Library's online catalogue provides optional borrowing-history features. Members must choose to enable this feature through their account settings. Information deliberately saved to shelves, lists or other catalogue features may be retained separately and is subject to the member's privacy settings and the applicable service provider's terms.
- 1.9 Safeguards and Confidentiality: The Library shall protect personal information using administrative, physical, and technical safeguards appropriate to the sensitivity of the information.
- Board members, employees, volunteers, contractors, and service providers acting on behalf of the Library shall access personal information only as necessary to perform authorized duties. Personal information shall not be accessed, used, disclosed, copied, transmitted, or retained for personal interest, curiosity, convenience, or any other unauthorized purpose.
- 1.10 Accuracy, Access, and Correction: The Library shall take reasonable steps to ensure that personal information used by the Library is accurate, complete, and up to date where necessary for the purpose for which it is used.
- The Library may contact an individual to verify, update, or correct personal information where the Library reasonably believes that the information may be inaccurate, incomplete, or out of date.
 - Individuals may request access to, or correction of, their personal information under MFIPPA and Library procedures. The Library may require sufficient information to verify identity and may request supporting documentation for a correction request.
- 1.11 Privacy Breaches: A privacy breach includes the unauthorized collection, use, disclosure, loss, alteration, disposal, or access to personal information.

- The Library shall assess each privacy breach in accordance with applicable statutory criteria, including whether it creates a real risk of significant harm. Where required, the Library shall notify affected individuals and report the breach to the Information and Privacy Commissioner of Ontario as soon as feasible. The Library shall maintain and report breach records as required by law.
- 1.12 Third Party Service Providers and Shared Services: Where a third party, including a Town of Orangeville service provider, collects, stores, processes, hosts, transmits, or otherwise handles personal information on behalf of the Library, the Library shall request that appropriate privacy, confidentiality, security, access, retention, breach-reporting, and disposal requirements are addressed through contractual terms, service agreements, or other documented arrangements.

2. The Library and Access to Information

- 2.1 Orangeville Public Library is committed to transparent and accountable governance. The Library will make information about its operations routinely available where appropriate, while protecting personal information and other information exempt from disclosure under MFIPPA or other applicable law.
- 2.2 Routine Disclosure: The Library will make available, where appropriate, information such as Library Board agendas and approved minutes, policies, annual reports, strategic plans, financial and service information, and other records that support public accountability.
- 2.3 Informal requests: The Library will respond to routine requests for information informally where the information can appropriately be provided without a formal request and without compromising privacy, confidentiality, legal privilege, security, or other protected interests.
- Individuals seeking access to their own personal information shall provide sufficient proof of identity before information is released.
- 2.4 Formal MFIPPA Requests: Requests for access to records under MFIPPA shall be administered in accordance with MFIPPA and applicable Library procedures. The Library may obtain operational assistance from the Town of Orangeville's designated FOI and privacy staff under applicable shared-service arrangements.
- The Library Board or its lawfully designated head under MFIPPA retains decision-making authority for formal access requests concerning Library records.

3. The Library and Commercial Electronic Messages

- 3.1 Orangeville Public Library shall send electronic messages in accordance with applicable law, including Canada's Anti-Spam Legislation, where applicable.
- 3.2 Service Messages: The Library may send electronic messages necessary to administer an account or deliver a requested Library service, including account notices, holds notices, due-date reminders, overdue notices, program-registration confirmations, and service interruption notices.
- 3.3 Promotional Messages: The Library shall obtain consent where required before sending promotional or marketing electronic messages. Promotional messages shall identify Orangeville Public Library, include required contact information, and provide a readily available unsubscribe mechanism.
- 3.4 The Library shall assess privacy implications before implementing or materially changing a system, program, technology, service, data-sharing arrangement, or third-party service that involves personal information.

4. Public Computers and Internet Privacy

- 4.1 The Library shall limit the collection and retention of information that identifies an individual's use of public computers, wireless networks, or online services to what is necessary to administer the service, maintain system security, or comply with legal requirements.
- 4.2 The Library and Town IT use technical safeguards to regularly clear locally stored browsing history and other session data from public computers. Users should nevertheless sign out of personal accounts and avoid saving sensitive information, as the Library cannot guarantee the privacy or security of information transmitted over the internet or collected by third-party websites and services.
- 4.3 Records generated through computer-booking, printing, network-management, or security systems shall be retained and disposed of in accordance with applicable legislation and the Library's records-retention requirements.

Roles and Responsibilities:

The Orangeville Public Library Board governs the Library and approves this policy. The Chief Executive Officer administers this policy and ensures appropriate privacy practices, procedures, training, and controls are in place.

The Chief Executive Officer may designate a Library Privacy Lead to coordinate privacy matters on behalf of the Library. The Library may obtain advice, operational support, information technology support, records management support, and Freedom of

Information and privacy services from the Town of Orangeville under applicable shared-service arrangements. Such arrangements do not transfer the Library Board's statutory accountability for records in the custody or control of the Library.

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

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.

Related Documents and Policies:

Orangeville Public Library - Records Management Policy

Orangeville Public Library - Video Surveillance Policy

Orangeville Public Library – Technology Services Policy

References:

Government of Ontario - Municipal Freedom of Information and Protection of Privacy Act, R.S.O 1990 (MFIPPA)

Government of Ontario - Public Libraries Act, RSO 1990, c. P. 44

Government of Canada - Canada Anti- Spam Legislation (CASL)

Information and Privacy Commissioner of Ontario - Privacy by Design