

## MONITORING REPORT

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**Subject:** Board Policy A.27 Freedom of Information and Protection of Privacy

**Prepared by:** Danielle McDonald, Chief Executive Officer

**Prepared for:** Ottawa Public Library Board

**Meeting of:** October 15, 2012

**Date of preparation:** September 27, 2012

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Executive Limitations policy A.27 Freedom of Information and Protection of Privacy was approved by the Library Board on November 9, 2009 and last reviewed on November 30, 2011. It states:

*As the statutory head of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 Chapter M. 56 of Ontario, the Board delegates this authority to the CEO, including the powers and duties associated with the administration of the Act.<sup>1</sup>*

*Accordingly, the CEO shall:*

1. *Have a written policy and procedures on access and privacy to ensure that:*
  - a. *personal information is collected, used, retained, disclosed and disposed of in accordance with MFIPPA;*

OPL's current privacy policy statement is posted on the OPL website at:

<http://bibliooottawalibrary.ca/en/main/about/board/policies/all/privacy>  
(in English)

<http://bibliooottawalibrary.ca/fr/main/about/board/policies/all/privacy>  
(in French)

The vast majority of personal information is collected when library members register for a library card. Customers are informed that the information is collected under auspices of the Ontario *Public Libraries Act*.

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<sup>1</sup> Reference Board Document #01-37 (August 2001) and ensuing Motion # 83-01.

The Library ensures that OPL's privacy statement is posted on applicable forms and on OPL's website to inform clients when personal information is collected (e.g. program registration, public Internet access workstations, etc.) and how it is disposed of accordingly.

I report compliance.

- b. personal information is only exchanged with, collected from or disclosed to authorized individuals or institutions in accordance with MFIPPA and its regulations;*

At the time of registration, library customers are asked whether they want to share their personal information with the OPL Foundation. Information is subsequently shared with the Foundation only with a customer's explicit approval.

Any requests to provide personal information to law enforcement officers regarding library users must be authorized by the Chief Executive Officer (including those from City of Ottawa Corporate Security).

I report compliance.

- c. any personal information will be collected under the authority of the Public Libraries Act for the administration of library operations; and that*

This is covered under item 1.a.

I report compliance.

- d. public access to organizational records is in accordance with MFIPPA.*

This is covered under item 1.a.

I report compliance.

2. *Advise the Board on relevant issues and decisions pertaining to the legislation as undertaken by the Information and Privacy Commission of Ontario as well as any applicable legislation at the federal level.*

Information was provided to the OPL Board on February 12, 2011 in relation to the MFIPPA, as part of the Board's orientation program. The information session provided Trustees with an understanding of the Municipal Freedom of Information and Protection of Privacy Act as well as information on privacy responsibilities for public libraries.

I report compliance.

3. *Ensure a corporate understanding of MFIPPA and the requirements of the Act.*

OPL's Employee Code of Conduct policy outlines employee obligations with respect to confidentiality of customer information and protection of privacy pertaining to the conducting of library business. In addition, the employee intranet includes the Disclosure of Personal Information to a Law Enforcement Officer Policy and form, and the Privacy Statement is accessible to all employees on the OPL website.

Any MFIPPA questions are directed to the Manager, Strategic Coordination who coordinates responses on the Chief Executive Officer's behalf. There were no requests for information received from Information and Privacy Commission (IPC), one request for information from a law enforcement agent, four requests for information from members of the public and no requests for procedural clarification from OPL staff members during the period of review.

4. *Advise the Board of any disputed issues arising either from staff or from members of the public regarding the administration of this policy.*

There were no reported disputed issues regarding the administration of this policy.

I hereby present my monitoring report on Executive Limitations Policy A.27, Freedom of Information and Protection of Privacy. I certify that the information contained in this report is true.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Danielle McDonald  
Chief Executive Officer