



Newmarket Public Library Freedom of Information and Protection of Privacy Policy DRAFT FOR REVIEW

The Newmarket Public Library is governed by the 'Municipal Freedom of Information and Protection of Privacy Act', R.S.O. 1990 Chapter.56.

Protection of Privacy:

Personal information shall be collected by the Library only with the consent of the individual or his/her legal guardian and shall only be used for the purposes for which it was obtained or compiled. The information may not be released to any third party except under certain circumstances allowed by law, including:

- to the parent or legal guardian of an individual younger than sixteen (16) years of age;
- to a person in possession of a valid and current Library card, to whom implied consent is attributed;
- to someone holding Power of Attorney or executor rights for a specified individual;
- to an authorized agency in order to report suspected child abuse or neglect;
- to the Library's authorized collection agency and/or credit reporting agency for the collection of library property, unpaid fees, fines or other charges;
- to a law enforcement agency in Canada to aid in an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.

The Library shall share information about its procedures with respect to protecting users' privacy in a Privacy Statement posted in a conspicuous manner.

Freedom of Information

The Library is committed to disclosing to any member of the public any record of information under its custody or control that is requested, subject to the limitations, fees, and exemptions laid out in the Act.

Routine Disclosure

Routine disclosure is the routine or automatic release of certain records and information in response to informal requests. This may take place in the following circumstances:

- Where the requestor is the individual to whom the information pertains;
- Where the requestor has a third-party claim to private information as detailed under Protection of Privacy above. Disclosure may be made by any member of staff having authorized access to the information, except in the case of law enforcement:
 - Where the information (including security camera footage) is being requested by a law enforcement agency, disclosure may only be made on the authorization of the CEO or designate, who will document the information

released, the identity of the requestor, and the proof of law enforcement investigation.

- Where the information is typically made available to the general public. Disclosure may be made by any member of staff responsible for the information requested. This includes, but is not limited to:
 - Agendas, minutes, bylaws and policies of the Library Board and its committees;
 - Collective labour agreements and contracts;
 - Financial and budget reports as prepared for the Library Board.

Freedom of Information Requests

The Library reserves the right to treat non-routine requests as a request under the Act. In this case, the CEO or designate will refer the request to the Town of Newmarket in order that it be submitted to a formal Freedom of Information request procedure. Similarly, formal requests may from time to time be received by the Town of Newmarket for Library records. In both cases, these will be dealt with by the Town in accordance with its own policies and procedures, in cooperation with the Library, and in accordance with the Act.