



Data Protection Privacy Statement

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1. General

As a library member, your local authority library service (“Library Authority”) processes your personal data for the following purposes:

1. The provision of library services through the library management system
2. The provision of other library services for its area.

Your Library Authority acts as data controller for your data for these purposes.

The Local Government Management Agency (LGMA) is a State agency established in 2012 following the merger of the Local Government Management Services Board (LGMSB), the Local Government Computer Services Board (LGCSB) and the integration of An Comhairle Leabharlanna (ACL) functions.

The statutory remit of the LGMA extends to include the following in relation to public libraries:

- The provision of advice, assistance and services to Library Authorities in relation to the public library service;
- The provision of such services as required as Registrar of Public Lending Remuneration;

A complete list of the LGMA's statutory functions can be found on the [LGMA website](#).

Libraries Development is the LGMA function responsible for fulfilling the statutory functions of the LGMA in relation to library services. As part of this role, on the instruction of the Library Authorities, LGMA (Libraries Development) procure and manage the computer system used to support the Irish local authority public library network lending service. This system is called the Spydus Library Management System (“Spydus LMS”). Your Library Authority and LGMA (Libraries Development) (“we/us/our”) are committed to protecting and respecting any personal information you share with us.

This statement describes what types of information we collect from you, how it is used by us, how we share it with others, how long we keep your information for, your rights, how you can manage the information we hold and how you can contact us.

The contents of this statement may change from time to time so you may wish to check the latest statement page occasionally to ensure you are still happy to share your information with us. The latest version can be found on our [website](#).

2. Definitions

The data protection privacy statement is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Our data protection privacy statement should be legible and understandable for our library members, the general public, library staff and partners. To ensure this, we would like to first explain the terminology used.

In this data protection declaration, we use, among others, the following terms:

- a) **Personal data:** Personal data means any information relating to an identified or identifiable natural person (“data subject”). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- b) **Data subject:** Data subject is any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing (i.e. a *library member or a library staff member*).
- c) **Library member:** a natural person who has joined their local library service and has been allocated a library card number.
- d) **Processing:** Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- e) **Restriction of processing:** Restriction of processing is the marking of stored personal data with the aim of limiting their processing in the future.
- f) **Profiling:** Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.
- g) **Pseudonymisation:** Pseudonymisation is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information

is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

- h) Controller or controller responsible for the processing: Controller or controller responsible for the processing is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.
- i) Processor: Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
- j) Recipient: Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.
- k) Third party: Third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.
- l) Consent: Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

3. Lawful basis

The lawful basis for processing personal data through the Spydus LMS is that this processing is necessary for the performance of tasks carried out for a statutory reason, providing a public library system.

The relevant legislation is set out in the following;

- a) Public Libraries Acts 1855 & 1947;
- b) Local Government Act, 2001 – Part 9, Chapter 3 – Library and Archival Functions;
- c) The Local Government Management Agency An Ghníomhaireacht Bainistíochta Rialtais Áitiúil (Establishment) Order 2012 – Statutory Instrument 290 of 2012;
- d) Local Government (Miscellaneous Provisions) Act 2012 (Transfer of functions of An Chomhairle Leabharlanna) Order 2012 – Statutory Instrument 423 of 2012.

4. What information do we collect?

We collect information in the following ways:

Information you give us, about you when you become a library member of a local authority public library in the Republic of Ireland or if you engage via our websites. We only collect information which is necessary, relevant and adequate for the purpose you are providing it for.

Information we get from your use of our library services or library service providers.

We collect information about you when you use the Libraries Ireland website, when you borrow, return, reserve books and other items either through the Spydus LMS website, through your local authority public library website or when you visit a local authority public library and use the Spydus LMS, either directly or through a library staff member.

The information we process in the Spydus LMS includes some or all of the following:

1. Name (first, middle and last name);
2. Address including Eircode;
3. Date of birth;
4. Gender;
5. Email address;
6. Telephone number(s);
7. Home library;
8. Library card number & barcode;

9. Pin;
10. Category (adult, young adult, child);
11. Status;
12. Registration date;
13. Registration expiry;
14. Items currently on loan to you;
15. Inter library loans to you;
16. Items currently on reserve for you;
17. Items you have told us that you have returned;
18. Loan history;
19. Language preference;
20. How you would like us to contact you;
21. Opted-in to marketing by email;
22. Family relationships (for linked children's accounts)
23. Home delivery services
24. Global and local notes

In addition, Libraries Development may also collect the following personal data;

25. Any information within correspondence or emails that you send directly to our offices;
26. Personal data, including your email address, that you supply when you raise a support ticket on the [Libraries Ireland support website page](#).

5. How do we use this information?

Your Library Authority will only process information that is necessary for the purpose for which it has been collected. If you do not provide us with the information we require, relevant and appropriate to the reason for which we request it, this may prevent you from fully availing of our services.

We may use the personal data we gather for any or all of the following purposes:

| Purpose | Description | Lawful Basis for Processing |
|--|--|--|
| Provision of a library service – library member administration | We record personal data when a library member registers to become a member of a library service and as identification when you contact us. We link library members of the same family. | The processing is necessary for the performance of a statutory duty. |

| Purpose | Description | Lawful Basis for Processing |
|---|---|---|
| Provision of a library service – library administration | We record item(s) and date(s) when a library member borrows an item from the local authority public library system and calculate return dates. We record your reserved items, overdue items and lost items. Library members may also opt to receive message prior to the return date to enable them to return or renew the item. | The processing is necessary for the performance of a statutory duty. |
| Provision of a library service – author information | We process personal information about the authors of items loaned in order to accumulate data for the calculation of the Public Lending Remuneration Scheme | The processing is necessary for the performance of a statutory duty. |
| Provision of a library service – related online library member services | <p>We provide access to the following third-party online services through the Libraries Ireland website.</p> <ul style="list-style-type: none"> • Newspapers • Magazines • eBooks • eAudio Books • Language Learning • Learning <p>See Section 9 How Do We Share This Information below</p> | The library member has given explicit consent to the third-party to the processing. |
| Provision of a library service – library authority employees | We collect staff name and local authority details in order to control login and access to the Spydas LMS. | The processing is necessary for the performance of a statutory duty. |
| Library Development Staff Data | For data subjects who work on the Spydus LMS and are employees of the LGMA, we may use your personal data during our operation of the Spydus LMS. | The processing is necessary for the performance of a statutory duty. |
| Dublin City Council Library Services LMS Support Team | Dublin City Council Library Services Support Team provide support services to the Spydus LMS and their staff data is processed in order to control login and access to the Spydus LMS. | The processing is necessary for the performance of a statutory duty. |

6. How do LGMA work with your local authority public library service?

Every library member is a member of their local authority's Library Authority. Your Library Authority is the data controller of your personal data held within the Spydus LMS. LGMA (Libraries Development) acts as your Library Authority's data processor for the Spydus LMS.

This is because your Library Authority determines the purpose and means of how the Spydus LMS works and uses your library card information to provide you with other related library services. These services are controlled by your local authority and you should refer to the privacy statement of your local authority. Examples of such services are room bookings in branch libraries, computer pc reservation and internet usage in branch libraries, additional online services, book clubs, readings and newsletters.

You can access all the Library Authority privacy statements on their individual websites.

7. What is the LMS?

The LGMA (Libraries Development) uses a computer software platform called the Spydus Library Management System (Spydus LMS). This system is provided and hosted by Civica and they are our data processor. Civica are a global provider of library management systems. For further information about Civica & Spydus LMS then please click [here](#).

8. Who supports Spydus LMS?

Dublin City Council Library Service Support Team support the LGMA (Libraries Development) in providing Spydus LMS.

9. How do we share this information?

Your Library Authority shares your data for the purpose of providing shared national library services. One of the advantages of a national library service is that you may search and reserve a library item from other local authority public library services. If you do then they will be permitted to access your personal information for the purposes listed above.

Your Library Authority has arranged, through Libraries Development, for library members to access to six online resources provided by third parties as follows

| No | Online Resource | Third Party per contract (click for link to privacy statement) |
|----|-----------------|--|
| 1 | Newspapers | Overdrive, Inc.(PressReader) |

| | | |
|---|-------------------|---|
| 2 | Magazines | Overdrive, Inc. |
| 3 | eBooks | Bolinda Digital Pty Ltd |
| 4 | eAudio Books | Bolinda Digital Pty Ltd |
| 5 | Language learning | Transparent Language, Inc. |
| 6 | Learning | Overdrive, Inc.(Universal Class, Inc) |

These third parties are data controllers in their own right. They will collect personal data about you including your library card number for their own purposes. Your Library Authority does not share your personal data with these third parties. We do allow them to check certain information items against Spydus LMS in order to confirm their validity. You should refer to their privacy statements for information about what they do with your data and what rights are available to you. Libraries Development produces aggregate reports on the usage of these systems. Libraries Development and Local Authority library staff may run individual usage reports for the Magazine service, this shows library users barcode, email, local authority library service and name of magazine checked out.

The LGMA, through Libraries Development, and your Library Authority are also responsible for administering the Public Lending Remuneration Scheme (PLR) for the Republic of Ireland. The PLR is how authors, illustrators and other contributors receive payment for the loan of their books and similar items by Irish public libraries. Spydus LMS generates accumulated lending information (containing no personal data). This accumulated lending information is shared with the [British Library](#), who administer the information about authors and make the required calculations on our behalf.

Your Library Authority, through Libraries Development, uses a small number of third parties to provide information technology and other supports. These third parties are our data processors. We ensure that any third-party data processors who handle your information comply with data protection legislation and protect your information just as we do. We only disclose personal information that is necessary for them to provide the service that they are undertaking on our behalf. We anonymise your information or use aggregated none specific data sets where ever possible.

Your data will not be passed to any third-party for their own independent marketing purposes.

10. How long do we keep your information for?

When we collect your personal information, the length of time we retain it is determined by a number of factors including the purpose for which we use that information and our obligations under other laws. In line with our policies, after a period of inactivity on your account, your personal data will be erased from Spydus LMS.

We do not retain personal information in an identifiable format for longer than is necessary.

We may need your information to establish, bring or defend legal claims. In these cases, we will always retain your personal information for 18 months after the date it is no longer needed by us for any other purposes listed under [How do we use your personal information.](#)

The only exceptions to this are where:

- You have unreturned items;
- Fines, costs of replacing or repairing items and other costs that are owed to a local authority;
- the law requires us to hold your personal information for a longer period, or delete it sooner;
- you exercise your right to have the information erased and we do not need to hold it in connection with any of the reasons permitted or required under the law.

Libraries Development used a different LMS system prior to March 2022. This LMS has been retired and the information held in will be deleted once the transition to Spydus LMS has been completed.

11. What are your Rights?

You have a number of rights in relation to your personal information under data protection law. In relation to most rights, we will ask you for information to confirm your identity and, where applicable, to help us search for your personal information. Except in rare cases, we will respond to you within one month after we have received any request.

a) Right of confirmation

You have the right to obtain from the controller the confirmation as to whether or not personal data which concerns you is being processed.

Should you wish to avail of this right of confirmation, you may, at any time, [contact our Data Protection Officer](#) or the data protection officer of your local authority.

b) Right of access

You have the right to obtain from the controller free information about your personal data stored at any time and a copy of such information.

Should you wish to avail of this right of access, you may, at any time, [contact our Data Protection Officer](#) or the data protection officer of your local authority.

c) Right to rectification

You have the right to obtain from the controller without undue delay the rectification of inaccurate personal data which concerns you. Taking into account the purposes of the processing, you shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Should you wish to exercise this right to rectification, you may, at any time, [contact our Data Protection Officer](#) or the data protection officer of your local authority.

d) Right to erasure (Right to be forgotten)

You have the right to request from the controller the erasure of personal data which concerns you without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary:

- The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- The library member withdraws consent to which the processing is based and where there is no other legal ground for the processing.
- The library member objects to the processing and there are no overriding legitimate grounds for the processing.

- The personal data has been unlawfully processed.
- The personal data must be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.

If one of the aforesaid reasons applies, and you wish to request the erasure of personal data stored by us, you may, at any time, [contact our Data Protection Officer](#), or the data protection officer of your local authority, who shall promptly ensure that valid erasure requests are complied with.

e) Right of restriction of processing

You have the right to request from the controller restriction of processing where one of the following applies:

- The accuracy of the personal data is contested by the library member, for a period enabling the controller to verify the accuracy of the personal data.
- The processing is unlawful and the library member opposes the erasure of the personal data and requests instead the restriction of their use instead.
- The controller no longer needs the personal data for the purposes of the processing, but they are required by the library member for the establishment, exercise or defence of legal claims.
- The library member has objected to processing, pending the verification whether the legitimate grounds of the controller override those of the library member.

If one of the aforementioned conditions is met, and you wish to request the restriction of the processing of personal data stored by Libraries Development, you may at any time [contact our Data Protection Officer](#), or the data protection officer of your local authority, who will arrange the restriction of the processing.

f) Right to data portability

You have the right to receive the personal data which concerns you, which was provided to a controller, in a structured, commonly used and machine-readable format. In order to assert the right to data portability, you may at any time [contact our Data Protection Officer](#), or the data protection officer of your local authority.

g) Right to object

You have the right to object, on grounds relating to your particular situation, at any time, to processing of personal data which concerns you, which is based on public interest or in the legitimate interest of the Controller. This also applies to profiling based on these provisions.

We shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the library member, or for the establishment, exercise or defence of legal claims.

If we process personal data for direct marketing purposes, you have the right to object at any time to processing of personal data which concerns you for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If you object to the processing for direct marketing purposes, we will no longer process the personal data for these purposes.

In addition, you have the right, on grounds relating to your particular situation, to object to processing of personal data which concerns you by us for scientific or historical research purposes, or for statistical purposes, unless the processing is necessary for the performance of a task carried out for reasons of public interest. In order to exercise the right to object, you may directly [contact our Data Protection Officer](#) or the data protection office of your local authority.

Furthermore, you are free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use your right to object by automated means using technical specifications.

h) Automated individual decision-making, including profiling

We do not use automatic decision-making or profiling.

Each library member shall have the right granted by the European legislator not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, as long as the decision (1) is not necessary for entering into, or the performance of, a contract between the library member and a data controller, or (2) is not authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the library member's rights and freedoms and legitimate interests, or (3) is not based on the library member's explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between the library member and a data controller, or (2) it is based on the library member's explicit consent, LGMA (Libraries Development) shall implement suitable measures to safeguard the library member's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and contest the decision.

If the library member wishes to exercise the rights concerning automated individual decision-making, he or she may at any time directly [contact our Data Protection Officer](#) or the data protection office of your local authority.

i) Right to withdraw data protection consent

You have the right to withdraw your consent to the processing of your personal data at any time. Should you wish to exercise the right to withdraw the consent, you may at any time directly [contact our Data Protection Officer](#), or the data protection officer of your local authority.

j) Right to lodge a complaint

LGMA (Libraries Development) aims to resolve all queries or complaints that you may have. If you have any specific data protection concerns or a complaint, you can address it to our Data Protection Officer at dataprotection@lgma.ie or contact us at the address and telephone numbers in section 8 below. You may also complain to your local authority.

If we cannot resolve your query, you have the right to contact the Data Protection Commission's Office by using the details below:

[Data Protection Commission](#)

21 Fitzwilliam Square North
Dublin 2
D02 RD28

The Data Protection Commission has an online form for raising concerns, available from this [link](#).

12. Information about Libraries Development

Libraries Development is a function of the Local Government Management Agency Limited (a State agency), whose office is at Local Government House, 35-39 Usher's Quay, Dublin 8, D08 XKP7.

Name and address of the data controller

The data controller for the purposes of the GDPR and Data Protection Act 2018 and other data protection laws applicable in Member states of the European Union and other provisions related to data protection is:

Your Local Authority, please see their website for details.

Alternatively, you may contact

LGMA (Libraries Development)

Local Government House
35-39 Usher's Quay
Dublin 8
D08 XKP7

Phone: + 01 633 22 00

Email: info@librariesireland.ie

Website: <http://www.librariesireland.ie/>

Name and Address of the Data Protection Officer for LGMA

Any data subject may, at any time, contact the LGMA's Data Protection Officer directly with all questions and suggestions concerning data protection.

All enquiries on data protection matters should be directed to the LGMA's Data Protection Officer, who can be contacted at the address above or by emailing:

Email: dataprotection@lgma.ie

Ends