

ST. CATHARINES PUBLIC LIBRARY BOARD

POLICY

Section: General Number: G20	Subject: Video Surveillance	Motion #: 2018-55
Approval Date: May 17, 2018	Effective Date: May 1, 2018	Review: Annual
Notes: This policy was approved at the Regular Board Meeting on May 17, 2018		

POLICY STATEMENT

The St. Catharines Public Library Board is responsible for promoting a safe and secure environment and for protecting an individual's personal privacy. This policy and related procedures define the criteria and process associated with the installation and use of video surveillance equipment to ensure that it is used only to promote safety and security of the Library's assets and property. This will be done in a professional and ethical manner that is in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act and any other relevant legislation.

This policy applies to video surveillance at the Library's facilities and properties. It does not apply to videotaping or audio taping or any covert surveillance that may be used for law enforcement purposes.

Definitions:

Municipal Freedom of Information and Protection of Privacy Act - MFIPPA

Personal Information

Defined in Section 2 of MFIPPA, as recorded information about an identifiable individual, which includes, but is not limited to, information relating to an individual's race, colour, national or ethnic origin, sex and age. If a video surveillance system displays these characteristics of an identifiable individual or the activities in which he or she is engaged, its contents will be considered "personal information" under MFIPPA.

Video Surveillance System

Refers to a video, physical or other mechanical, electronic or digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open public spaces.

Roles and Responsibilities:

Office of the CEO

The Office of the CEO shall, in conjunction with other relevant departments (Facilities and Information Technology) provide leadership; management and control over video surveillance application systems in order to ensure corporate strategies are supported, standardized, consistent and reliable.

The Office of the CEO is responsible for administering the requirements of MFIPPA and maintaining the following:

- a record of the entrance/exit locations of all video surveillance monitors;
- a record of the facilities that have posted Notices of Collection;
- a list of staff who are authorized to access and operate the systems;
- a record of times when the video surveillance will be in effect; and
- control over the access to and release of personal information recorded by the video surveillance system.

Contract work with a third party

Where the Library has a contract with a service provider, the contract shall provide that failure by the service provider to comply with the policy or the provisions of MFIPPA and other relevant legislation is considered a breach of contract leading to penalties up to and including contract termination.

Procedures:

Privacy Assessment

Prior to installation of video surveillance equipment, the Library must ensure that the use is justified on the basis of verifiable specific reports of incidents of crime, significant safety concerns, or for crime prevention. Effects that the video surveillance system may have on personal privacy must be minimized.

Installation and Placement

Video surveillance equipment shall be installed in strictly controlled access areas that have been identified as requiring video surveillance and should never include areas where the public and employees have a reasonable expectation of privacy such as washrooms and change rooms. Adjustment of monitor position must be restricted to ensure that only designated areas are being monitored.

Notification Requirements

The public must be notified of the existence of video surveillance equipment by clearly written signs prominently displayed at the entrances, exterior walls, interiors of buildings and/or perimeter of the video surveillance areas. Signage must satisfy the notification requirements under subsection 29(2) of MFIPPA, which includes:

- the legal authority for the collection;
- principal purpose(s) for which the personal information is intended to be used; and
- the title, business address and business telephone number of someone who can answer questions about collection.

Access, Use and Disclosure:

Information collected by way of video surveillance systems may only be used to promote the public safety and security of individuals, assets and property. The personal information recorded by video surveillance is subject to MFIPPA. Circumstances which warrant review of the information are limited to an incident that has been reported or to investigate a potential crime.

Information from the Library's surveillance system shall only be released to the police or government agencies upon the presentation of a proper and valid warrant to the C.E.O, or in the absence of a warrant, the information must be documented on the Disclosure of Information (to the Police) Form created for this purpose (Appendix 1). Disclosure to be in accordance with *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56*

Retention:

The retention periods for video surveillance images will be for one month.

Implementation

The policy will be implemented by the C.E.O.

Attachment: Appendix 1. Disclosure of Information (to the Police) Form

LS/ls

Policy reviewed by CEO and Business & Facilities Administrator
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May 2018

**CITY OF ST. CATHARINES
ST. CATHARINES PUBLIC LIBRARY:
Disclosure of Personal Information (to the Police)**

Request from the Niagara Regional Police for Access to Personal Information Held by the St. Catharines Public Library for the Purposes of Law Enforcement as Defined by the *MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (MFIPPA)*.

In accordance with the provisions of the *Act* section 29(1)(b) respecting indirect collection of personal information of an individual to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result, access to the following records is requested:

To be completed by the C.E.O. or Designate:

Employee or Customer Information

Check One:

Employee Information or Customer Information

File Location

Central Library File or Branch Files

General Files or Specific Record Titles

General Files Specific Record Titles

Please describe the records sought.

Description of Records:

To be completed by the Police Officer(s):

Occurrence No. _____

Review Original Documents _____ Copies Requested _____ *Original Requested _____

Signature of Investigating Officer Badge/Identification No. Date

Signature of Investigating Officer Badge/Identification No. Date

* Released on subpoena only/copy of file/record must be retained.

Disclosure of Personal Information (to the Police)

To be completed by C.E.O. or Designate:

The personal information held by the St. Catharines Public Library has been released in accordance with the provisions allowing disclosure of information outside the institution pursuant to section 32 of the *Act*.

Please indicate the circumstances under which disclosure was authorized.

- (g) If disclosure is to an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result;

- (i) in compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.

Signature of C.E.O. or designate releasing file/record

Date

Return all completed ORIGINAL forms to the C.E.O., St. Catharines Public Library, 54 Church Street, St. Catharines, Ontario L2R 7K2.