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Policy Type: Operational	Number: LIB-OP-60	Approved: November 13, 2019	
Privacy, Access to Information and Electronic messages under CASL Policy		Next review: 2023	

Purpose

Huron County Library recognizes that all visitors have the right to privacy and confidentiality regarding their use of the library’s services, collections, online spaces, and the collection of personal information.

This policy ensures that Huron County Library complies with the spirit, principles and intent of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 c. M.56 (MFIPPA).

Definitions

Personal Information: Information recorded about an identifiable individual such as address, home phone number, personal email, identification numbers, ethnic origin, religion, age, gender, sexual orientation, marital status or education.

Policy

Huron County Library will protect the privacy of all individuals’ personal information in its custody or control in keeping with the access and privacy information of MFIPPA and other applicable legislation.

1. Collection and Use of Information:

1.1 The Library will not collect any personal information about users without obtaining their consent to do so, subject to the exceptions as contained in Section 29(1) of MFIPPA and Sections 4(1) and (2) of the general regulations made under MFIPPA. Personal information that is collected will be limited to what is necessary for the proper administration of the Library and the provision of library services and programs.

1.2 Personal information will only be used for the stated purpose for which it was collected or for a consistent purpose.

1.3 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.

1.4 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.

1.5 The Library will not retain any personal information related to the items requested by a user, or pertaining to a user's on-line activity, longer than is necessary for the provision of library services and programs. However, a user's history of items borrowed will be kept, unless opted out, or until the user record or item has been deleted from the catalogue. The Library may retain personal information related to library functions or services as described below. The retention of personal information includes the following situations:

1.5.1 Personal information regarding library transactions is retained in the user database as long as the circulation record indicates that an item remains on loan or fees remain unpaid.

1.5.2 There are some other informational messages, such as a hold that has been cancelled or expired.

1.5.3 The personal records of all users, whose memberships have been expired for five (5) years and do not have outstanding fines, are purged on an annual basis (see *Circulation Policy LIB-OP-82*).

1.5.4 Retention periods for Library electronic services vary by vendors and change with the introduction of new technologies and services.

1.6 All information will be managed in accordance with the County of Huron Corporate Records Policy.

2. Disclosure of Information:

2.1 The Library will not disclose personal information related to a visitor or library user to any third party without obtaining consent to do so, subject to certain exemptions as provided in section 32 of MFIPPA. Disclosure is permitted in some situations, including the following:

2.1.1 The Library will disclose personal information to a parent or guardian of a person up to sixteen (16) years of age who

exercises the right of access to the child's personal information in the circulation database.

2.2 The Library may also disclose information in accordance with the exemptions provided in section 32 of MFIPPA, including:

2.2.1 Subsection (g), disclosure to an institution or a law enforcement agency in Canada if the disclosure is to aid an investigation undertaken with a view to a law enforcement proceeding or there is a reasonable basis to believe that an offence may have been committed and the disclosure is to enable the institution or the agency to determine whether to conduct such an investigation;

2.2.2 Subsection (i), disclosure under compassionate circumstances, to facilitate contact with a spouse, a close relative or friend of an individual who is injured, ill or deceased;

2.3 The Library may allow certain of its service providers access to relevant personal information solely for the purpose of maintaining the Library's services. (For example, relevant information may be shared with integrated library system provider to resolve issues with patron accounts).

3. Access to Information

3.1 Huron County Library is committed to making access to information about the operations of the library available to the public. Board agendas and minutes, policies and a variety of other information are made a matter of public record through the Library and County websites.

3.2 Responding to public requests for other library information is a statutory obligation and will be completed promptly following the County of Huron Privacy Policy.

3.3 Upon request, an individual will be informed of the existence, use, and disclosure of his or her personal information, and be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

3.4 All requests for information, not publically available, must be made in writing. The County Clerk will give written notice to the person making a request, as to whether or not access to the information or part of it will be given as prescribed in MFIPPA. Fees will be applied according to the Municipal Freedom of Information and Protection of Privacy Act R.R.O. 1990 Regulation 823.

4. Electronic Messages under Canada's Anti-Spam Legislation

- 4.1 All electronic messaging sent by the library is consistent with Canada's Anti-Spam Legislation (CASL).
- 4.2 The library will ensure that all electronic messages clearly identify the:
- 4.2.1 subject of the communication
 - 4.2.2 sender (Huron County Library)
 - 4.2.3 the library's mailing address and contact information
 - 4.2.4 way that an individual may "unsubscribe" from receiving further messages
- 4.3 At the time of registration for a library card, specific pieces of information are reviewed (see Section 1 above). Obtaining a library card implies the individual's consent to authorize the library to send electronic notifications regarding personal borrowing and transaction activities if an e-mail address was provided at the time of registration. Individuals may request not to receive electronic notifications although such an action may affect their ability to use the affected library services.
- 4.4 The Library may, at times, use electronic means to promote services, share information, or announce special events. The Library will provide an opportunity for individuals to sign up to receive such specific notifications, and will seek the individual's consent before sending promotional electronic messages and notifications. The library will provide options to individuals to easily unsubscribe from these services or to change their preferences at any time.

Citations

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M56

Municipal Freedom of Information and Protection of Privacy Act R.R.O. 1990 Regulation 823

Related Documents

County of Huron. Privacy Policy.

County of Huron. Corporate Records Policy.

Huron County Library. Circulation Policy.

SOLS sample policy: *Privacy, Access to Information and Electronic messages under CASL* March 2017.