

## **Security Video Surveillance Policy Revisions**

<b>Date:</b>	November 18, 2013
<b>To:</b>	Toronto Public Library Board
<b>From:</b>	City Librarian

### **SUMMARY**

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This report presents proposed revisions to the Toronto Public Library Board's Security Video Surveillance Policy. The policy was revised to respond to a Board motion regarding reporting on the installation and use of security video surveillance systems. The policy was also updated to respond to current practices related to the Library's obligations under the Municipal Freedom of Information and Protection of Privacy Act, and to clarify the internal process for accessing security video surveillance. The proposed changes also reflect organizational and stylistic changes.

### **RECOMMENDATIONS**

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**The City Librarian recommends that the Toronto Public Library Board:**

1. approves the revised Security Video Surveillance Policy (Attachment 1).

### **FINANCIAL IMPACT**

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This report has no financial implications.

The Director, Finance and Treasurer has reviewed this financial impact statement and is in agreement with it.

### **DECISION HISTORY**

The Security Video Surveillance Policy was introduced in 2007. The Library's policy closely resembles that of the City of Toronto. At its meeting of April 2, 2013 the Library Board, in considering the report *Security Video Surveillance – 2012 Annual Report*, passed the following motion:

*That the Toronto Public Library Board:*

- 1. revise the Security Video Surveillance Policy to remove the requirement for the City Librarian to report to the Board when video surveillance is being proposed for all locations; and*
- 2. remove the requirement that annual reports be prepared for the Board on all security video surveillance systems installed.*

These changes are reflected in the revised policy.

## **ISSUE BACKGROUND**

In the process of revising the policy in accordance with the Board's request of April 2, 2013, a review of current practices related to video surveillance was also completed. As a part of this process, the Library's legal obligations under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) to retain certain personal information, such as disclosures of personal information to law enforcement agencies, were also reviewed and updated.

The Library is committed to protecting the customers' personal information as prescribed in MFIPPA, and providing customers with a safe and welcoming environment. This requires that the Library balance the security benefits derived from the use of video surveillance cameras with the privacy rights of the individual.

In 2008 the Information & Privacy Commissioner of Ontario issued a publication, *Guidelines for the Use of Video Surveillance Cameras in Public Places*, and a subsequent publication on the use of video surveillance in mass transit systems in 2008. These guidelines were considered in reviewing the Library's policy.

## **COMMENTS**

### **Viewing images (Section 5)**

In the previous version of the policy, the section entitled *Viewing Images* indicated that video surveillance imagery would only be viewed in specific controlled areas. This was expanded to include a statement that, for practical purposes, law enforcement officers may view the video surveillance on Library property during the course of an investigation.

### **Retention period (Section 6)**

The Library employs the use of several different types of security video camera recording systems. Each type of system has its own retention capabilities, ranging from approximately 72 hours to 30 days; no system exceeds 30 days. The language regarding the retention period has been clarified now to clearly state that video surveillance records will be retained for a maximum of 30 days except where specified in the policy.

Under MFIPPA Regulation 823, section 5, the Library is obliged to retain a copy of any personal information that the institution uses for at least one year, or the period outlined in a by-law or resolution, unless the individual consents to its earlier destruction. Disclosing information to a law enforcement agency or other body under MFIPPA section 32 constitutes

a use of personal information (personal information provided to an authorized external agency for the purposes of ensuring a safe and welcoming environment for all customers and staff). While the Library was previously retaining copies of its disclosure forms to law enforcement agencies, it was not also retaining a copy of the video surveillance itself.

The Library will retain copies of video surveillance recordings/images accessed or disclosed as part of the incident report with which the video surveillance is associated. Incident reports are retained for a period of two years following the conclusion of the matter. The retention period for incident reports (and subsequently, any associated video surveillance recordings/images) satisfies the Library's obligations under MFIPPA Regulation 823, section 5 to retain personal information upon use or disclosure.

### **Reporting privacy breaches (Section 7)**

The statement regarding the notification and reporting of privacy breaches now recognizes that the reporting of privacy breaches to the Information & Privacy Commissioner of Ontario will be done in significant cases.

### **Delegation of Authority (Section – Accountability)**

Changes accurately reflect the motion passed by the Library Board at its meeting of April 2, 2013 to remove the Library's obligations to provide annual reports to the Board on the use of security video surveillance, and to report to the Board on the proposed installation of video surveillance systems.

To respond to the findings of the Information and Privacy Commissioner's special investigation report MC07-68, *Privacy and Video Surveillance in Mass Transit Systems*, the delegation of authority was revised to include the responsibilities of authorized users for accessing and documenting video surveillance imagery.

There are also some clarifying changes to the language and format of the policy

## **CONTACT**

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## **SIGNATURE**

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Jane Pyper  
City Librarian

## **ATTACHMENT**

## Attachment 1: Security Video Surveillance Policy