

## **THE TOPSFIELD TOWN LIBRARY**

### **PRIVACY AND CONFIDENTIALITY POLICY**

The Topsfield Town Library endeavors to protect patron privacy to the maximum extent possible. Patron use of library resources including access to commercial databases, catalogue requests, library reference materials and interlibrary loan requests, will be treated with the same confidentiality as the patron record information of age, address, telephone number and email address. Any patron data stored (either intentionally or incidentally) on our computer network, or our consortium's servers, is confidential and protected by Massachusetts General Laws, Chapter 78, Section 7, which reads in part "...that part of the records of a public library which reveals the identity and intellectual pursuits of a person using such library shall not be a public record..." Patrons are advised that any rights to confidentiality under the same law may be overridden by the provision of the U.S. Patriot Act and/or federal Foreign Intelligence Surveillance Act (FISA).

The library staff is instructed to be sensitive to patrons' privacy. Personal records and information will not be shared with others, including library generated telephone messages regarding patron requests for material. In addition, we recommend patrons be aware of the following:

- Security in a networked electronic environment cannot be guaranteed. Be sure to log out of any web-based service that you have logged into. Leaving personal data on sites that you have visited without logging out properly could expose your information to the next computer user.
- Data loss is a fact of life in an electronic environment and may jeopardize patron privacy. Loss of data is more likely on library computers than on a personal computer in your home. Library staff will work with patrons to retrieve information when possible. It is important for the patron to know that staff may not always be available to help or be able to retrieve lost information.
- Library computers are located in public areas that must be shared by library users of all ages, backgrounds, values and sensibilities. It is important that patrons recognize the importance of not interfering with others' privacy. The Topsfield Town Library policy for Public Use of the Internet clearly states "the Internet may contain controversial material and information that is of a mature nature and may not be suitable for minors, or appropriate for viewing in a public setting." With this in mind, we ask patrons to use discretion and recognize that the public setting does not give patrons complete privacy. Library staff will speak with patrons about inappropriate materials viewed on the Internet in the library.
- Library staff shall be instructed to immediately refer any inquiry regarding patron information to the director (or director's designee). The staff should not attempt to service officials nor interfere with the execution of a warrant, subpoena or other legal requests.

- All requests involving legal or judicial matters or requests from law enforcement will be referred to the town's legal counsel. Town counsel is typically contacted through the town administrator's office; however, it is recommended that in the case of requests regarding the Patriot Act, the library director (or designee) contact town counsel directly for advice or assistance in any legal request of patron information.
- The director (or designee) shall ask for and photocopy positive identification of those persons requesting information as set forth in the above paragraph. A file will be kept with the copy of identification, a record of the legal request and all costs associated with compliance of the request.
- With regard to the Patriot Act and the execution of a FISA search warrant, the library director (or designee) will contact town counsel. The director (or designee) will request counsel to be present during the execution of a FISA search if time permits.
- The director (or designee) shall be present during the execution of all legal searches to ensure that only records identified in the warrant or subpoena are viewed or scanned.

A schedule of library records and retention is attached.

## **Topsfield Town Library**

### **Retention of Library Records**

<b>File</b>	<b>Retention Schedule</b>
Library programs/class attendance lists	Destroyed after statistics are recorded and activity is completed.
Internet personal computers	Individual users are deleted every 24 hours by MVLC. Internet site activity files cleared weekly.
Searches on IPAC	Not retained by Horizon software.
Circulation records	Horizon software retains records of materials checked out until returned, and fines or fees are paid. See MVLC's Circulation Record Retention by Block Type policy.
Patron notification	All notifications are mailed or emailed directly to patron, <b>call and shredded</b> . Grossly overdue notices are kept on file until issue is resolved, and then notices are shredded.
Reference questions	Retained one year after ARIS report is completed. No names are associated with request.
Written reference requests	Retained one year after ARIS report is completed. Names are removed after sending library receives material back from patron.
Registration cards and email notification requests	Retained until we know that patron has moved or is deceased.
Registration records in Horizon	Retained unless we delete when patron has moved outside MVLC or is deceased.
Interlibrary loan requests	Retained one year after ARIS report is completed. Names are removed after sending library receives material back from patron.
Room requests	Saved an additional year after the end of the calendar year.
Museum pass requests	Saved an additional year after the end of the calendar year.