	POLICY: **Privacy, Access to Information and Electronic Messaging**		POLICY: **OP - 02**
KING TOWNSHIP PUBLIC LIBRARY	CATEGORY: **Operational**	LAST REVIEW/ REVISION DATE: October 2026	SCHEDULED REVIEW DATE: October 2030

1. Purpose

King Township Public Library (KTPL) recognizes the user's expectation of privacy in the materials they borrow and the websites they visit. KTPL will therefore make every reasonable effort to ensure that personal information about its users and their use of Library materials, services and programs remains confidential.

This policy will be governed by and interpreted in accordance with all applicable legislation, including but not limited to Ontario's *Municipal Freedom of Information and Protection of Privacy Act, R.S.O.* 1990 c. M56 (MFIPPA) and the *Public Libraries Act, R.S.O.* 1990, c. P.44.

2. Definitions

For the purpose of this policy:

1. *Breach* - is defined as any unauthorized or illegal collection, use, or disclosure of personal information.
2. *Personal information* - is defined by MFIPPA, in part, as "recorded information about an identifiable individual." This could include, in the Library context, information on a user's borrowing habits, as well as information related to computer use.

3. Scope

This policy applies to all Board members and employees, including contractors and volunteers, of KTPL.

4. Application

Section 1: Privacy

KTPL 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.

Collection of Information

1. The collection and retention of personal information is limited to that which is necessary for the administration of the library and the provision of library services and programs such as card registration, loaning materials, and registering for programs. KTPL may retain personal

information when users voluntarily opt in to do so; for example, to enhance or personalize Library functions or services.

2. Users are responsible for the privacy of their information and search history while using a public computer. This information is erased upon properly closing the session, or when the computers shut down at the end of day. Fully closing the session to ensure that information is immediately removed is the responsibility of the user.

3. KTPL collects information associated with individuals' requests for material through interlibrary loan. As part of a provincial interlibrary loan network, this information resides on servers outside of KTPL's control: KTPL cannot guarantee the security of this information.

4. KTPL collects comment forms, requests for material reconsideration and correspondence from individual users. All correspondence received is considered public documentation except for correspondence related to personnel or property issues, which would be treated as confidential and handled in an in-camera Board session.

5. KTPL 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.

6. Personal information may be given in any of the following three formats – in person, in writing, electronically. This privacy policy covers all three circumstances.

Use of Information

1. The purposes for which personal information is collected from a user 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.

2. The Library cannot use personal information for a purpose other than originally intended unless it acquires the written consent of the user.

Disclosure of Information

1. KTPL will not disclose personal information related to a 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:

    - to a parent or guardian of a person up to sixteen (16) years of age exercises the right of access to the child's personal information in the user or circulation databases
    - to an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result
    - under compassionate circumstances, to facilitate contact with the spouse, a close relative or a friend of an individual who is injured, ill or deceased

Responsibilities

1. KTPL is responsible for personal information under its control. It will ensure that:
   - KTPL complies with the spirit, principles and intent of MFIPPA
   - members of the public have access to information about the operations of KTPL and to their own personal information held by KTPL in accordance with the access provisions of MFIPPA
   - the privacy of an individual's personal information is protected in compliance with the MFIPPA
   - the KTPL Chief Executive Officer (CEO) is designated as the individual accountable for the organization's compliance with the legislation to ensure that the policy with respect to collection, use and disclosure of personal information is followed

2. Maintaining the confidentiality of personal information is a condition of employment. All employees are required to maintain the confidentiality of personal information and shall receive training and ongoing guidance regarding their privacy obligations under this policy.

3. Any library user who feels their privacy has not been protected may address their concerns with the CEO. If the user is not satisfied with the response, they may appeal to the Board.

4. In the event of an information breach, the CEO or their designate(s) will:

   - contain the breach and repatriate the information
   - assess the severity of the breach
   - notify affected parties and the Information and Privacy Commissioner as required
   - investigate the cause of the breach
   - implement corrective actions

Section 2: Access to Information

KTPL is committed to making information about the operations of the Library available to the public.

1. Board agendas and minutes, annual reports, policies and a variety of other information are made a matter of public record through the Library website and through Library publications. In accordance with the Public Libraries Act, the public can inspect any records that the KTPL's Board secretary has on file except where exemptions are allowed under Section 6-16 of MFIPPA.

2. All requests for information or for records not publicly available must be made in writing using the Freedom of Information Request form available on the Library's website and with the payment of the Request application fee as set by the Information and Privacy Commissioner of Ontario (IPCO). The CEO will provide a written response to the person making a request, as to whether or not access to the record or part of it will be given, as prescribed in MFIPPA Regulation 823. Additional fees may be levied, as regulated by the IPCO.

Section 3: Electronic Messages Under Canada's Anti-Spam Legislation

All electronic messaging sent by KTPL complies with Canada's Anti-Spam Legislation (CASL). KTPL will ensure that:

- if an email address is provided by a user, permission to send messages about Library activity is sought, received and recorded

- all email messages clearly identify:
  - the subject of the communication
  - the sender
  - KTPL's email address and contact information
  - an option for the recipient to "unsubscribe' from receiving further messages

Related Documents:

PLA, R.S.O. 1990, c. P.44
Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 c. M56
CASL - An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act (S.C. 2010, c. 23)
OP - 01 - Circulation Policy
OP - 04 - Internet Services

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