

|                       |   |                              |
|-----------------------|---|------------------------------|
| <b>Title:</b>         | Records Management and Protection of Privacy Policy |                              |
| <b>Policy Type:</b>   | Operational   | <b>Policy Number:</b> 300-02 |
| <b>Approval By:</b>   |   |                              |
| <b>Approval Date:</b> |   |                              |
| <b>Revised Dates:</b> | June 26, 2023                                       |                              |
| <b>Review Date:</b>   | May 2024  |                              |

## **PURPOSE**

This policy ensures accessibility to reliable Library records in all formats while maintaining access and confidentiality of documents where appropriate.

## **SCOPE**

This policy applies to all records governed by legislative requirements, created for or by the Library Board and its employees. This policy does not apply to historical or archival items and records.

## **DEFINITIONS**

**Active records** - records retained in staff offices and on-site storage areas required for the day-to-day business.

**Disclosure** - revealing information intended to remain confidential.

**Disposition** – the decision to retain as permanent, archival or destroy a record no longer considered active.

**General records** - information organized and capable of being retrieved.

**Individuals** - members of the public, about whom the Library retains “personal information”.

**Record** - any record of information in any format, which includes:

(a) correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics or any copy thereof

(b) subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution

**Records retention schedule** – description of managed records; their retention period, location, and final disposition based on legal compliance, business, operational and historical requirements.

**Personal information** - recorded or unrecorded information about an identifiable individual, including but not limited to:

- (a) race, national or ethnic origin, religion, age, sex, gender, sexual orientation or marital or family status of the individual
- (b) 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) address, email, telephone number, fingerprints or blood type of the individual
- (e) 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) views or opinions of another individual about the individual
- (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

**Personal information bank** - a collection of personal information that is organized and capable of being retrieved using an individual's name or an identifying number or particular assigned.

## **POLICY STATEMENT**

This policy ensures proper record keeping and the Library's compliance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and its regulations.

Records in the Library's custody are to be:

- Available and accessible to support strategic and operational decisions;
- Held in an efficient and cost-effective manner;
- Secured and properly protected;
- Available to support the business recovery processes;
- Retained as active records as required above
- Disposed according to established retention schedules.

The policy, procedures and retention schedules will be consistent with or exceed the legislated requirements and professional standards, including but not limited to: Municipal Act, Public Libraries Act, Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), Employment Standards Act, Canada Revenue Agency regulations.

**All Records are the property of the Sault Ste. Marie Public Library.**

Given the changing nature of technology Records in electronic format shall be reviewed and updated as required regularly.

The destruction of Records shall be done in a secure manner, mindful of confidentiality requirements according to the records retention schedule (See Appendix A).

All employees shall maintain an updated index of all their files.

**ACCESS AND PROTECTION OF PRIVACY**

The Library will make information about the Library available to the public and protect the privacy of all individuals' personal information in its custody or control in keeping with the access and privacy provisions of MFIPPA and other applicable legislation.

**1. Access to Information**

(a) Library Board agendas and minutes, annual reports, policies and a variety of other information will routinely be made a matter of public record through the Library's website and through Library publications

(b) access to general records about Library operations will be provided to the public, subject to the provisions of MFIPPA

(c) access to recorded personal information about a particular individual will be provided to that individual, upon verification of identity and subject to the exemptions outlined in MFIPPA

(d) payment of a fee may be required and is done in accordance with MFIPPA regulations

(e) requests for access to general records and recorded personal information shall be filled only by the authorization of the CEO

**2. Protection of Privacy: Users**

Collection and Use of Information:

(a) The Library will not collect any personal information about individuals without obtaining their consent to do so, subject to the exceptions as contained in MFIPPA. Personal information that is collected will be limited to what is necessary for the proper administration of the library and the provision of services and programs.

(b) The Library will provide the following information to the individual when personal information is being collected on behalf of the Library:

I. legal authority

II. principle purpose or purposes for use

III. title, business address and telephone number of an official from the Library who can answer questions

(c) Individuals shall be informed of the reasons for collecting personal information at or before the time of collection.

(d) Personal information may only be obtained from the individual to whom the record relates, as required in MFIPPA, unless the individual authorizes another manner of collection.

(e) A parent or guardian may supply information about a child under 16 years of age, in his or her custody.

(f) The Library will take reasonable steps to ensure that the personal information on the records held by the Library is accurate and up to date.

(g) The Library will maintain a personal information bank index of all personal information banks in the custody or under the control of the Library, as set forth in MFIPPA.

#### Disclosure of Information:

Notwithstanding the specific applications of MFIPPA cited in this policy, the Sault Ste. Marie Public Library Board is subject to all requirements of disclosure in the MFIPPA.

(a) The Library will not disclose personal information, under its custody or control, related to an individual to any third party without obtaining consent to do so, subject to certain exemptions as provided in MFIPPA. Situations where the Library will disclose this information include the following:

I. The Library will disclose personal information to a parent or guardian of a child, under 16 years of age, whose names are recorded on the child's patron record.

II. The Library will disclose relevant personal information about the individual enrolled in the Visiting Library Services, to an authorized support person/family member, or staff of long term care facilities, for the purposes of service delivery, authorized by the individual on the application form.

III. The Library may release relevant personal information to a company acting on its behalf for the collection of Library property or unpaid fines or fees.

IV. The Library will release information to the Children's Aid Society, under the authority of the Child, Youth and Family Services Act, which states that a person who believes, on reasonable grounds, that a child under 16 is at risk of harm, must report this suspicion to the Children's Aid Society immediately, directly and on an ongoing basis.

(b) The Library shall require any contracted service provider that may have access to personal information (e, g. integrated library system provider) to sign a confidentiality agreement.

**Retention of Records:**

(a) The Library will not retain any personal information, such as information related to items borrowed or requested by an individual, or pertaining to an individual's on-line activity, longer than is necessary for the provision of library services and programs.

**ACCOUNTABILITY**

The CEO and authorized Managers shall ensure this Policy is followed in a consistent manner across the organization.

**RELATED POLICIES**

300-01 Archives Acquisition Policy  
300-05 Membership Policy  
300-08 Visiting Library Service Policy  
300-24 Use of Video Surveillance Policy

Records Retention Schedule

| <b>Record Type</b>  | <b>Location</b>                    | <b>Retention Period</b>        | <b>Final Disposal</b> |
|---|------------------------------------|--------------------------------|-----------------------|
| Accounts Payable Records  | Administration Files               | 7 Years                        | Shredded              |
| Accounts Receivable Records   | Administration Files               | 7 Years                        | Shredded              |
| Amortization Schedules  | Administration Files               | 7 Years                        | Shredded              |
| Annual Audited Financial Statements   | Archived                           | Permanent                      | Not applicable        |
| Annual Reports  | Administration Files and CEO Files | Permanent                      | Not applicable        |
| Audit Reports – External  | Administration Files               | Permanent                      | Not applicable        |
| Audit Reports – Internal  | Administration Files               | 7 Years                        | Shredded              |
| Board Meeting Minutes   | Board Files                        | Permanent                      | Not applicable        |
| Building Files  | Administration Files               | Permanent                      | Archives              |
| Departmental Meeting Minutes  | Departmental Manager               | 4 Years                        | Shredded              |
| Employee Personnel Files – CEO  | Board Files                        | Permanent                      | Not applicable        |
| Employee Personnel Files - Union  | Administration Files               | Permanent                      | Not applicable        |
| Employee Personnel Files - Management   | CEO                                | Permanent                      | Not applicable        |
| Incident Reports  | Administration Files               | 7 Years                        | Shredded              |
| Interlibrary Loan Requests  | Adult Services                     | 2 years                        | Shredded              |
| Federal Grant Financial Reports   | Administration Files               | 10 Years                       | Shredded              |
| Legal Documents (including MOUs, legal advice, contracts, etc.)               | Administration Files               | 7 years after documents expire | Shredded              |
| Provincial Grant Financial Reports  | Administration Files               | 10 Years                       | Shredded              |
| Statistical Forms   | Administration Files               | 7 Years                        | Shredded              |
| Union Files – Collective Agreements, Letters of Understanding, and Grievances | CEO                                | Permanent                      | Not applicable        |