

ST. CATHARINES PUBLIC LIBRARY**POLICY**

Section: General Number: G2	Subject: Operational Policy	Motion #: 2005-49 2011-58 2007-30 2011-68 2010-43
Approval Date: 2005-06-16	Effective Date: 2005-06-16	Review: Annual
Notes: Approved at the Board Meeting of June 16, 2005. Amended at the Board Meeting(s) of: March 15, 2007; June 17, 2010; September 15, 2011; October 20, 2011.		

POLICY STATEMENT

The purpose of this policy is to provide the overall framework for the provision of library services in accordance with the *Public Libraries Act, R.S.O. 1990, c. P.44, City of St. Catharines Municipal By-Law 85-432*, and other legislation and regulations as applicable.

This Policy shall be read in conjunction with:

- Circulation Policy
- Collection Management Policy
- Gifts-in-Kind Policy
- Meeting Rooms Policy
- Display Window and Cubes Booking Guidelines
- Guidelines for Posting on Library Notices Boards and Bulk Material Distribution.
- Facilities Closing in Inclement Weather Policy

Access

1. The St. Catharines Public Library is open to all members of the public, including residents and non-residents.
2. All members of the public may use the facilities, collections, equipment, meeting rooms, display cases, and participate in programs.
3. All members of the public are required to observe the Rules of Conduct and comply with all policies and regulations of the St. Catharines Public Library Board.
4. The Chief Executive Officer shall have the discretionary power to refuse service to any person or group that neglects or refuses to comply with the Rules of Conduct, policies and regulations. Any person or group so refused may appeal in writing to the Board.

Membership

1. A library card is available free of charge to those who reside or own property within the boundaries of the municipality of the City of St. Catharines.
2. A Library card is available for non-residents for an annual fee.
3. A replacement fee will be charged for lost or damage library cards.
4. Only those with a St. Catharines Public Library Card may borrow material from the collections.
5. Notwithstanding any provision of this policy, the Chief Executive Officer may issue a library card to individuals, groups, institutions, or bodies, whether resident, incorporated or otherwise, upon such terms and conditions as the Chief Executive Officer may determine.

Registration

1. Applicants for library cards, except children under the age of 12 years, must present approved identification and provide registration information before being issued a library card.
2. An application by a child under the age of 12 years shall be made on his/her behalf by his/her parent or legal guardian.
3. Anyone giving false information shall have their library privileges withdrawn.
4. Patrons shall present their library card each time they wish to borrow library material.
5. Patrons accept responsibility for their library card and all items borrowed, and agree to report the loss of the card and any changes in registration information.
6. Patrons remain responsible for any unauthorized use of a lost library card until such time as the loss of the library card is reported to the Library.
7. Patrons will not transfer use of their library card and alter their library card in any way.

Collection of Personal Information

1. The St. Catharines Public Library collects personal information under the authority of the *Public Libraries Act, R.S.O., 1990, c.P.44, s.23(4)* for the purpose of the management of library services including membership registration, administration of material circulation, service delivery and service planning.
2. For the purposes of the registration of Library members and the administration of material circulation, the Library collects the following types of personal information: name, address, telephone number, date of birth and email address.
3. Personal information collected for these purposes will only be used internally or as set out in the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*.

4. The Library does not keep a record of the items a member has borrowed once the item(s) are returned. These items are deleted immediately from the member's record.
5. The Library purges member records after a specified period of inactivity.

Confidentiality of Membership Information

Internal Access to Patron Information

1. All information contained in or developed from the Library's database that pertains to membership records or identified individuals and their borrowing records is confidential.
2. Only authorized on-duty staff have access to patron information.

External Access to Patron Information

1. All information related to members is confidential. Upon presentation and verification of their Library card or other sufficient identification, patrons may query their own records. Members are entitled to know:
 - a) What information is recorded in their member registration files.
 - b) What materials are charged out to them.
 - c) How much money, if any, they owe and why.
 - d) The status of reserves.
2. Patrons may query the records of their minority age children or wards, as per #6 below.
3. No other person is entitled to information contained in the Library's database after the items are returned.
4. Once material is returned to the Library and checked in, the name of the last patron to use the material remains in a background file on the item record for use by authorized Library personnel.
5. Information from the Library's database files shall only be released to the police or government agencies upon the presentation of a proper and valid warrant to the C.E.O., or in the absence of a warrant, the information must be documented on the **Disclosure of Personal Information (to the Police) Form** created for this purpose (Appendix 1). Disclosure to be in accordance with Section 32(g) or 32(i) of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*.
6. Children have the same privacy and access rights as adults except that section 54(c) of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56* provides that "Any right or power conferred on an individual by this Act may be exercised if the individual is less than sixteen years of age by a person who has lawful custody of the individual."
7. If a member brings a Library card that belongs to another member, it implies consent that the member can pick up material on hold for the other person, but it does not allow access to the other information in the member's record.

8. Records and information held by the Library shall be dealt with in accordance with the provisions of the *Public Libraries Act, R.S.O. 1990, c. P.44*, and the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*.

Circulation of Materials

1. A patron in good standing may, upon presentation of their library card, borrow circulating material.
2. A library card is issued to a child under the age of 18 with the understanding that the parent or guardian accepts responsibility for its use.
3. All persons borrowing materials from the St. Catharines Public Library must return them to one of the branches of the St. Catharines Public Library or other libraries of the Regional Municipality of Niagara by the due date.
4. Borrowers will be held responsible for any loss or damage to materials signed out by them or borrowed on their library cards.
5. Any person who has borrowed or to whom materials have been delivered who damages or fails to return the same, fails or neglects to pay on demand the cost of any loss or damage, or fails to pay fines, may be subject to suspension of all Library borrowing privileges and/or prosecution according to the law.
6. Loan periods and renewals may vary with the kind of material.
7. Fines shall be levied for late return of materials.

Copying of Materials

1. The St. Catharines Public Library adheres to the laws of Canada governing the copying of all materials. The St. Catharines Public Library retains a copying license for public libraries through Access Copyright, a non-profit organization formed and run by Canada's leading associations of creators and publishers. The St. Catharines Public Library operates within the terms and conditions of this license, and makes every effort to ensure patrons and staff do likewise.

Collections

1. The Library Board supports the individual's right to intellectual freedom as embodied in the *Canadian Charter of Rights and Freedoms*.
2. The St. Catharines Public Library will develop and maintain collections to ensure that the widest range of materials is available to the public to meet their informational, educational and recreational needs.

Gifts and Donations

1. The St. Catharines Public Library will accept unsolicited materials on the understanding that the Library will have unconditional ownership of the materials notwithstanding individual donor written contracts or agreements.

2. The Library reserves the right to decide whether materials are to be integrated into the collection and/or disposed of by sale or exchange. The Library is under no obligation to inform the donor of the disposition of donated materials.
3. Gifts of money will be accepted on the understanding that selection of items will be made in accordance with existing policies of the Board.

Services

Information Services

1. It is the policy of the St. Catharines Public Library to answer all reference, community information and readers' advisory questions efficiently and accurately, and as completely as possible, and to assist patrons on the use of Library and bibliographic tools.
2. Information services include Library orientation, orientation to electronic resources and reference resources, user education courses, and production of guides to sources of information.
3. The St. Catharines Public Library will have trained reference staff available at all times during hours of operation to ensure optimum use of all available resources.
4. Users may obtain assistance in person, by correspondence, telephone, or other technological sources.
5. The St. Catharines Public Library co-operates with other libraries and agencies in order to provide for the information needs of the community. Interlibrary loan services are provided in accordance with the Canadian Library Association Interlibrary Loan Code for Canada.
6. Charges shall be levied for interlibrary loan services if the Library is invoiced by the lending institution. The amount charged will be in accordance with the rates of the lending institution.

Programs

1. Programs that contribute to the informational, educational, cultural and recreational needs of the community may be offered or sponsored by the libraries.
2. Where there are restrictions of space, St. Catharines residents will be given preference in registering for Library programs.
3. Some children's programs may be restricted to defined age groups.
4. Charges may be levied for programs to give partial or total cost recovery.
5. A full refund will be made for programs cancelled by the Library. Refunds for series programs will be determined on a pro-rated basis for sessions attended before the mid-way point of the series. No refunds will be made following the mid-way point.

Facilities

Use of Buildings

1. Library facilities are open to all members of the public provided that they observe the rules and regulations of the Board. Rules of Conduct will be posted in the Library. The Rules of Conduct are for the safety and comfort of everyone. Any disregard of these rules may result in sanctions as per the *Public Libraries Act*, *Occupational Health and Safety Act*, *Trespass to Property Act*, *Public Works Protection Act*, *Criminal Code of Canada*, or other applicable legislation.

Study Space

1. Study space shall be provided in all permanent Library buildings.

Meeting Rooms

1. Meeting rooms are provided for Library and Library-related programs and meetings. After these needs are met they may be available to groups and organizations as revenue-generating public facilities to be booked for meetings, education or training seminars, cultural events, and community interest activities. All uses of the rooms should be in keeping with the spirit of what is acceptable in any other part(s) of the Library.
2. Meeting rooms are not rented for: private social functions; fundraising events or bazaars; trade exhibitions; religious services; direct sales of products or services; or for programs that are not suited to the Library's physical facilities and family oriented atmosphere. When special circumstances apply, a request may be made in writing to the C.E.O. for exceptions to the above.
3. Use of the meeting rooms by any groups or organization does not constitute an endorsement by the Library Board of that group or organization's beliefs or policies. Programs must not contravene the *Criminal Code of Canada*.
4. Please see the *Meeting Room Policy* for details.

Displays

1. Display areas are available for Library sponsored and Library related programs and to promote and provide information of an educational and cultural nature.
2. Display areas are made available on an equitable basis.
3. There is no charge for the use of display areas. Displays must be booked in advance.
4. Displays must be informational, neat and attractive. Displays must be of intrinsic worth and non-judgemental in nature.
5. Displays designed to promote commercial enterprises, advertising, petitions, or hate materials are prohibited. The Library may display petitions from the City of St. Catharines, or other government agencies and departments. The Library may, from time to time, develop its own petitions for the public.

6. Themes addressed in displays are not necessarily a reflection of the opinion of the St. Catharines Public Library Board.
7. Individuals or groups opposing a display may register their concerns via a written complaint addressed to the Library Board.
8. The Library is not responsible for theft or damage to display items.
9. Decisions to refuse Displays may be appealed. An appeal must be made in writing to the C.E. O.
10. Please see the *Display Window and Cubes Booking Guidelines* for booking details.

Selling, Soliciting and Filming on Premises

1. Selling and soliciting in the Library shall not be permitted without the permission of the Board.
2. Donations shall not be solicited nor will tickets or articles be sold in the Library without the permission of the Board.
3. Photographing, filming or video recording on Library premises is not allowed without prior approval of the C.E.O.

Public Notice Boards and Distribution of Bulk Materials

1. The Central Library and Branches have notice boards that may be used for the posting of public notices of an educational and cultural nature. Some locations may be able to distribute bulk publications.
2. The Library will display and distribute materials in appropriate locations for a limited time, subject to the availability of space.
3. All material accepted for posting and/or distribution becomes the property of the St. Catharines Public Library Board and the Library reserves the right to dispose of the materials as it sees fit.
4. Decisions to refuse postings and/or bulk materials may be appealed. An appeal must be made in writing to the C.E. O.
5. Please see the *Guidelines for Posting on Library Notice Boards and Bulk Material Distribution* for details.

Hours of Operation

1. The Board will determine the hours of operation. Hours will be posted. The public shall be notified of changes other than those caused by emergencies.

2. The Library shall be closed on:

New Year's Day	Civic Holiday
Family Day	Labour Day
Good Friday	Thanksgiving Day
Easter Monday	Remembrance Day
Victoria Day	Christmas Day
Canada Day	Boxing Day

And on any day proclaimed as a holiday by the Federal, Provincial or Municipal Governments; and any other days as the Board shall direct.

3. The authority to close shall be vested in the Chief Executive Officer or designate.

Implementation

The Policy shall be implemented by the C.E.O.

LS/dm

Attachments(s): Appendix 1 – Disclosure of Personal Information (to the Police) Form

Policy Reviewed by C.E.O.

January 31, 2013

**CITY OF ST. CATHARINES
ST. CATHARINES PUBLIC LIBRARY:
Disclosure of Personal Information (to the Police)**

Request from the Niagara Regional Police for Access to Personal Information Held by the St. Catharines Public Library for the Purposes of Law Enforcement as Defined by the *MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (MFIPPA)*.

In accordance with the provisions of the *Act* section 29(1)(b) respecting indirect collection of personal information of an individual to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result, access to the following records is requested:

To be completed by the C.E.O. or Designate:

Employee or Customer Information

Check One:

Employee Information or Customer Information

File Location

Central Library File or Branch Files

General Files or Specific Record Titles

General Files Specific Record Titles

Please describe the records sought.

Description of Records:

To be completed by the Police Officer(s):

Occurrence No. _____

Review Original Documents _____ Copies Requested _____ *Original Requested _____

Signature of Investigating Officer Badge/Identification No. Date

Signature of Investigating Officer Badge/Identification No. Date

* Released on subpoena only/copy of file/record must be retained.

Disclosure of Personal Information (to the Police)

To be completed by C.E.O. or Designate:

The personal information held by the St. Catharines Public Library has been released in accordance with the provisions allowing disclosure of information outside the institution pursuant to section 32 of the *Act*.

Please indicate the circumstances under which disclosure was authorized.

- (g) If disclosure is to an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result;

- (i) in compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.

Signature of C.E.O. or designate releasing file/record Date

Return all completed ORIGINAL forms to the C.E.O., St. Catharines Public Library, 54 Church Street, St. Catharines, Ontario L2R 7K2.