

## **PURPOSE**

To confirm FOPL's requirement to meet privacy as well as Freedom of Information.

## **APPLICATION**

This policy refers to the FOPL records, information and activities.

## **DEFINITIONS**

ED: Executive Director of FOPL  
FOPL: Federation of Ontario Public Libraries  
MFIPPA: The Municipal Freedom of Information and Protection of Privacy Act  
NPO: Non-Profit Organization

## **COMMITMENT**

While FOPL is not required to follow MFIPPA, since the member libraries and its representatives each work within the MFIPPA legislation, FOPL will follow this this legislation over the NPO specific alternate legislation.

The FOPL Board will make information about FOPL available to the public and its members and will make every reasonable effort to ensure that the personal information of its members within its custody or under its control, is protected, all in accordance with the access and privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M56 ("*MFIPPA*").

## **Administration**

The Board is ultimately responsible for personal information in the organization's custody or under its control and designates the ED as the individual accountable for compliance with *MFIPPA*.

## **Personal Information**

Personal information is defined in *MFIPPA*, in part, as "recorded information about an identifiable individual." This could include, but is not limited to, information related to a user's borrowing habits, computer and internet use, registration in programs, purchasing habits, as well as a user's telephone number, address or email address.

## **Collection and use of Personal Information**

1. No personal information about users shall be collected without obtaining their consent to do so, subject to the exemptions contained in subsection 29 (1) of *MFIPPA* and subsections 4 (1) and (2) of R.R.O. 1990, Regulation 823.
2. Personal information that is collected will be limited to what is necessary for the proper administration of FOPL and the provision of its services and programs.
3. Personal information will only be used for the stated purpose for which it was collected or for a consistent purpose, in accordance with *MFIPPA*.

4. The ED will limit employees', Board members', and consultants' access to users' personal information to only those who need such access in order to perform their assigned duties.
5. For the purposes of the registration of users and the administration of services, FOPL collects the following types of personal information: name, address, telephone number, email address, and usership (e.g. program attendance, communication subscription, research/service requests, etc).
6. FOPL will not sell or share any donor or membership lists.

## **Disclosure of Personal Information**

1. Under no circumstances will anyone provide a user's personal information to a third party.
2. All requests by a third party for disclosure of a user's personal information shall be made in writing to the ED. The ED will process the request in accordance with *MFIPPA*.
3. The ED will not disclose personal information related to a user to any third party without obtaining consent to do so, subject to certain exemptions as provided in section 32 of *MFIPPA*, including, but not limited to:
  - 3.1 Clause 32 (g), if disclosure is to an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result; and
  - 3.2 Clause 32 (i), in compassionate circumstances, to facilitate contact with the spouse, a close relative or a friend of an individual who is injured, ill or deceased.
4. The ED may disclose personal information if such disclosure is otherwise required by law.
5. The ED may release relevant personal information to a company acting on its behalf for the collection of FOPL property or unpaid fees.
6. The ED may allow certain of its service providers access to relevant personal information solely for the purpose of maintaining the FOPL member services.
7. A user's name, address and/or email address may be accessed and used by designated personnel for the purpose of communicating information regarding programs and services, only when the user has consented to the receipt of such communications.

## **Pictures and Videos**

For the purpose of promotion or reporting, personnel may take photos or videos during programs and events. Visitors attending will be informed by appropriate measures and will be given the possibility to object to the disclosure of their personal information, including their image.

## **Head of FOPL**

1. For the purposes of MFIPPA, the ED shall be identified as the Head and complete all duties as required.

## **Access to Information**

1. Access to the general records about the operations of FOPL will be provided to the public, subject to the exemptions set out in *MFIPPA*.
2. The Board agendas and minutes, annual reports and a variety of other information are routinely disclosed to the public through the website.
3. Access to personal information about a particular individual will be provided to that individual on condition that such information is requested in writing to the ED and subject to the exemptions set out in *MFIPPA*.
4. The ED will change an individual's personal information if it is verified by the ED to be incorrect. The ED may ask for supporting documentation.
5. An administration fee may be charged for access to individual or general records in accordance with *MFIPPA* regulations. ED follows the fee structure as outlined in the appendix.
6. Details on submitting a request and appealing a decision are outlined in the appendix.

Approved by the FOPL Board September 24, 2021