

Freedom of Information and Protection of Privacy

Purpose

Sylvan Lake Municipal Library is governed by the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta and is committed to the privacy of personal information that is in the custody or control of the Library. The Sylvan Lake Municipal Library manages the collection, use, disclosure, retention, and security of personal information in accordance with FOIP, and in alignment with any other applicable legislation and related policies. The purpose of the FOIP Act is to allow for any individual the right to:

- access records within the custody or control of the Library, subject to limited and specific exceptions outlined in the FOIP Act,
- access their own personal information within the custody or control of the Library,
- have their personal privacy protected,
- request a correction of their personal information,
- request an independent review by the Information & Privacy Commissioner for any access request decisions made by public body and the resolution of complaints under the Act.

Scope

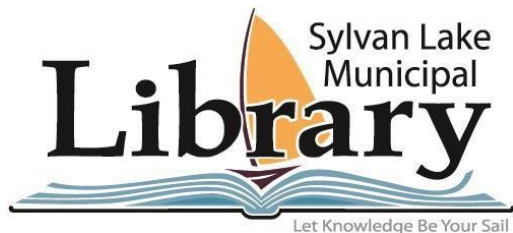
This policy applies to all Sylvan Lake Municipal Library employees, volunteers, board members, contractors, and any agent providing service on behalf of the Library. This policy is applicable to all personal information in the custody or control of the Library, regardless of the medium or form.

Definitions

Custody - personal information that is in the possession of Sylvan Lake Municipal Library.

Control - personal information that Sylvan Lake Municipal Library has the authority to manage, including restricting, regulating and administering use, disclosure, or disposition of that information.

Formal Access Request – access to information or records that are not routinely disclosed and cannot be disseminated through existing procedures.



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Informal Access Request – access to your own personal information or information of another person to which you have proof of authority to act on their behalf.

Personal Information – any information about an individual, including but not limited to name, address, email, race, nationality, religious or political beliefs, age, sex, gender, marital status, identifying numbers such as Driver’s License number or Social Insurance Number, health information, employment history, financial information, photographs, and opinion from an individual or about an individual.

Privacy Breach - any occurrence when there is unauthorized access to, collection, use, or disclosure of personal information. Such activity is “unauthorized” if it contravenes the FOIP Act. Unauthorized access to personal information includes:

- a) access by the public, where there is no right to access;
- b) access by a Library employee if that employee does not need to see the personal information in the course of their duties;
- c) situations in which information is stored in an unsecured manner, such that someone can obtain unauthorized access.

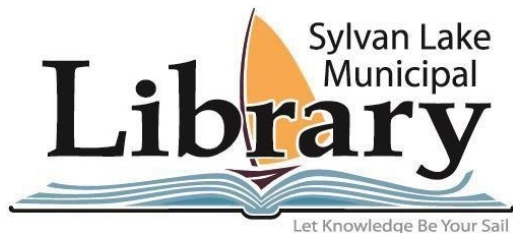
Record – any recorded information, regardless of medium or format, made or received in the context of business. Records include, but are not limited to, emails, registrations and waivers, database information, sticky notes, photos, or video recordings.

I. POLICY

A. Responsibilities

The Director of the Sylvan Lake Municipal Library is designated the head of the Library and is responsible for ensuring compliance with and administering the FOIP Act, but may delegate to any person any duty, power, or function under this Act. The Director is responsible for making reasonable security arrangements that protect personal information against the risks of unauthorized access, collection, use, disclosure, or destruction.

All employees, volunteers, board members, contractors, and any agent providing service on behalf of the Library are responsible for:



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- Signing and adhering to the [Oath of Confidentiality](#).
- Becoming acquainted with all Library policies and procedures related to the FOIP Act.
- Handling personal information in accordance with applicable Library policies, as well as the FOIP Act.
- Only accessing personal information directly connected to, and required for, their position, function, or job responsibility.
- Never access or use an individual's personal information for any purpose that is not directly related to the performance of their immediate job duties.
- Personal information must be kept confidential and never disclosed to anyone who is not authorized or has a direct job-related need. This obligation will remain for a period of time, as stated on the Oath of Confidentiality after employment terminates.
- Reporting any privacy breach or incident to the Director of the Library. The Director will then inform the Board about the breach or incident.

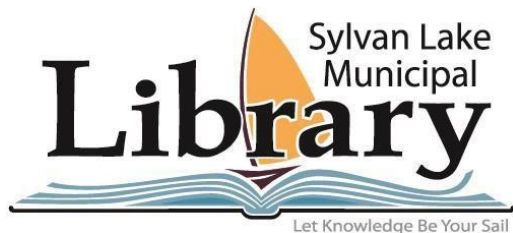
B. Principles

All records created in the context of business, including emails, are subject to access requests. Employees should only record professional observations, not personal opinions when creating records. Create records with access in mind.

C. Collection

Personal information about an individual can only be collected if it directly relates to and is necessary for operating a program or activity of the Library. Personal information should only be collected directly from the individual the information is about unless indirect collection is permitted under the FOIP Act. Examples that allow for indirect collection include, but are not limited to: consent, a health and safety emergency, or if the individual is a minor.

Any time personal information is collected directly from an individual, the individual must be informed about the purpose of why the information is being collected, the legal authority for the collection, and contact information for an employee who can answer questions about the collection. This notification statement must be on forms that collect personal information, displayed for



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individuals to see at time of collection, or given verbal, whichever manner of notification is appropriate for the situation.

No information is collected about a cardholder's item checkout history, unless the cardholder has given permission to keep this information. No records are kept of the frequency or content of visits to the library by specific patrons.

1. Use

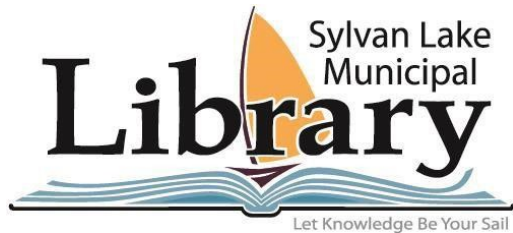
Personal information should only be used for the purpose in which it was collected or consistent with that purpose, or if the individual, to whom the information is about, has consent to that use.

2. Disclosure

Personal information should only be disclosed if permitted under the FOIP Act. Examples of permissible disclosure include, but are not limited to:

- If the individual, for which the information is about, has consented to the specific disclosure,
- To an employee of a public body, Cardholders will be informed that disclosure is necessary for delivering integrated programs and services such as sharing agreements and programs (e.g. interlibrary loan agreement, TAL Cards, and ME Libraries).
- In response to a court order (e.g. subpoena, search warrant) or another specific written request from a law enforcement agency to assist in an investigation. Note that library representatives are only required to disclose personal information to law enforcement officers upon presentation of a written court order. They are not required to comply with other written requests.
- If it is a health and safety emergency, where the individual is not able to provide the information, although disclosure is allowed in the above circumstances, only the minimum amount of personal information may be disclosed to carry out those purposes. No patron information, including their presence in the library, will be given over the phone. The reading and viewing habits of individual patrons are kept confidential.

Informal access requests, when possible, can be handled by any employee of the Library. After the identity of the individual is verified, an individual's own personal information can be released to them or to the parent or guardian of an individual.



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Formal access requests for disclosure of information will be handled by the designated FOIP Coordinator, or Director of the Library, and the appropriate fees, as laid out in Schedule 2 of the FOIP Act, will be charged to the applicant.

3. Accuracy and correction

Any individual can request a correction to their personal information if they believe there is an error or omission in the information. This is to ensure that personal information is accurate. This correction of information does not extend to opinion-based information regarding the individual.

4. Retention

Any personal information about an individual, where the information was used by the Library to make a decision regarding that individual, must be retained for a minimum of one year after the decision was made. All personal information must be destroyed in a secure and confidential manner.

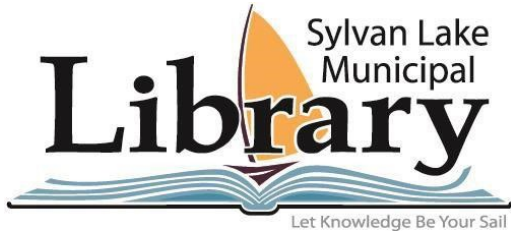
II. Related Documents:

- [Freedom of Information and Protection of Privacy \(FOIP\) Act of Alberta](#)
- [Oath of Confidentiality](#)

Revision History: Initiated March 13, 2019

Board Chair: Deb Parry
Approval Date: April 10, 2019

Board Chair: Carol Moore
Revised Date: September 11, 2024



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Oath of Confidentiality

As an Employee, Volunteer or, Board Member of the Sylvan Lake Municipal Library, it is understood and hereby agreed to abide by the following conditions by the undersigned:

1. Any information, recorded or otherwise, received or acquired in connection with any duties is considered confidential. Confidential information includes all records that may or may not divulge personal information.
2. All information given out or discovered in the course of any duties or with regards to all library operations shall be held in confidence.
3. Employees, Volunteers or, Board Members agree not to use or disclose confidential information for their own personal benefit or the benefit of any other person, corporation or entity for a period of 5 years, after leaving or being terminated, from any of the above noted positions.
4. Public statements shall only be made to the media in keeping with the Sylvan Lake Municipal Library Media Policy.
5. At all times, the undersigned shall act in a professional manner in the performance of any duties as an Employee, Volunteer or, Board Member of the Sylvan Lake Municipal Library.

I, _____

(Name of Person Taking Oath)

do solemnly swear (affirm) that I will abide by the above noted conditions as part of completing duties or any library operations with the Sylvan Lake Municipal Library.

Signed this _____ day of _____, 2_____.

_____/_____

(Print Name / Sign Name)

(Library Director or Board Chair)