

Date: 24 April 2024

To: Policy & Personnel Committee, Library Board

From: Heather Buzzell, Chief Librarian

Subject: Proposed amendments of Library Policy 30.05.05 – Cancellation of library & borrowing privileges

STAFF RECOMMENDATION:

THAT the Library Board approves Library Policy 10.04 – Protection of Privacy Policy.

BACKGROUND:

The expansion of our privacy policy, beyond Policy 30.03 – Confidentiality of Records, brings library policy into compliance with the BC Freedom of Information and Protection of Privacy Act under the developing required Privacy Management Program.

FINANCIAL IMPLICATIONS

There are no financial implications to this amendment.

POLICY:

Policy name	Protection of Privacy
Policy number	10.04
Approved by	Penticton Public Library Staff, Policy Committee, and Library Board
Original approval (YYYY-MM)	2024-04
Current approval (YYYY-MM)	
Version history	
Next review (YYYY)	2026
Related documents	BC Freedom of Information and Protection of Privacy Act Policy 30.03 Confidentiality of Records, Employee Code of Conduct
Superseded Policies	

Goals

Penticton Public Library (PPL) is committed to protecting personal privacy. Any personal information collected, used, or disclosed by Penticton Public Library is in accordance with the B.C. Freedom of Information and Protection of Privacy Act (FIPPA).

All library users have the right to privacy as provided for in FIPPA with respect to the collection, use, and disclosure of their personal information. PPL will only collect, use, or disclose personal information about individuals in accordance with FIPPA.

It is essential that PPL maintains the trust and confidence of users and continues to encourage their use of library services and programs. PPL will make reasonable effort to ensure that personal information about users and their use of library materials, services, and programs remains confidential.

PPL collects and uses personal information in accordance with FIPPA to: conduct library business; to provide library services and programs; to evaluate, plan, and enhance services; and for library fundraising purposes.

Objectives of this policy are:

- To ensure that PPL complies with the spirit, principles, and intent of FIPPA in protecting the privacy of individuals' personal information;
- To ensure that individuals have access to their own personal information;
- To ensure that individuals' personal information retained by PPL is protected in compliance with the privacy provisions of FIPPA; and
- To ensure procedures are in place for ensuring PPL's service providers comply with relevant FIPPA obligations.

Definitions

For the purposes of this policy the following definitions from the Freedom of Information and Protection of Privacy Act are used:

"contact information" means information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual;

"personal information" means recorded information about an identifiable individual other than contact information;

"service provider" means a person retained under a contract to provide services for a public body;

"third party," in relation to a request for access to a record or for correction of personal information, means any person, group of persons or organization other than:

- (a) the person who made the request, or
- (b) a public body.

Policy Statements:

1. Purposes for Which Personal Information May be Collected:

PPL only collects personal information as permitted by FIPPA. The primary purposes for which PPL collects personal information is for the proper administration of library services and programs and the planning and evaluating of services and programs or purposes consistent with this. Such purposes include, but are not limited to, providing access to library materials, services and programs, room rentals, communications, collection of fines, fees and debts, fundraising, protection of PPL property, security of users and staff, and non-identifying statistical purposes.

2. Collection and Use

PPL collects and uses personal information in accordance with FIPPA to conduct library business, to provide library services and programs and to evaluate, plan and enhance services and programs.

Personal information will only be collected in accordance with FIPPA. Accordingly, except in the limited circumstances provided for in FIPPA, personal information about an individual will be collected directly from that individual. Individuals are informed of the reasons for collecting personal information at the time (or before) it is collected. In addition, at the time of collection (or before), individuals are informed of PPL's legal authority for collecting the information and the name, title, and contact information for PPL's Privacy Officer, responsible for ensuring compliance with FIPPA, to whom questions about the collection can be directed.

Unless an individual consents to some other use, personal information will only be used for the stated purpose for which it is collected. Personal information may be collected for uses such as: access to library materials, services, and programs; room rentals; communications; collection of fines, fees, and debts; fundraising; protection of PPL property; security of users and staff; non-identifying statistical purposes; and in the limited circumstances provided for in FIPPA.

PPL will take reasonable steps to ensure that the personal information held by it is accurate, complete, and up-to-date. PPL will correct an individual's personal information if it learns from the individual that the information is incorrect.

3. Protection of Personal Information

PPL uses reasonable security measures to protect against risks such as unauthorized access, collection, use, disclosure, or disposal of personal information. Measures include administrative, physical, technological, and operational safeguards that are appropriate to the nature and format of personal information.

PPL will not retain any personal information longer than necessary for the provision, evaluation, and planning of library services and programs, unless a longer period is required by law.

4. Access

Members of the public have access to their own personal information. Access to recorded personal information about a member of the public is provided to that individual upon verification of identity.

Individuals with complaints or questions about personal information can contact PPL's Privacy Officer. (see contact information at end of policy)

5. Disclosure

PPL will not rent or sell personal information. PPL will not disclose personal information to third parties except in accordance with the exceptions permitted under FIPPA including as set out below or

with an individual's consent. Individuals with complaints or questions about personal information can contact PPL's Privacy Officer. (see contact information at end of policy)

5.1. Minors

Minors have the same rights as adults with respect to their personal information. A parent or guardian may act for a minor in relation to specified sections of FIPPA.

5.2. Service Providers to the Library

PPL ensures that any service providers requiring access to personal information to deliver services on behalf of PPL treat personal information in compliance with FIPPA.

PPL will use personal information only for the purpose for which it was obtained or compiled, or for a use consistent with that purpose. PPL will not disclose personal information about individuals without their consent. Providing some library digital products and services may require that PPL shares personal information with a service provider and/or that an individual shares personal information to create a separate account with the service provider. When PPL offers digital products or services that require the user to share personal information or to create an account, PPL will implement a consent process.

PPL may disclose personal information to a collection agency or credit bureau for the purpose of collecting a debt.

5.3. Police/Law Enforcement

Personal information may be disclosed to comply with a subpoena, a warrant, or an order by a court, person, or body in Canada with the jurisdiction to compel the production of information, or to respond to a specific written request from a law enforcement agency to assist in a specific investigation, or as required by law.

5.4. Emergency Situations

PPL may disclose personal information under compassionate circumstances; for example, so that next of kin or a friend of an individual who is injured, ill, or deceased can be contacted.

6. Retention

PPL will not retain any personal information longer than necessary for the provision and planning of library services and programs, unless a longer period is required by law.

PPL may, however, retain personal information related to library services and programs when users opt in to allow the library to do so; for example, to enhance or personalize library services and programs.

7. Contact for PPL's Privacy officer

Chief Librarian at privacy@pentictonlibrary.ca or 250-770-7784

Respectfully submitted,



Heather Buzzell, Chief Librarian