

Annual Statistical Report to the Office of the Information and Privacy Commissioner (IPC) of Ontario.

Date:	April 12, 2010
To:	Toronto Public Library Board
From:	City Librarian

SUMMARY

This report will provide a summary of privacy and access related issues at Toronto Public Library (TPL) during 2009 and an overview of the statistical report submitted to the Ontario Information and Privacy Commissioner (IPC).

The Board requested that the Library report on security video surveillance; specifically, the number of requests for the disclosure of security video surveillance tapes to a law enforcement agency in 2009.

FINANCIAL IMPACT

The report has no financial impact beyond what has already been approved in the current year's budget.

The Director, Finance & Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

The Library is required to submit a statistical report to the Information and Privacy Commissioner (IPC) of Ontario on an annual basis. The Library Board requested that information about this report be provided to the Board. The Library Board also requested that information be provided annually regarding the number of disclosures of security video surveillance tapes to law enforcement agencies.

ISSUE BACKGROUND

The Information and Privacy Commissioner of Ontario acts independently of government to uphold and promote open government and the protection of personal privacy in Ontario. The Information and Privacy Commissioner of Ontario deals with a variety of legislation that governs the area of access to information and protection of privacy.

The Toronto Public Library is governed by the Municipal Freedom of Information and Protection of Privacy Act (The Act). One of the IPC's functions is to gather statistics annually from municipal institutions, as defined in the Act, pertaining to inconsistent use of personal information in the institution's custody and the number of requests received for access to information (either an individual's own personal information or general records).

COMMENTS

Overview of Annual Report

The Toronto Public Library received six requests for access to records. One request was received near the end of 2009, therefore it will be reported next year. Of the remaining five requests, three were abandoned, one was granted full access, and for one, the Library chose not to confirm or deny the existence of any records.

In 2009, the Toronto Public Library did not disclose any personal information to third parties other than the way in which information is normally used (e.g. by employees in order to perform their jobs) or disclosed (e.g. as permitted by the Act for law enforcement, health and safety reasons and compassionate reasons).

In 2009, the Library maintained a 30-day compliance rate of 80%; factoring in appropriate time extensions and third party consultations, the Library achieved a 100% compliance rate.

Disclosures to Law Enforcement

All instances of disclosure of personal information to law enforcement agencies are reviewed, and the Privacy & Records Management Officer follows up on specific disclosures as necessary.

Routine Disclosure

The Library routinely discloses information to the public. The TPL website provides a wide range of information and includes Toronto Public Library Board agendas, documents and minutes, and other detailed information about Library programs and services. Many informal requests for information from the Library are answered by referring requestors to the Library website.

Privacy Impact Assessments (PIA)

With the introduction of new electronic technologies, it is increasingly important that the Library conduct impact assessments to determine the level of privacy protection that Library users will have when using the technology or when providing their personal information. A Privacy Impact Assessment is an investigation of a system or procedure that collects, manages, uses, or disposes of personal information.

Last year, the Library completed comprehensive Privacy Impact Assessments on the following:

- Integrated Library System (ILS);
- Director's Station, a statistical tool linked to the Library's circulation and patron database;
- the Online Registration portion of the new website.

The necessary actions to ensure privacy compliance for Director's Station and Online Registration are underway.

Access & Privacy Procedures and Staff Training

There were no reported privacy breaches in 2009. The Library continues to review policies and procedures; as an example, Internet-related policies and statements are under review to ensure that they accurately reflect the Library's practices.

The Privacy & Records Management Officer provided privacy training sessions to key staff in 2009 and sessions are planned for 2010.

The Library continues to review all standard forms in use that collect personal information. A Notice of Collection is a short statement that gives the legislative authority for the collection of the information, what the information will be used for, and contact details of the appropriate authority. The notice of collection is now a standard feature on all standard forms.

Video Surveillance

The Library does not have a duty to report video surveillance disclosures to the IPC. The disclosure of security video surveillance tapes to a law enforcement agency is allowed under s.32(g) of the Municipal Freedom of Information and Protection of Privacy Act.

In March 2007, the Library Board approved the Security Video Surveillance Policy which ensures that the Library is in compliance with privacy legislation in relation to security cameras. This policy also provided a framework for all current and future proposed video use at Library installations to ensure compliance with MFIPPA. The Board requested to know the number of disclosures of security video surveillance tapes to law enforcement agencies. During 2009 there were eight such disclosures, compared to nine in 2008.

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SIGNATURE

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