



Policy Name:	Privacy, Access to Information, and Electronic Messages
Policy Type:	Operational
Policy Number:	OP-01
Original Adoption Date:	May 2017
Current Approval:	March 2025
Review:	March 2027
Motion:	2025:24

Privacy, Access to Information, and Electronic Messages

1. Purpose:

Orillia Public Library recognizes that all people have the right to privacy and confidentiality regarding their use of the Library's services, collections and virtual content, and regarding the collection of personal information by the Library. The Library also respects the requests of patrons when they do not want to receive electronic messages from the Library.

2. Policy:

Orillia Public Library collects personal information in accordance with the ***Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56***, known commonly as ***MFIPPA***, and under the authority of the ***Public Libraries Act, R.S.O. 1990, c. P. 44***, for the purposes of conducting library business. The Library also adheres to Canada's Anti-Spam Legislation when engaging with users via electronic modes.

3. Procedure

Section 1 – The Library and Privacy

The Orillia Public Library 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.

a. Collection and Use of Information



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- i. Personal information is defined in **MFIPPA**, in part, as “recorded information about an identifiable individual”. This could include, in a library context, information on a user’s borrowing habits, as well as information related to computer use or program registration. Personal information may be given in person, in writing, and electronically. All three formats are covered by this policy.
- ii. Orillia Public Library collects the following identifiable pieces of information for the administration of services and to facilitate the circulation of library materials:
 - Name
 - Address
 - Telephone number
 - Email address (optional)
 - Date of birth (optional for customers over the age of 18)
 - Name of parent/caregiver (for customers 13 years of age and younger)
- iii. Orillia Public Library collects personal information for the following purposes as permitted under legislation:
 - Access to library materials, technology, programs, meeting rooms, and other services
 - Automated telephone, email or text messaging systems for communication relating to the user’s account
 - Electronic newsletters and marketing of Library programs, services and resources, as permitted under **Canada’s Anti-Spam Legislation (CASL)**



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- Volunteer application forms
 - Library fund development
 - Non-identifying statistical purposes
 - Protection of Library property and the safety of the public.
- iv. The Library collects comment forms, requests for material reconsideration, and correspondence from individual users. All received correspondence to the Board is part of the Board’s public documents, except for correspondence related to personnel or property issues which would be treated as confidential and handled in a closed meeting as permitted under the ***Public Libraries Act***.
- v. The collection of personal information is limited to that which is necessary for the administration of the Library and the provision of Library services and programs.
- vi. The purposes for which personal information is collected 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.
- vii. Individuals may choose not to allow the collection of their personal information, however, such refusal may affect their ability to use certain Orillia Public Library services.
- viii. As using personal information for other purposes than originally intended is not permitted by ***MFIPPA***, if the Library wishes to use an individual’s personal information for a purpose not consistent with the one for which it was originally obtained or compiled, it must first require the individual’s written consent to use the personal information for that new purpose.
- b. Disclosure of Personal Information



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- i. The Library will not disclose personal information related to a visitor or Library 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:
 - The Library will disclose personal information to a parent or guardian of a person up to sixteen (16) years of age who exercises lawful custody of that individual (*MFIPPA s. 54(c)*).
 - *S. 32 subsection (g) of MFIPPA* permits disclosure to an institution or a law enforcement agency in Canada to aid in an investigation undertaken with a view to a law enforcement proceeding or where that institution or agency have reasonable basis to believe that an offence may have been committed and the disclosure is to enable the conduction of an investigation.
 - *S. 32 subsection (i) of MFIPPA* permits disclosure under compassionate circumstances, to facilitate contact with the spouse, a close relative or a friend of an individual who is injured, ill, or deceased.
- ii. Personal information may be shared with agencies and/or companies working within the scope of their duties on behalf of the Library and in compliance with this policy.
- iii. Orillia Public Library may use third parties to digitally deliver its services and communications. When registering, providing information or otherwise using a digital service other than orilliapubliclibrary.ca, customers are encouraged to refer to that service’s privacy statement.



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Third party services may be based outside of Ontario and be subject to different laws and regulations.

c. Retention of Information

- i. The Library will not retain any personal information relating to the items borrowed or requested by an individual, or pertaining to an individual's online activity, longer than is necessary for the provision of library services and programs and in accordance with records retention schedules.
- ii. Membership information in the Integrated Library System is deleted no later than 4 years after the membership has expired, unless there are charges or items checked out on the account.
- iii. Library customers' personal information is collected voluntarily and is stored electronically in a database. The Library has a record of items currently on loan to individual users. This transaction data is purged once materials are returned, except in the following circumstances:
 - The item has been returned to the Library incomplete or damaged
 - Financial charges have been assessed against the item
 - The customer has opted to activate the Record Loan History option on their account
 - The customer is a Home Delivery patron who has opted to receive ongoing OPL staff assistance in selecting materials.

d. Responsibility for Privacy

- i. The Orillia Public Library Board is responsible for personal information under its control and designates the Chief Executive Officer (CEO) as the individual accountable for the Library's compliance with legislation. The



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CEO ensures that the requirements around the collection, use, and disclosure of information are followed.

- ii. All Orillia Public Library staff members and volunteers will be made aware of the importance of maintaining the confidentiality of personal information.
- iii. Any patron who feels that their privacy has not been protected should be directed to notify the CEO in writing. A Library user not satisfied with the result of a challenge submitted may appeal, in writing, to the Library Board via the Board Secretary, maintaining either that the current policy has been violated or that the current policy needs to be changed to address a perceived issue.

Section 2 – The Library and Access to Information

- a. Orillia Public Library is committed to making access to personal information and information about the operations of the Library available to the public. Requests for information may be submitted on an informal or formal basis, depending on the nature of the request. 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 and postings. In accordance with the ***Public Libraries Act***, the public can inspect any records that the Board’s Secretary has on file except where exemptions are allowed under ***MFIPPA***.
- b. Responding to requests for library information is a statutory obligation and will be completed in a timely manner.
- c. Upon request, an individual will be informed of the existence, use, and disclosure of their personal information and be given access to that information. An individual shall be able to challenge the accuracy and completeness of the



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information and have it amended as appropriate. Staff may request identification when updating personal information.

- d. All requests for information or for records, not publicly available, must be made in writing, addressed to the Orillia Public Library CEO who serves as the Freedom of Information Coordinator. The CEO will provide written notice to the person making the request as to whether or not access to the record or part of it will be given as prescribed in **MFIPPA**. Fees may be applied in accordance with legislation.

Section 3 – The Library and Electronic Messages under Canada’s Anti-Spam Legislation

- a. All electronic messaging sent by the Library is consistent with **Canada’s Anti-Spam Legislation (CASL)**.
- b. The Library will ensure that all electronic messages clearly identify the:
 - i. subject of the communication;
 - ii. sender;
 - iii. Library’s mailing address and contact information;
 - iv. way that an individual may “unsubscribe’ from receiving further messages.
- c. At the time of registration for a library card, specific pieces of information are collected (see Section 1 above). Obtaining a library card implies the individual’s consent to authorize the Library to send electronic notifications regarding personal borrowing and transaction activities if an email address was provided at the time of registration. Individuals may request not to receive electronic notifications, although such an action may affect their ability to use certain library services to their fullest extent.



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- d. The Library may, at times, use electronic means to promote services, share information, or announce special events. The Library will provide an opportunity for individuals to sign up, and provide consent, to receive such specific notifications. The Library will provide options to easily unsubscribe from these services or to change their preferences at any time.

Related Documents:

- [***Canada's Anti-Spam Legislation***](#)
- [Government of Canada: Public Libraries' Use of Patron Information](#)
- [***Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990***](#)
- Orillia Public Library: Circulation (OP-12)
- Orillia Public Library: Collection Development (OP-04)
- Orillia Public Library: Records Retention and Schedule (OP-17)
- Orillia Public Library: Request for Reconsideration of Materials Form
- Orillia Public Library: Duty to Report (7.710)
- [***Public Library Act, R.S.O, 1990***](#)