



## REPORT TO THE LIBRARY BOARD

MEETING DATE: NOVEMBER 26, 2009

Session:	Public Session
Subject:	Confidentiality of Personal Information Policy: Assumptions and Guiding Principles
Prepared By:	Margaret Mitchell, Susanna Hubbard Krimmer
Presented By:	Margaret Mitchell
Purpose of Report:	For Decision: Approval <input checked="" type="checkbox"/>

---

### Recommendation

It is recommended that the **London Public Library (LPL) Confidentiality of Personal Information Assumptions and Guiding Principles** be approved by the Library Board.

### Issue / Opportunity

The purpose of this report is to aid the Library Board in setting appropriate policy to govern London Public Library's management of personal information. The policy addresses personal information about individual members of the public only, not employee information.

Several factors have played a role in the identification of the need for a policy in this area:

- The Library's legal obligations under the Municipal Freedom of Information and Protection of Privacy Act;
- The increased volume of personal information held by the Library in conjunction with its programs, services and operations; and
- The identification of appropriate responses to inquiries for the release of personal information.

### Background & Review

For the purposes of this report, the guiding principles and the policy itself, "personal information" means recorded information about an identifiable individual, including, but not limited to:

- (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, and
  - (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.
- (MFIPPA RSO 1990. M56)

The Library's original policy statement on the confidentiality of personal information resided within the Lending Services Policy where it specifically addressed the management and release of information from the patron database of the collection management system. Over time, the Library has retained other data bases of personal information. The Library has developed procedures and guidelines to address the requirement of MFIPPA under the previous policy.

The development of a governance level policy related to the confidentiality of personal information is consistent with the responsibilities of the Library Board as "Head" under MFIPPA (Section 3) which have been delegated by the Library Board to the CEO under the Board-CEO Linkage Policy (G.3) Section 4.

## **Assumptions and Guiding Principles**

### **Assumptions**

The policy must comply with the *Municipal Freedom of Information and Privacy Act*, RSO 1990, Chapter M.56, which protects the privacy of individuals with respect to personal information about themselves held by institutions and to provide individuals with a right of access to that information.

### **Guiding Principles**

1. The collection and retention and use of personal information must be consistent with the requirements of the operations of the London Public Library.

2. The roles, responsibilities and accountabilities at all levels, with regards to the release of personal information, must be articulated.
3. Databases of personal information held by the Library must be identified and tracked.
4. Procedures, guidelines and training for staff must be updated regularly.

## **Next Steps**

Following approval of the **Confidentiality of Personal Information: Assumptions and Guiding Principles**, staff will bring a recommended draft policy to the Board for approval at its January 2010 meeting. A review of best practices in the development of the policy will include:

- legislative requirements, including the Ontario Public Library Act, 1990, Municipal Act, 2001, Municipal Freedom of Information and Protection of Privacy Act, 1990;
- the policies of The City of London and the policies and processes of a variety of libraries;
- legal review of LPL's compliance requirements; and
- peer review with the City of London and other libraries.