

VDX transactions and patron privacy issues

Some (not all) libraries using the INFO interlibrary loan management system enter brief patron information into VDX user records to facilitate interlibrary loan management. It is optional to do so. These user details are only seen by the requesting library staff placing the interloan request on behalf of the patron. The user details are not transmitted with the request details to the potential lending library that might supply the item.

Libraries have an obligation to dispose of personal information in accordance with the regulations under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*. Personal information that has been used by a library should be retained for one year after use, or a shorter period set out in a bylaw or resolution made by the library board. Libraries will, however, maintain a record linking a user to library material, until the book, videotape or DVD has been returned and any outstanding charges are paid.

Given that the U.S. Patriot Act may not respect Canadian privacy legislation, patron information could be at risk as VDX is based in the U.S. The information collected that could be accessed through VDX in the United States consists of the patron's name, phone number and library card number. Some libraries also opt to include an e-mail address. Libraries can ensure that patrons are informed of the potential risk and sign waivers of acknowledgement to participate in interlibrary loan. Our arrangements with the VDX vendor includes automatic purging of patron details from interloan request records 180 days (six months) after the transactions are completed. This surpasses the one year disposal time frame described in the Act.

For additional information see [What are the privacy responsibilities of public libraries?](#) by the Information and Privacy Commissioner/Ontario (IPC) December 2002. This publication looks at some common questions library users and library staff may have about privacy rights and what libraries can do to protect privacy. Also see [Questions and answers for public libraries](#) regarding the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* on the Ministry of Culture website.

Libraries that would like to make the process more transparent to their patrons, as it relates to interlibrary loan, are responsible for drafting waivers or consent forms as they see fit. These sample waiver and warning statements can be adapted to a library's purposes.

SAMPLE:

Waiver for printed ILL
request tools

By placing an interloan request I understand that information collected for interlibrary loan purposes (name, phone number, library card number) could be at risk given that the U.S. Patriot Act may not respect Canadian privacy legislation and the VDX interlibrary loan management software is based in the U.S.

SAMPLE:

Warning for electronic
ILL request tools

Interlibrary loan management may require the transmission of data that may serve to identify you (name, library card number, phone number). This data will be stored on a server operated by a third party, either in Canada or in the United States for 180 days after your ILL transaction is completed.