

**CONFIDENTIALITY OF BORROWER RECORDS**

- **Policy Statement:** Hingham Public Library (“Library”) is committed to protecting, to the maximum extent practicable, the privacy of patron information not considered a public record under General Laws, c78, sec. 7. This statute states library records “that reveal the identity and intellectual pursuits of a person shall not be considered a public record”. Accordingly, the Library considers circulation and registration records with identifying information such as name, address, telephone number and email address, as well as materials borrowed or accessed electronically, not to be a part of the public record. Nevertheless, pursuant to subpoena, search warrant, or as otherwise required by law, such records may be disclosed to proper authorities. The Library’s “Privacy Policy Notice” provides a more comprehensive statement on privacy and library services. This policy, however, addresses “Confidentiality of Borrower Records” and how the Library handles specific types of borrower transactions.
  
- **Regulations:** Circulation, registration, and other informational retrieval records created on behalf of persons using the Library may not be disclosed except in the following circumstances:
  1. Persons acting within the scope of their duties as employees of the Hingham Public Library or as employees of member libraries of the Old Colony Library Network (OCLN) shall have access to circulation records and other transaction data to perform their duties.
  
  2. At the request or consent of the individual who is the subject of the record or information. A minor’s parent(s) or legal guardian may have full access to a minor child’s (seventeen years of age and younger) borrower information if the parent(s) or legal guardian presents definitive personal identification and the minor’s Library card barcode number.
  
  3. Pursuant to such process, order, or subpoena as may be authorized under the authority of, and pursuant to, federal, state or local law relative to civil, criminal, or administrative discovery procedures or legislative investigative powers. In the event a search warrant for borrower information is presented, staff shall follow “Search Warrant Procedures for Hingham Public Library.” All such inquiries covered by this paragraph shall be immediately referred to the Library Director.

- **Procedure:**

1. Disclosure and Education: Each new borrower shall receive a copy of the “Library Patron Confidentiality” handout and staff instruction in the creation of a personal identification number (PIN) for the new account.
2. Holds Pick Up by Third Parties: A third party, including a spouse, parent, or guardian, must present the library card of the individual requesting or placing the holds. No additional material may be charged by the third party on this borrower’s card. Staff should take precautions not to disclose borrower information in conducting a third party transaction.
3. Telephone/Email Renewals and Hold Requests: The caller must supply a library card barcode and telephone number matching the patron’s record in the OCLN database.
4. Telephone and Email Customer Service Inquiries Regarding Borrower Transaction: Staff should follow the steps outlined in #3 before discussing transactions with the caller or the author of the email.
5. Access to Minor’s Borrowing Information by “Caregivers” [items checked out on a child’s card]: Staff may provide borrower information to a minor’s caregiver if a signed release naming the specific caregiver is on file. The release *and* a photocopy of the caregiver’s driver’s license, passport or other mutually acceptable identification will be kept on file until rescinded by the parent(s) or legal guardian. The caregiver also must have the minor’s library card to conduct transactions on behalf of the minor.
6. Caregiver Using Employer’s Library Card on Behalf of Employer’s Minor Children [items checked out on the parent or guardian’s card]: A caregiver may use his or her employer’s library card on behalf of the employer’s minor children provided the caregiver presents the employer’s library card and has placed on file with the Library’s Circulation or Children’s Departments a release naming the caregiver as an authorized user of the card *and* a photocopy of the caregiver’s driver’s license, passport or other mutually acceptable identification. The employer remains responsible for all items borrowed and any charges incurred when the card is used in this manner. The release and identification information will be kept on file until rescinded by the employer or the caregiver.
7. Non-Routine Inquiries Not Covered by Existing Practice: Staff shall refer non-routine inquiries to the Circulation Supervisor, or in her absence, to the Library Director. The Circulation Supervisor or Library Director will respond to the patron within two business days.