

Policy Type: **Foundation**

Policy Number: **F-7**

Policy Title: **Access to Information and  
Protection of Privacy Policy**

Policy Approved: November 2022  
Effective: January 2023 - December 2025

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## 1. PURPOSE

1.1 The Access to Information and Protection of Privacy Policy outlines the principals to ensure that the public and staff have access to information about the operations of the library and to their own personal information held by the library in accordance with [MFIPPA](#) and that the privacy of individuals' personal information is protected.

## 2. SCOPE

2.1 The Windsor Public Library Board within the meaning of the [Public Libraries Act, R.S.O.1990, C.P44](#) provides governance and management of public library services in Windsor. This policy applies to all services and operations of the WPLB, its customers, volunteers and staff.

2.2 The Windsor Public Library Board recognizes and endorses the [Municipal Freedom-of-Information and Protection of Privacy Act \(MFIPPA\)](#), [Copyright Act](#), [Canadian Criminal Code](#), [Canadian Charter of Rights and Freedoms](#), [Ontario Human Rights Code](#), [Accessibility for Ontarians with Disabilities Act](#), [Accessibility Standards for Customer Service](#), [Canadian Anti-Spam Legislation \(CASL\)](#) and the [Integrated Accessibility Standards](#).

2.3 The Windsor Public Library Board endorses the [CLA Statement on Intellectual Freedom](#), [OLA Children's Rights in the Public Library](#) and [OLA Teen Rights in the Library](#) statements.

2.4 The Windsor Public Library Board recognizes and endorses the Operating Agreement of December 9, 2015 and Amending Agreement of March 21, 2017 with the City of Windsor.

## 3. DEFINITIONS

For the purposes of this policy:

3.1 **Disclosure** means revealing a piece of information that was intended to remain confidential.

3.2 **General records** means general information that is organized and capable of being retrieved. The records contain no personal information.

3.3 **Individuals** means members of the public, about whom the Library retains "personal information".

3.4 **Personal information** as defined by MFIPPA, means recorded or unrecorded information about an identifiable individual, including, but not limited to:

## Foundation Policy

### F-7 Access to Information and Protection of Privacy

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- 3.4.1 Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- 3.4.2 Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- 3.4.3 Any identifying number, symbol or other particular assigned to the individual,
- 3.4.4 The address, telephone number, fingerprints or blood type of the individual,
- 3.4.5 The personal opinions or views of the individual except if they relate to another individual,
- 3.4.6 Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- 3.4.7 The views or opinions of another individual about the individual, and
- 3.4.8 The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

3.5 **Personal information bank** means a collection of personal information that is organized and capable of being retrieved using an individual's name or an identifying number or particular assigned to the individual.

3.6 **Record** means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:

- 3.6.1 Correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and
- 3.6.2 Subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.

## 4. POLICY PURPOSE

To ensure that Windsor Public Library protects the personal information and privacy of its library customers and staff.

## 5. POLICY

### 5.1 Customer: Collection and Use of Personal Information

## **Foundation Policy**

### **F-7 Access to Information and Protection of Privacy**

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- 5.1.1 The Windsor Public Library will state the purpose of collecting personal customer information and will obtain consent for its use with exception of consent implied by obtaining a library card.
- 5.1.2 The Windsor Public Library will strive to maintain updated and current personal customer information, collect only what is necessary, and establish safeguards to protect unauthorized access.
- 5.1.3 The Windsor Public Library will not share, use or disclose personal customer information except with the consent of the individual, through exceptions in this policy or as required by law.
- 5.1.4 The Windsor Public Library will ensure that all library staff and any organization that may have legitimate access to this information to provide service enforce its privacy policy.
- 5.1.5 Windsor Public Library customers have the right to access their personal information, provide or decline consent, maintain accuracy, request clarification or challenge practices.
- 5.1.6 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.
- 5.1.7 The Windsor Public Library will ensure that the collection, storage and disposal of information are carried out in a manner that conforms to legislation.
- 5.1.8 Questions regarding the collection and use of personal information can be directed to the CEO of the Windsor Public Library.

#### **5.2 Library Card Privacy**

- 5.2.1 Obtaining a library card implies the individual's consent to authorize the library to collect personal information for the purpose of conducting 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 for the holder 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 signing a consent form. 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.
- 5.2.2 The Windsor Public Library will ensure that the collection, storage and disposal of information is carried out in a manner that conforms to legislation.
- 5.2.3 Customers should report immediately any lost or stolen library cards to reduce the potential of unauthorized access to their records and to protect their information.

**5.3 Staff: Collection and Use of Information**

- 5.3.1 The Windsor Public Library will not collect any personal staff information without obtaining consent to do so, subject to the exceptions as outlined in Sections 29(1) and 52 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 appointment and management of staff and the administration of staff wages, salaries and benefits.
- 5.3.2 Personal staff information will only be used for the purpose for which it was collected.
- 5.3.3 Disclosure of Information: The Windsor Public Library will not disclose personal staff information to any third party without obtaining consent to do so, subject to exemptions as provided in MFIPPA Section 32. Other situations where the Library will disclose personal information include:
  - a) To third party service providers for the purpose of administering employee services or benefits.
  - b) With written permission from the staff member concerned, the Library will provide reference checks and confirmation of employment with the Library, including wage and salary rate information, to third parties.
- 5.3.4 The Windsor Public Library will ensure that the collection, storage and disposal of information is carried out in a manner that conforms to legislation.

**5.4 Electronic Messages under Canada's Anti-Spam Legislation.**

- 5.4.1 All electronic messaging sent by the Windsor Public Library will be consistent with Canada's Anti-Spam Legislation (CASL).
- 5.4.2 The Windsor Public Library will ensure that all electronic messages clearly identify the subject of the communication, the sender Windsor Public Library, the library's mail address and contact information, and the way that an individual may "unsubscribe" from receiving further messages.
- 5.4.3 The Windsor Public Library may use electronic communication channels 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 unsubscribe from these services or to change their preferences at any time