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Freedom of Information and Protection of Privacy

1. PURPOSE

Brampton Library (“the Library”) is governed by the '[Municipal Freedom of Information and Protection of Privacy Act](#)', R.S.O. 1990 Chapter.56 (“the Act”). The purpose of this policy is to outline how the Library complies with this law and specifically how it protects the privacy of the personal information it collects and maintains and how it responds to requests for personal information or other records by third parties.

2. SCOPE

This Policy applies to all information collected, produced, maintained, and stored by the Library in administering its services.

This Policy does not apply to information resources produced by external agencies, such as publishers, that the Library collects in order to provide print and media resources to its users.

3. DEFINITIONS

- 3.1. Personal Information: any recorded information relating to an identified or identifiable individual who is the subject of the information. The primary example is the Library’s user and borrowing database.
- 3.2. Device: any means by which a person is connected to the internet or electronic resources. This includes, but is not limited to computers, laptops, cell phones and tablets.
- 3.3. E-Content or Digital Content: Information or media resources provided via electronic means for Library users by third party providers and that requires authentication by referral to the Library’s user database
- 3.4. Person in charge (PIC): A designated staff member authorized to supervise Library or branch operations, including Directors, Managers, and other staff so designated.

4. PROTECTION OF PRIVACY

- 4.1. Personal information is collected by the Library solely with the consent of the individual, or of the legal guardian of a child younger than sixteen (16) years of age, and is only used for the purposes for which it was obtained or compiled. These include:
 - 4.1.1. To administer the Library’s borrowing, materials reservation, program registration, e-content, computer access and printing services;
 - 4.1.2. To communicate to users information about Library services, subject to the

limitations of [Canada's Anti-Spam Legislation](#);

- 4.1.3.** To collect and analyze anonymized data on Library usage for the purposes of analysis, reporting, and improvement of Library services;
 - 4.1.4.** To aid in identifying individuals suspected of contravening [BRD - 15 Customer Code of Conduct](#) or [BRD - 34 Internet and Device Use Policy](#) or any applicable law.
- 4.2.** Personal information may only be released by authorized Library staff:
- 4.2.1.** To the individual who is the subject of the information, upon presentation of acceptable proof of Library membership and identification;
 - 4.2.2.** To the parent or legal guardian of an individual younger than sixteen (16) years of age, subject to the same identification requirements as above;
 - 4.2.3.** To the Library's authorized collection agency and/or credit reporting agency for the collection of library property, unpaid fees, fines or other charges;
 - 4.2.4.** To a law enforcement agency in Canada to aid in an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result;
 - 4.2.5.** In compassionate circumstances in order to facilitate contact with next of kin of an individual who is injured or deceased;
 - 4.2.6.** To an authorized agency in order to report suspected child abuse or neglect.
 - 4.2.7.** For items 4.2.4 through 4.2.6, the person-in-charge of the branch or location has the authority to release personal information and must document the release on the Disclosure of Personal Information form created for this purpose.
- 4.3.** The Library does not maintain a record of materials borrowed by a user once they have been returned and any fines or fees have been paid, except in the following circumstances:
- 4.3.1.** A list of materials borrowed may be maintained with a user's express consent for reading history purposes, and may only be accessed by the user or their legal guardian;
 - 4.3.2.** The identity of the last borrower of an item remains in a background file on the item record for use only by authorized Library personnel.
- 4.4.** The Library may provide self-service access to materials requested and reserved for specific Library users in an area where they may be visible by other users. The Library will protect those users' privacy by labeling the items with abbreviated names and/or numbers.
- 4.5.** For the purpose of authenticating access to e-content provided by third parties, the

Library exchanges only the user's Library Card number and a Personal Identification Number (PIN) where applicable. Any additional information such as name or email address collected by third parties for the use of e-content services is subject to the terms, conditions and security practices of that of that content provider.

- 4.6. For use in operational statistics, the Library may collect information from users' devices when used to access services and applications either remotely or in a Library location. This information is not personally identifiable and is limited to information such as IP Address, IP Address Location, Device Browser and MAC Address. It does not include the placement of "cookies" on users' devices or the recording or tracking of users' Internet activity or history.
- 4.7. In order to maintain the safety of property, visitors and employees, the Library records video surveillance of its facility premises, including the exterior, in addition to conventional means such as alert observation by staff and patrols by security personnel, This video is used solely by authorized Library and City of Brampton staff to enforce Library policy, and may only be shared with law enforcement as in 4.2.3 above.

5. FREEDOM OF INFORMATION

- 5.1. In addition to disclosure of personal information as detailed above, the Library will disclose to any member of the public any record of information under its custody or control upon request, subject to the limitations, fees, and exemptions laid out in the Act.
- 5.2. Where the information is of a type that has been or would typically be shared for access by the general public, disclosure can be made in a routine manner, in response to an informal request, by any member of staff responsible for the information requested. This includes, but is not limited to, Library Board minutes and reports, collective labour agreements, and financial and budget reports as prepared for the Library Board.
- 5.3. In the case of non-routine requests, the Library may treat the request as a Freedom of Information request under the Act. In that case, a formal request would be made to the CEO or designate, and records provided as determined to be appropriate in accordance with the provisions of the Act.

6. EXTERNAL REFERENCES

[Municipal Freedom of Information and Protection of Privacy Act', R.S.O. 1990 Chapter.56](#)

7. RELATED POLICIES

[BRD - 15 Customer Code of Conduct Policy](#)

[BRD - 34 Internet and Device Use Policy](#)

This policy is available in alternative formats upon request.