



### OP-04 Protection of Patron Privacy

#### POLICY PURPOSE

All library users have the right to privacy as provided for through the Ontario [Municipal Freedom of Information and Protection of Privacy Act \(MFIPPA\)](#) in terms of collection, use, and disclosure of their personal information when accessing library services.

This policy ensures that the North Perth Public Library (NPPL) protects personal information and the privacy of patrons, and that the Library Board complies with related legislation.

#### KEY POINTS SUMMARY

- The library will state the purpose of collecting personal information and will ask for consent for its use, except for implied consent by obtaining and using a library card.
- The library will strive to maintain updated and current personal information, collect only what is necessary, and establish safeguards to protect against unauthorized access.
- The library will not share, use, or disclose personal information except with the consent of the individual, through exceptions in this policy or as required by law.
- Library patrons have the right to access their personal information, provide or decline consent, maintain accuracy, request clarification, and challenge practices.
- The library will ensure that its privacy policy is enforced by all library staff and any organization that may have legitimate access to this information to provide service.

## DEFINITIONS

**Personal Information:** as defined by MFIPPA, in part, as "recorded information about an identifiable individual."

**Service Provider:** A contracted entity providing services to the public library.

**Breach:** any unauthorized or illegal collection, use, or disclosure of personal information

## POLICY DETAILS

In the course of collecting personal information to conduct its business, the North Perth Public Library Board will comply with [the Municipal Freedom of Information and Protection of Privacy Act, and Canada Anti-Spam legislation](#), and the library adheres to the principles of the [Canadian Standards Association Model Code for the Protection of Personal Information](#).

The library collects personal information under the authority of the MFIPPA Act for the purpose of conducting the library's business, which may include fines, holds, overdue notices, fundraising, and programs.

**Accountability:** The NPPL will ensure that its privacy policy is enforced by all as defined in the scope of this document, as well as third-party organizations or agencies that have legitimate access to such information in support of conducting library business.

The library's Chief Executive Officer (CEO) is ultimately responsible for compliance with legislation and to whom all inquiries are directed.

**Identifying Purpose:** The NPPL will clearly state the purpose for collecting any personal information before such information is collected and will obtain consent for that use.

**Consent:** Obtaining a library card implies the individual's consent to authorize the library to collect personal information to conduct the library's business, which may include fines, holds, overdue notices, fundraising, and programs.

The possession of a library card, overdue notice, or collection letter by another person implies written consent from the card owner to pay fines or pick up materials on behalf of the card owner, but does not allow access to any personal records. Individuals can provide consent for another person to access their records by indicating consent in a letter.

Any individual may choose not to allow the collection of their personal information, although such an action may affect their ability to use the affected library services.

**Limiting Collection:** Personal information shall be collected using only legal and lawful means, and its collection, use, and storage will be limited to what is only necessary to conduct business for the purposes identified by the library.

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

Personal information may be shared with service providers working within the scope of their duties on behalf of the library and in compliance with this policy, including but not limited to the Perth County Information Network (PCIN).

Personal information shall not be disclosed to another person unless to a parent or legal guardian, who is listed as the guardian responsible, for a person who is less than 16 years of age, or where a written, signed letter is provided.

The NPPL must honour court orders issued by a judge that require the release of personal information. With approval of the CEO, 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 disclosures to law enforcement officials or in compassionate circumstances must be reported to the Library Board, without identifying the individual concerned.

**Retention:** Personal information shall be retained only for the time period required to fulfill the purposes for which it was collected.

**Accuracy:** Personal information 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 patron information and ensure that the collection, storage, and disposal of information are carried out in a manner that conforms to legislation.

Patrons are responsible for identifying changes in personal information, such as name, address, or contact information, to maintain the accuracy of their information.

Patrons may challenge the accuracy of personal information collected and may request staff to correct it, however, some information may require supporting evidence.

**Safeguards:** Personal information shall be protected from unauthorized access by safeguards that are appropriate for the sensitivity of the information collected.

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

**Openness:** The policy will be accessible to the public on the library's website. The library shall answer any individual's questions about the uses of specific information and about specific practices, ensuring that practices abide by this policy.

**Individual Access:** The library shall allow patrons to see personal information about themselves, as well as challenge the accuracy and completeness, and have it amended.

Parents or legal guardians, who are listed as the responsible person for the child, may obtain information about their child's account until they turn 16 years.

**Challenging Compliance:** Any NPPL library patron who feels their privacy has not been protected may challenge library practices through the CEO. A library patron who, after such a challenge, is not satisfied with the result may appeal to the Library Board, maintaining either that the current policy has been violated or that the current policy needs to be changed to address a perceived issue.

**Electronic Communication:** The library will ensure that all electronic messages clearly identify the subject of communication and that the NPPL is identified as the sender.

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

The library may use electronic means to promote services, share information, or announce special events. The library will provide options to individuals to easily unsubscribe from the services or change their preferences at any time.

**Cyber Security:** The library's data and electronic systems are held and maintained by the Municipality of North Perth's IT department, in partnership with Perth County Information Network (PCIN). NPPL follows best practices for securing networks. In the event of a breach of in-place security measures, working with Municipal IT, or PCIN the CEO or their designate 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; and
- Implement corrective actions

## RELATED DOCUMENTS

- NPPL OP-02 Circulation Policy
- Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990

## SCOPE:

This policy applies to the NPPL Board, staff, patrons, and volunteers.

*Approved by the Library Board: May 2008*

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