
**BARRIE PUBLIC LIBRARY
VIDEO SURVEILLANCE POLICY**

MOTION #18-53

Approved June 28, 2018

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1. PURPOSE

To ensure that Barrie Public Library (BPL) balances the security benefits derived from the use of video surveillance with the privacy rights of the individual.

2. POLICY

Video surveillance will be used, where deemed necessary, to ensure the safety of staff and users, as a deterrent to unlawful behaviour, and to monitor unauthorized individuals on library property. The Library recognizes the need to balance an individual's right to privacy and the need to keep Library facilities and properties operating in a safe and secure manner. While video surveillance systems are installed for safety and security reasons, they are designed and maintained to minimize privacy intrusion.

3. UNDERLYING PRINCIPLES

In the daily operations of the Barrie Public Library premises, the safety of property, visitors, and employees is protected and maintained by conventional means such as: observation by staff, foot patrols by security personnel, security-conscious design and the application of the Library's Code of Conduct. However, in some circumstances, the additional protection provided by surveillance cameras is essential to maintaining lawful and safe use of Library premises.

The Video Surveillance Policy provides detailed direction concerning the context, procedures and protocols within which the Library installs and operates surveillance cameras. The Policy ensures that the Library follows the guidelines set out by the Ontario Information and Privacy Commissioner and the privacy requirements of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), without compromising the safety and security of Library visitors, staff and premises.

4. SCOPE

This policy applies to all types of camera surveillance systems, surveillance monitors and camera recording devices that are used for security purposes on Library premises.

5. APPLICATION

This Policy applies to Barrie Public Library staff. Library contractors and service providers who have responsibilities relating to video surveillance or security will be made aware of this Policy and their obligation to comply with it and given instruction in meeting the Policy's requirements.

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6. DEFINITIONS

Library means the Barrie Public Library inclusive of all library branches.

Destruction means the physical disposal of Video Surveillance Records by means of shredding, as well as, the electronic disposal of data by means of deletion and overwriting.

Employee means, for the purpose of this policy, a full time, part-time, casual, temporary employee or volunteer of the Barrie Public Library.

Incident may include but is not limited to, allegations of inappropriate behavior which would be in violation of any Library policies or procedures relating to employee and public conduct.

IPC means the Information and Privacy Commissioner of Ontario,

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) refers to legislation established to provide individuals with a right of access to certain records and personal information under the custody or control of institutions covered by the Act in addition to protecting the privacy of individuals.

Personal Information means recorded information about an identifiable individual as defined in Section 2 of MFIPPA. “Personal Information” includes an image of an individual that is recorded by the Library’s Video Surveillance System.

Policy means this Video Surveillance Policy.

Operator means Library staff or contracted individuals/businesses entrusted by the Library to operate the video surveillance system for a particular facility or facilities.

Service Provider means a video service provider, consultant or other contractor engaged by the Library in respect of the Video Surveillance System.

Storage Device means a videotape, computer disk or drive, CD, DVD, computer chip or other device used to store the recorded data or visual, audio or other images captured by a Video Surveillance System.

Use for the purposes of this policy refers to the action of accessing, viewing, copying and/or sharing video surveillance equipment and recording.

Video Surveillance System refers to a mechanical or electronic system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals and property.

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7. SPECIFIC DIRECTIVES

7.1 Guidelines to Follow Prior to the Implementation of a Video Surveillance System

7.1.1 Factors to Consider Prior to Using Video

Before deciding to install video surveillance, the following factors must be considered:

- i. The use of video surveillance cameras should be justified on the basis of verifiable, specific reports of incidents of crime or significant safety concerns, contract management, enforcement/security concerns, and litigation;
- ii. A video surveillance system should only be considered after other measures of deterrence or detection have been considered and rejected as unworkable;
- iii. An assessment must be conducted on the effects that the proposed video surveillance may have on personal privacy, and the ways in which any adverse effects can be mitigated;
- iv. The proposed design and operation of the video surveillance systems should minimize privacy intrusion, and not involve monitoring individuals which would constitute a violation of the *Human Rights Code* or *Municipal Freedom of Information and Protection of Privacy Act*.

7.1.2 Designing and Installing Video Surveillance Equipment

When designing a video surveillance system and installing equipment, the following must be considered:

- i. Given the open and public nature of the Library and the need to provide for the safety and security of employees and users who may be present at all hours of the day, BPL's video surveillance systems may operate at any time in a 24-hour period;
- ii. The video equipment shall be installed to monitor only those spaces that have been identified as requiring video surveillance;
- iii. Staff are prohibited from adjusting or manipulating cameras to overlook spaces that are not intended to be covered by the video surveillance program;
- iv. Equipment shall never monitor the inside of areas where the public and employees have a higher expectation of privacy (e.g. washrooms);

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- v. Recording equipment must be located in a strictly controlled access area. Only authorized staff shall have access to the controlled access area and the recording equipment;

7.1.3 Notice of Use of Video Systems

In order to provide notice to individuals that video is in use, the Library shall post signs at entrances and/or on the perimeter of the area(s) under video surveillance.

The notification requirements of this sign must satisfy the notification requirements under section 29(2) of MFIPPA, which includes:

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

7.1.4 Staff Authorized to Operate Video Equipment

Only authorized staff and security personnel shall be permitted to operate or have access to video surveillance systems.

Operators shall be appropriately trained and supervised in the responsible use of cameras and recording equipment.

Managers shall pay particular attention to privacy issues in managing and operating the program.

Documentation outlining procedures and processes with the management of the Video Surveillance equipment shall be created and maintained.

7.2 Video Equipment / Records

7.2.1 Record Identification

All records (storage devices) shall be clearly identified (labeled) as to the date and location of origin including being labeled with a unique, sequential number or other verifiable symbol. In facilities with a DVR that stores information directly on a hard-drive, the computer time and date stamp shall be understood to be this identification.

7.2.2 Logbook

Each location shall maintain a logbook to record all activities related to video devices and records. Activities to be recorded include all information regarding the use/access, maintenance, and storage of data. All logbook entries will detail the employee's name, date, time and activity and purpose of activity. This logbook must remain in a safe and secure location with the video recording equipment. Only authorized personnel may remove this logbook from the secure location(s).

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7.2.3 Custody, Control, Retention and Disposal of Video Records/Recordings

The Library retains custody and control of all original video records not provided to law enforcement officers. Video records are subject to the access and privacy requirements of MFIPPA, which include but are not limited to the prohibition of all Library employees from access or use of information from the video surveillance system, its components, files, or database for personal reasons.

The Library will take all reasonable efforts to ensure the security of records in its control/custody and ensure their safe and secure disposal. Old storage devices must be disposed of in accordance with applicable technology asset disposal process ensuring personal information is erased prior to disposal, and cannot be retrieved or reconstructed. Disposal methods may vary depending on the type of storage device.

Records and information collected from the video recording system are subject to the following retention periods:

Information will be retained for a maximum of thirty (30) days from the date of the original collection by the video recording system, except as described in (ii);

Information collected from the video recording system used by the Library or a law enforcement agency as part of a criminal, safety or security investigation or for evidentiary purposes will be retained for two (2) years from the conclusion of the matter for which it has been used.

7.3 Access to Video Records

7.3.1 Access

Access to the video surveillance records, i.e. logbook entries, CD, data storage, etc. is restricted to authorized staff and personnel. Access is limited to:

- i. individuals responsible for the operation or administration of the system;
- ii. individuals who have a legitimate need to access the information for one of the purposes indicated in this policy and
- iii. individuals whose request for access under MFIPPA, as amended, has been granted.

7.3.2 Formal Access Requests Process

With the exception of requests by law enforcement agencies, all formal requests for video records should be directed to the Chief Executive Officer. Requests are subject to the *Municipal Freedom of Information and Protection of Privacy Act*.

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7.3.3 Law Enforcement

If access to a video surveillance record is required for the purpose of a law enforcement investigation, the requesting Officer must complete a Law Enforcement Officer Request Form and forward it to the Chief Executive Officer. The CEO will provide the recording for the specified date and time of the incident requested by the Law Enforcement Officer, subject to MFIPPA exemptions.

Authorized Library staff will record the following information in the facility's video logbook:

- i. The date and time of the original, recorded incident including the designated name/number of the applicable camera and VCR/DVR;
- ii. The name of the authorized personnel accessing the record;
- iii. The time and date the copy of the original record was sealed;
- iv. The time and date the sealed record was provided to the requesting Officer; and,
- v. Whether the record will be returned or destroyed after use by the Law Enforcement Agency.

7.3.4 Use of Information Collected

Recorded material will only be used for the purposes defined by this Policy and in accordance with MFIPPA and associated procedures.

The information collected through video surveillance is used only:

- i. to provide law enforcement agencies with evidence related to an incident under investigation;
- ii. to investigate a critical bodily injury as defined by and reported to, the Ministry of Labour;
- iii. to respond to a request for information under MFIPPA;
- iv. to aid in the investigation of an insurance claim;
- v. to aid in the deterrence of improper conduct by the public and staff;
- vi. to aid in the deterrence of unlawful behaviour by the public and staff; and
- vii. as required by law.

When recorded images from the cameras must be viewed for law enforcement or investigative reasons, it will be undertaken by authorized personnel only, in a private, controlled area that is not accessible to other employees and/or general public.

7.3.5 Unauthorized Access and/or Disclosure (Privacy Breach)

Any Library employee who becomes aware of any unauthorized disclosure of a video record in contravention of this Policy, and/or a potential privacy breach has a responsibility to ensure that the CEO or designate is immediately informed of the breach.

The following actions will be taken immediately:

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- i. Library staff shall work to mitigate the extent of the privacy breach, and to review the adequacy of privacy protection with the existing Policy;
- ii. The CEO or designate shall investigate the cause of the disclosure with the goal of eliminating potential future occurrences;
- iii. Staff members shall work with the CEO or designate to take all reasonable actions to recover the record and limit the record's disclosure;
- iv. The CEO or designate, where required, shall notify affected parties whose personal information was inappropriately disclosed and/or the Information and Privacy Commission of Ontario (IPC).

7.3.6 Inquiries from the Public Related to the Video Surveillance Policy

A staff member receiving an inquiry from the public regarding the Video Surveillance Policy shall direct the inquiry to the CEO or designate.

8. RATIONALE AND LEGISLATIVE AUTHORITY

Video surveillance, when utilized with other security measures is an effective means for ensuring the security and safety of the Library.

9. RELATED POLICIES/LEGISLATION

Barrie Public Library Code of Conduct – Patron

Barrie Public Library Video Surveillance Procedures

Guidelines for the Use of Video Surveillance. Information and Privacy Commissioner of Ontario, 2015.

Municipal Freedom of Information and Protection of Privacy Act R.R.O. 1990, c. M. 56 (MFIPPA), as amended

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