

Policy Name:	Privacy and Confidentiality	Policy #:	A2
Version History: Approval April 17, 2025;			

Purpose

This policy is to ensure commitment to the protection of the privacy and confidentiality of personal information in the custody and control of the Port Moody Public Library (PMPL).

Scope

This policy applies to all library patrons, employees, volunteers, board members, and third-party service providers of PMPL who handle personal information in any form. It covers all library services, programs, and systems, including in-person, online, and third-party digital platforms used by the library.

Underlying Principles

- Right to Privacy – All library users have the right to privacy regarding the collection, use, and disclosure of their personal information.
- Intellectual Freedom – Patrons have the right to access information freely without fear of surveillance or judgement.
- Confidentiality – Personally identifiable information and borrowing history should not be disclosed except as required by law.
- Minimization of Data Collection – The library should collect only the necessary data required to provide services and should limit retention where possible.
- Security – Patron data must be stored securely, with appropriate access controls to prevent unauthorized use or breaches.
- Transparency – Patrons should be informed about what data is collected, how it is used, and their rights regarding that information.
- Legal Compliance – The library adheres to federal and provincial legislation such as the *Freedom of Information and Protection of Privacy Act (FOIPPA)*, the *Criminal Code of Canada*, *Canadian Anti-Spam Legislation (CASL)*, the *Canadian Charter of Rights and Freedoms*, and the *Child, Family and Community Service Act*.
- Access and Control – Patrons should have the ability to review, correct, or delete their personal information.

Policy Statement

1. Disclaimer

- 1.1. In accord with the *Public Internet Access* policy C4, PMPL cannot guarantee the privacy or security of personal information of patrons using library computers, internet systems, or wireless networks.

2. Protection of Privacy

- 2.1. PMPL is committed to protecting the privacy of all individuals' personal information in its custody and control in keeping with the access and privacy provisions of the *Freedom of Information and Protection of Privacy Act (FOIPPA)* and *Canadian Anti-Spam Legislation (CASL)*.
- 2.2. All library users have the right to privacy with respect to the collection, use and disclosure of personal information.
- 2.3. In accordance with section 77 of *FOIPPA*, the Director of Library Services, or designate, serves as the library's Privacy Officer.

3. Collection and Use of Personal Information

- 3.1. Personal information will only be collected for the purpose of providing library services and library administration.
- 3.2. Examples for which personal information may be collected include: issuing library cards, borrowing materials, program registration, room rentals, equipment loans, collection of fines or fees, fundraising, ensuring the security of property and people, and for non-identifying statistical purposes.

4. Access to Personal Information

- 4.1. Individuals have the right to access their personal information in accordance with *FOIPPA* and the principles outlined in the *Canadian Charter of Rights and Freedoms*.
- 4.2. Individuals have the right to request corrections to their personal information where appropriate.

5. Disclosure of Personal Information

- 5.1. Personal information may be disclosed to/requested by law enforcement to assist in investigations or proceedings using the *Law Enforcement Disclosure Form*. All such requests must be referred to the Director of Library Services.
- 5.2. Personal information will not otherwise be disclosed to any external agency or individual without legal authority, such as a court order or subpoena, unless otherwise permitted under *FOIPPA*, including a first responders' request. All such requests must be referred to the Director of Library Services.
- 5.3. Where other organizations require personal information in order to provide services on behalf of the library, PMPL ensures that these organizations treat personal information in compliance with *FOIPPA* and the library's privacy policy.

6. Privacy Rights of Children

- 6.1. Under *FOIPPA*, children have the same privacy rights as adults with respect to personal information. However, a parent or guardian may act for a minor in relation to specified sections in *FOIPPA* if the minor is incapable of acting under that section. This means privacy rights are consistent with the age and developmental capacity of a child.

- 6.1.1. For library accounts of children aged 12 years or younger, account access is limited to:
 - 6.1.1.1. The child account holder
 - 6.1.1.2. The parent or legal guardian specified on the account
 - 6.1.2. For library accounts of children aged 13 years or older:
 - 6.1.2.1. PMPL presumes children of this age are generally capable of exercising their own privacy rights.
 - 6.1.2.2. PMPL may consider a request on an individual basis where a child or parent/guardian does not believe the guideline age is appropriate in their circumstances.
 - 6.2. A child's right to privacy is also protected in Article 16 of the *United Nation's Convention on the Rights of the Child*.
7. Retention of Personal Information
 - 7.1. Personal information will only be retained as long as necessary for the provision, evaluation, and planning of library services, except where a longer retention period is required by law.
 8. Security Measures
 - 8.1. The library employs administrative, technical, and physical safeguards to protect personal information from unauthorized access, collection, use, disclosure or disposal. Staff members receive training on privacy and confidentiality practices to ensure compliance with this policy.
 9. Breach Notification
 - 9.1. PMPL will contact all affected individuals and the Office of the Information and Privacy Commissioner of BC if a privacy breach occurs that has the potential to create significant harm, in accordance with section 36.3 of *FOIPPA*.
 10. Policy Review and Updates
 - 10.1. This policy will be reviewed regularly to ensure ongoing compliance with legal requirements and best practices. Updates will be communicated to staff and the public as needed.