

Policy Title:	Confidentiality, Privacy and Access to Information
Policy Type:	Administration
Policy #:	ADM 05
Policy Authority:	Board
Effective Date:	June 2023
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PURPOSE

This policy provides guidance in the protection of all personal information in its custody and its appropriate access.

DEFINITIONS

“Personal information”: as defined in the Municipal Freedom of Information and Protection of Privacy Act, means recorded information about an identifiable individual, including:

- a. Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- b. 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;
- c. Any identifying number, symbol or other particular assigned to the individual;
- d. The address, telephone number, fingerprints or blood type of the individual;
- e. The personal opinions or views of the individual except if they relate to another individual;
- f. 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;
- g. The views or opinions of another individual about the individual;
- h. 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.

POLICY

The Clarington Public Library Board will make information about CLMA available to the public, and will protect the confidentiality, privacy and appropriate access of all personal information in its custody in keeping with the access and privacy provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and other applicable legislation.

Personal information will then only be used to provide services and programs selected, and for no other purpose. In addition, CLMA does not monitor or track what websites are visited when using library computers.

Logging Practices

All Web servers automatically record Internet Protocol (IP) addresses of visitors to their sites. The IP address is a unique number assigned to every computer on the Internet. As well as recording the IP addresses of users, CLMA web server's also keeps track of sites that users visited immediately prior to the CLMA's website and the search terms they used to find it. The web server keeps track of the pages visited on the CLMA website, the amount of time spent on those pages and the type of searches done on them. Searches remain confidential and anonymous. CLMA only uses this information for statistical purposes, to find out which pages users find most useful and to improve the website.

Cookies

Cookies are electronic placeholders that are placed on computers by websites to track individual movements through that website over time. Cookies used by CLMA are session based and therefore only last for the duration of the user's session. No identifiable personal information is stored by them.

External Links

The Clarington Library, Museums & Archives website may contain links to external websites that are not operated, controlled, or maintained by us. These links are provided solely for your convenience and reference. We do not endorse, guarantee, or assume responsibility for the accuracy, relevance, timeliness, or completeness of any information on these external sites.

The inclusion of links to third-party websites does not imply any association with their operators or an endorsement of the content, products, or services provided. We do not have control over the nature, content, and availability of these external sites. Therefore, we cannot be held responsible for any damages or implications caused by visiting any linked websites.

Users should be aware that external sites may have different privacy policies, terms of service, and security practices, which are beyond our control. Before engaging in any

activities on external sites, users are advised to review the terms and policies of those websites.

By using our website and accessing the linked external sites, you agree that Clarington Library, Museums & Archives is not responsible for any loss or damage that may occur because of your reliance on information obtained from these external sources.

If you have any concerns or questions about the content of linked external sites, please contact the administrators or webmasters of those sites directly.

Clarington Library, Museums & Archives reserves the right to modify, update, or discontinue links to external websites at any time without prior notice. We encourage users to report [member feedback form] any broken or inappropriate links found on our website.

Electronic Communication

If contacting staff using an e-mail address (e.g., Ask Us! Service), a discussion forum, library blog, text message or other electronic communication method, or if choosing to complete an online form provided by CLMA, users may be asked to provide name, e-mail address or other personal information.

The purpose of collecting this information is to allow staff to respond to enquiries or to evaluate individual web services. Only authorized staff will have access to the information provided and the information will only be used for the purpose it was intended.

ACCESS TO INFORMATION

General Information

General information on the operations of CLMA is available on the website and can be accessed free of charge. General information available on the CLMA website includes the following:

- a. Clarington Public Library Board meeting minutes;
- b. Various policies;
- c. Information related services;
- d. Locations and hours of operation of libraries;
- e. Information related to collections development, fees and charges;
- f. Employment opportunities.

Personal Information

Personal information relating to material out on loan, is available online for those wishing to access it. All that is needed is a CLMA card barcode and a Personal

Identification Number (PIN). A PIN is a security code that allows CLMA to verify that a request to access an account is authorized. Once information is verified, personal information relating to material out on loan can be accessed on the CLMA website.

How to Make a Formal Access Request

In addition to the information available on the CLMA website, users have the right to access information about operations and other personal information CLMA holds, all subject to the exemptions as contained in MFIPPA. Staff will be happy to assist. Personal identity will need to be confirmed before being provided with access to personal information. Generally, CLMA does not charge for providing information, but if the request requires significant staff time, CLMA reserves the right to charge a fee for such requests as outlined in MFIPPA's Regulations.

CLMA asks that all requests be in writing via mail or e-mail. An Access Request Form is available both on the websites and in all locations to fill out. When writing a letter rather than filling out a form please include the following:

- a. Full mailing address;
- b. Day telephone number;
- c. Names of specific files or types of records to which access is requested including specific dates of those records where possible. Please provide as much detail as possible.

All formal access requests will be directed to the Freedom of Information Coordinator, the Chief Executive Officer (CEO), who will then review each request to determine if CLMA will disclose the requested information. The CEO will also receive and address all privacy complaints received.

Administration, Clarington Library, Museum and Archives
163 Church Street, Clarington, ON L1C 1T7
Phone: 905-623-7322 X 2727
E-mail: ceo@cplma.ca

Notice will be given if access is granted or denied to the records requested and to which exemptions apply.

Right to Appeal an Access Decision

Requesters of information can appeal the decision about access to the Ontario Information and Privacy Commissioner (IPC). In order to make an appeal, an Appeal Form must be completed or a letter written, to the IPC's Registrar within 30 days of receiving CLMA's decision. This correspondence must include a description of the circumstances of the request, a copy of CLMA's decision, and, if available, a copy of the original access request. Include the appropriate fee as required by the IPC. Once the

appeal request has been processed, the IPC will send a written confirmation, explaining whether the appeal will be:

- a. Handled through an informal mediation
- b. Handled through a formal inquiry by an Adjudicator; or
- c. Dismissed.

How to Correct Personal Information Held by CLMA

If it is believed that there is a mistake in the personal information collected, the user has a right to ask for it to be corrected. Documentation may be requested to show where the files are incorrect. MFIPPA provides the right to request correction of personal information held by CLMA if it is believed there is an error or omission. A statement of disagreement to the information reflecting any correction requested but not made by CLMA may be attached. CLMA will notify any person or organization to which personal information was disclosed within the year prior to a correction request and advise them about the correction or statement of disagreement.

VIDEO SURVEILLANCE

General Information

CLMA balances the security benefits derived from the use of video surveillance with the privacy rights of individuals, and with adherence to relevant legislation such as the Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, the Canadian Charter of Rights and Freedoms, and the Public Libraries Act.

1. Video surveillance is limited to uses that support the safety, security of staff and members; that safeguard against vandalism, theft, damage and loss of property.
2. Video surveillance will not be used to monitor the inside of areas where the public and employees have a higher expectation of privacy such as the inside of washrooms.
3. Information obtained through monitoring and/or recording will only be released through the authority of the CEO or designate.
4. The CLMA shall post signs visible to the public at all entrances and/or prominently displayed on the perimeter of the area under video surveillance.
5. The CLMA's video surveillance system may operate at any time in a twenty-four hour period.

6. Only authorized personnel shall be permitted to operate video surveillance systems.
7. Other than checks to ensure proper equipment functioning, records will be viewed only to investigate a pre-defined occurrence. The information viewed will remain the property of the Clarington Library, Museums & Archives and will be treated as confidential and securely stored.
8. The normal retention period for records is thirty (30) days, followed by destruction by recording over, unless required for evidence. Records required for evidence will be destroyed when no longer required for evidence.

Use of Video Surveillance

a) General

1. THE CEO or designate shall be responsible for the CLMA's privacy obligations under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
2. Any breach of this policy will be investigated by the CEO or designate to take appropriate action and/or remedy the breach.
3. Any complaints regarding the video surveillance system should be directed to the CEO. Complaints will be investigated by the CEO or designate.

b) Signage

Posted signs should include the legal authority for the collection of personal information, the principle purpose for which the personal information is intended to be used, and the title, business address, and telephone number of someone who can answer questions about the collection.

c) Records

1. All formal requests for video records should be directed to the CEO or designate.
2. MFIPPA provides individuals with a right to access data held about them including those obtained through video surveillance. Severing the personal information in a recording (through technological blurring or blocking) may be necessary to allow individual access.
3. If access to a video surveillance record is required for the purpose of a law enforcement investigation, the requesting officer must complete the Access to Information Request Form and forward it to the CEO or designate. The CEO or designate will provide the recording for the specified date and time of the incident

requested by the law enforcement officer, subject to MFIPPA exemptions. The CEO or designate will record the following information in the facility's logbook:

- the date and time of the original, recorded incident including the designated name/number of the applicable camera;
 - the name of the authorized personnel at the time of the incident;
 - the time and date that the copy of the original record was sealed;
 - the time and date the sealed record was provided to the requesting office;
 - whether the record was returned or destroyed after use by the law enforcement agency.
4. Logs will be kept by CLMA Administration of all instances of access, to, and use, of recorded data, to enable a proper audit trail. Any video records deemed significant will be copied, stored and labeled with the date, time, and area that was recorded.
 5. These records will be retained for a period of one year, after which they will be destroyed unless required for evidentiary purposes by law enforcement officials. The recordings will be completely erased before they are disposed of, and a disposal report shall be completed.
 6. All tapes or other storage devices that are not in use must be stored securely in a locked receptacle located in an access-controlled area.
 7. Viewing will be conducted by at least two (2) persons, one of whom must be the CEO or a designate. If the incident is deemed to be police-reportable, appropriate action will be taken.