
Policy Type:	Legislated	Policy Number: LEG – 02
Policy Title:	Access to Information Policy	ARM
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LEG – 02 Access to Information Policy

Purpose:

To ensure that the trustees of the Hanover Public Library Board (the board), and library staff of the Hanover Public Library (the library), are in compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 (MFIPPA).

Definitions:

A *breach* is any unauthorized or illegal collection, use, or disclosure of personal information.

Personal information is defined in MFIPPA, in part, as “recorded information about an identifiable individual”. This may include information on a user’s borrowing habits, programme attendance, or information related to computer use.

Recorded information is captured or documented information that may include written, recorded or electronic records.

Policy Statement: The board and library uphold the rights of the public to access their personal information held by the library and are committed to making access to information about the governance and operations of the library available to the public. Disclosure of information is subject to MFIPPA.

Access to Personal Information:

Personal information is accessed by library staff in the performance of their duties and is used only for the purpose for which it was collected or for consistent purposes.

Information may be disclosed if the person to whom the information relates has identified that information in particular and consented to its disclosure, or if required by law.

Library staff will allow library members to see personal information collected about them upon request at the library. A library staff member will require photo ID or the library membership card to verify the member’s identity before allowing access to this information.

Individuals may challenge the accuracy of information held by the library about themselves.

Personal information about a child may be requested by a parent or legal guardian of a person up to sixteen (16) years of age (in accordance with section 54 (c) of MFIPPA). The child’s library card, their ID and/or proof of legal guardianship must be presented.

Personal information may be requested on providing proof of power of attorney for that person (in accordance with section 54 (b) of MFIPPA).

Correcting Your Personal Information:

The library makes every effort to ensure that records are correct. A library member has a right to ask for information to be corrected if a mistake has been made. A library staff member will require documents to verify the requested change(s).

Access to General Information:

Information about library governance and operations is available publicly on the library's website and in the library. Access to information not publicly available can be requested formally, in writing. Disclosure of information will be subject to MFIPPA.

In accordance with the *Public Libraries Act*, R.S.O. 1990, c. P.44, the public can inspect any records that the board's secretary has on file, except where exemptions are allowed under sections 6-16 of MFIPPA.

All formal requests for access to information not publicly available must be either:

- (a) sent in writing to: CEO/Chief Librarian, Hanover Public Library, 451 10th Avenue, Hanover, ON N4N 2P1; or
- (b) have a "Request for Information" application form completed. All of the following information must be included:
 - name and full mailing address;
 - daytime telephone number;
 - names of specific files or types of records to which access is requested, including specific dates of those records, where possible;
 - application fee, payable to the library.

Fees will be applied for this service (in accordance with section 45 of MFIPPA and R.R.O 1990, Reg. 823, the *General Regulation* under MFIPPA), payable to the library. There is a standard application fee per each request and fees for research time, preparing the records and copying charges as applicable. The standard fee is waived when an individual requests access to their own personal information held in the main library circulation system. There may be a fee for print or electronic copies provided or information not readily available through the staff interface.

Responding to formal requests for information is a statutory obligation. The CEO/Chief Librarian will give written notice to the person making a request, as to whether or not access to the record or part of it will be given as prescribed under MFIPPA.

Breach of Privacy

In the event of a breach, the CEO/Chief Librarian or designate will:

- (a) contain the breach and repatriate the information; and
- (b) assess the severity of the breach; and
- (c) notify affected parties and the Information and Privacy Commissioner of Ontario, as required; and
- (d) investigate the cause of the breach; and
- (e) implement corrective actions.

Related Documents:

Hanover Public Library Board. *BL - 04 Powers and Duties of the Board*

Hanover Public Library Board. *LEG - 03 Privacy and Anti-spam Policy*

Public Libraries Act, R.S.O. 1990, c. P.44

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56

R.R.O 1990, Reg. 823, the *General Regulation under the Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56

Information and Privacy Commissioner of Ontario. *What are the privacy responsibilities of public libraries?* December, 2002.