

Revision Date:	June 2022	Policy Type:	Administration
Approval Level:	CEO	Distribution:	All Employees
Review Schedule:	5 Years (or as required)		

1. PURPOSE

This Policy ensures that Markham Public Library (the “Library”, or “MPL”) protects the personal information and privacy of its Library members, and that the Library Board complies with the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M56, known commonly as “MFIPPA”, as well as Canada’s Anti-Spam legislation.

All Library customers have the right to privacy and confidentiality regarding their use of its services, collections and websites, and in terms of the collection of personal information by MPL. They also have the right of access to information about MPL operations and to their own personal information held by MPL in accordance with the access provisions of MFIPPA.

2. DEFINITIONS

Personal Information – Recorded information about an identifiable individual which is given voluntarily by library customers either in person, in writing or electronically. This Policy covers all three circumstances.

Spam – An electronic message sent without explicit or implied consent of the recipient.

3. YOUR RIGHT TO PRIVACY

Privacy is essential to the exercise of free speech, free thought, and free association. The Library is committed to protecting your privacy, whether you are a registered customer or a visitor. This Policy explains what information we collect from you, and why.

By using our website, attending our events, participating in our programs, downloading our mobile applications, accessing our databases, visiting a Library location, or borrowing Library materials, you agree to the terms of this Policy.

With your consent, you agree to let us use your email address and/or phone number and postal address to communicate with you about our programs and services. However, **information about materials that you check out and information that you access is kept confidential.**

This Policy may change from time to time, and when this occurs **we post such changes on our website, thereby notifying you.** We encourage you to check back periodically for updates. We will alert you to material changes that have been made by indicating on the Policy the date it was last updated, by placing a notice on our website, by sending you an email, and/or by other means.

4. WHAT INFORMATION DOES MPL COLLECT & STORE, WHY, AND WHAT IS DONE WITH IT?

We collect information about you in several ways:

- a) Directly from you,
- b) From automatically collected network logs,
- c) Through cookies, and
- d) Via security cameras

4.1 Information directly from you:

When you register as a Library customer, we ask you to share certain information with us. Following such disclosure, we offer you the opportunity to review and, when practical, to update, change, or delete some information that you have provided. You can do this by:

- Logging into your Library customer account on our website
- Asking our staff to assist you by phone
- Emailing us
- Visiting a Library location and speaking with our staff

If you deactivate your Library account or delete key information – such as your Library card number – you may not be able to continue using certain Library services that require registration.

The information that you provide can include personally identifiable information (PII), including your name, address, telephone number, date of birth, email address, language preference, proof of identification presented to join the Library, shared content, social media information, login credentials, items borrowed on your Library card, and items placed on hold in order to be borrowed. Information about the items that you have borrowed is not retained when the item is returned, except where fines or fees have occurred and remain outstanding.

PII is used by staff and by third parties working within the scope of their duties on behalf of the Library for the purpose of providing public library services. When a child registers for a Library card, MPL collects PII belonging to the parent or guardian.

Information about Library items borrowed is shared only with the Library membership cardholder. Possession of a Library card is considered consent by the member to share such information with the person holding the card. You may wish to designate family members or others to check out material for you using your card.

Information about what you place on hold is shared only with you. You may designate others to know what has been placed on hold for you so that these specific people may pick up your holds. Without such a designation, holds may be checked out only by the person in possession of the card belonging to the customer who has placed the hold.

When you send correspondence to the Library in electronic or paper form, or use certain other services such as AskMPL, Website Feedback, blogs, etc., you may be willingly sharing your PII with the Library. This information will be treated confidentially, as outlined in this Policy.

4.2 Information collected and stored automatically:

When you use our Library services, such as our website and mobile applications, our computer servers automatically capture and save information electronically about your usage of the services. We ensure to collect only the minimum amount of data needed for our services to work. In most cases, we do not store this data. While we do sometimes look at the data in aggregate, we do not focus on you as an individual.

Examples of information that we may collect include the Internet Protocol Address (IP Address) of the computer you are using; your general location; type of web browser; operating system, or device; date; time, and length of your visit; the website that you visited immediately before arriving at our own website; pages that you visited on our website; and searches/queries that you conducted or other interaction data. Note that this information is captured in aggregate and not in any individually identifiable manner.

If you are using a Library-provided device, we may also record your Library card's barcode, the time and length of your session, and the websites that you visited. If you are using our public Wi-Fi network, we may also collect the MSC address and name of your Wi-Fi device.

4.3 Cookies:

Cookies: A cookie is a small data file sent from your web browser to a web server and is stored on the hard drive of your computer or electronic device. Cookies are generated by websites to provide users with a personalized and often simplified online experience. You have the option of disabling such cookies should you choose. If you prefer, browser cookies can usually be removed or rejected through the settings on your browser or device. Most web browsers are set to accept cookies by default. However, please bear in mind that removing or rejecting cookies could affect the availability and functionality of Library services provided to you.

4.4 Security cameras:

The Library and/or the City of Markham collect images and video clips through security cameras. Images are only used to ensure the security and safety of staff and customers. Please also refer to section 7. "LEGAL REQUESTS" for further information about how this information can be used in specific situations.

5. THIRD-PARTY VENDORS AND WEBSITES

The Library uses third-party Library service providers and technologies to help deliver some services, including the acquisition and cataloguing process, online services such as databases, digital classes and programs, digital collections, streaming media content, and for service quality assurance purposes. Contracts with all third-party services must be in keeping with the Library's privacy values.

We will make every effort to let you know when a third-party entity is being used to deliver our services. If and when you choose to use such services, we may need to share your information with these third parties, but only as necessary for them to provide the services on behalf of MPL. We may also display links taking you to third-party services or content. By following these links, you may be providing information (including, but not limited to PII such as your name, username, email address, and password) directly to a third party, to MPL, or to both.

By using these services, you will be acknowledging and agreeing that MPL is not responsible for how those third parties collect or use your information.

Library customers must understand when using remote or third-party vendor sites that there are limits to the privacy protection that the Library can provide. We make reasonable efforts to ensure that third parties conform to MPL's "Privacy Policy." We continually monitor and evaluate such vendors to ensure that their policies comply with our requirements and formal agreements with them.

We also make reasonable efforts to ensure that the Library's contracts, licenses, and offsite automation service arrangements reflect our policies and legal obligations concerning customer privacy and the confidentiality of customer data.

The Library expects third-party service providers to:

- Fully comply with Library privacy policies and other legal requirements.
- Refrain from collecting or sharing additional information about customers, other than what is needed for the delivery of Library services.
- Have a publicly posted privacy policy.

Third-party service providers may collect and share your information, including:

- PII that you knowingly provide. This includes when you register for access to their site, provide feedback and suggestions, request information, or create shared content.
- Other information that you may not knowingly provide, but that could be used to identify you, such as your Internet Protocol Address (IP Address), search history, location-based data, and device information.
- Non-PII, including advertisements on the pages that you visit, analytics, browser information (type and language), cookie data, date/time of your request, demographic data, hardware/software type, interaction data, serving domains, page views, and the web page you visited immediately prior to visiting the third-party site.
- Other data as described in the vendor's privacy policy and terms of use.

For more information on these services and the types of data that are collected and shared, refer to the terms of use and privacy policies on their webpages. **You may choose not to use these third-party services if you do not accept their terms of use and privacy policies.** Please take the time to read them carefully.

The Library also suggests links to external websites that are not under contract or its direct control. In these instances, you are not required to give these sites your Library card or any other PII in order to use their services.

6. HOW IS MY PERSONAL INFORMATION USED AND WHO HAS ACCESS TO IT?

6.1 Personal Information Used by MPL:

Depending on the specific Library services that you choose to use, the following are some examples of the ways we use your information in order to provide those services to you. We use:

- Residency verification for Library memberships
- Personal information for certain Library services, including information requests, fine/fee payments, and surveys.
- Login credentials, shared content and cookies for delivery of enhanced or personalized services.
- *Google Analytics*, to understand the ways the Library's websites are used – what content is most popular, what times of day people visit the site, what types of computers/web browsers visitors are using, etc. Your searches remain confidential and anonymous. The Library uses this information only in the aggregate and is unable to connect it with any individual user.

- For users who prefer to disable Google Analytics tracking, Google provides a browser add-on that automatically prevents any usage information from being sent to Google Analytics. The link to this add-on is: <http://tools.google.com/dlpage/gaoptout?hl=en>

6.2 Aggregated data:

Sometimes the information collected about you through any of our services may be de-identified and aggregated with information collected about other users or visitors. This de-identified and aggregated information cannot be used to reasonably identify you. It helps us to administer services, analyze usage, provide security, and count the number of new customers using our services. In addition, it helps us to improve your user experience and enables the Library to promote its work to various stakeholders.

6.3 Shared Content:

If you choose to share content or comments through our programs or online services, the shared content may become publicly accessible. If you do not want to share content publicly, you may be able to use your privacy settings to limit sharing, but not always. You may delete some content that you have shared, but some interactive shared content may persist in association with you and/or your registered user account, even after your account is terminated. This should be borne in mind when participating in shared content activity through our Library services.

We will make every attempt to clarify before you contribute (at the point of submission / participation): a) whether this information will become public, and b) whether you have control over your content.

7. LEGAL REQUESTS

Sometimes legal authorities or law enforcement agencies require us to share your information, such as if we receive a valid subpoena, warrant, judicial order, or request from a law enforcement agency. On such occasions, we will share your information if:

- Our careful review of such a request leads us to believe that it is valid, and that we are legally required to do so.
OR
- The Library is the complainant
OR
- Exigent circumstances exist (for example, a medical emergency or the risk of serious physical injury, or compassionate circumstances). Staff may disclose personal information in order to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.

Requests from legal authorities and law enforcement agencies can include images recorded via security cameras as described in section 4.d) above.

The Library will also release information to the Children's Aid Society, under the authority of the *Child and Family Services Act, R.S.O. 1990, c.C11*, which states that a person who has reasonable grounds to suspect that a child under 18 has suffered harm or is at risk of harm, must

report this suspicion, and the information on which it is based, to the Children's Aid Society, immediately and on an ongoing basis.

8. ELECTRONIC COMMUNICATION

The Library will ensure that all electronic messages clearly identify the subject of communication, the Markham Public Library is identified as the sender, and that the Library's mail address and contact information is available.

Obtaining a Library membership card implies the individual's consent to authorize the Library to send electronic notifications regarding personal borrowing and transaction activities using their preferred method. You may request not to receive notifications although such action may affect your ability to use the affected Library services.

The Library may, at times, use electronic means to promote services, share information, or announce special events. We will seek your consent before sending promotional electronic messages. We will provide options to you to easily unsubscribe from the services or change your preferences at any time.

9. ACCESS TO PERSONAL INFORMATION

Upon request, customers may access information on their own library record at any time during open hours by presenting their Library membership card or photographic proof of their identity to any MPL public service desk, or by accessing their own record electronically.

Library staff will provide loan information about a child less than 16 years of age to that child's parent or guardian, or to someone holding Power of Attorney for a specified individual.

Information about the operations of the Library is available on the Library website as well as through the MPL administration offices. Information that is not available through the website may be requested by contacting the CEO of the Markham Public Library at the address indicated in section 11 below.

Generally, the Library does not charge for providing information, but if the request requires significant staff time, the Library reserves the right to charge a fee for such requests as outlined in MFIPPA's Regulations.

10. CHALLENGING COMPLIANCE

Any Library customer who feels that their privacy has not been protected may challenge Library practices through the CEO (see below). A customer who, after such a challenge, is not satisfied with the result, may appeal to the Library Board, maintaining either that this Policy has been violated or that it needs to be revised in order to address a perceived issue.

11. FOR FURTHER INFORMATION

Further information regarding MPL's *Privacy Policy* can be obtained by contacting:

CEO, Markham Public Library
Library Administration Centre
6031 Highway 7
Markham, ON L3P 3L7
Phone: (905) 513-7977 x. 5999
Email: cbiss@markham.library.on.ca

RELATED DOCUMENTS

- *Confidentiality of Personal Information Policy* (POL-HR)
- *Anti-Spam Compliance Policy (Markham Public Library)* (POL-Pub Serv)
- *Internet Access Policy* (POL-Pub Serv)
- Request for Access to Information Form
- Law Enforcement Officer Request Form
- BiblioCommons International Privacy Statement:
<https://markham.bibliocommons.com/info/privacy>