

MANAGEMENT REPORT

Date: January 7, 2025
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TO: Library Board
FROM: Dawn Ibey
SUBJECT: Annual Privacy Report 2024

SUMMARY

This report provides an update on activities in 2024 related to VPL's privacy management program and VPL's obligations under the British Columbia Freedom of Information and Protection of Privacy Act (FOIPPA).

PURPOSE

This report is for information.

RECOMMENDATIONS

That the Library Board receive the report for information.

DEFINITIONS

Privacy Impact Assessment (PIA) is an assessment that is conducted by a public body to determine if a current or proposed enactment, project, program or activity meets or will meet the privacy requirements of Part 3 of FOIPPA.

Privacy Officer is the staff member delegated by the Chief Librarian and CEO under section 66 of FIPPA to ensure VPL's obligations under the act are met. The Director, Central Library and Public Service serves as Privacy Officer.

POLICY

The Protection of Privacy [\[link\]](#) and Code of Conduct [\[link\]](#) policies are the foundation of VPL's privacy management program. The Library's Protection of Privacy Policy was revised and

approved by the Board in May 2016. In addition to staff's obligations under FOIPPA, staff are further obligated under the Library's Code of Conduct Policy, approved by the Board in January 2016. Under this policy, expectations for handling confidential information and protecting privacy are outlined for staff.

From these policies, operational guidelines, related policies, and procedures are put in place to ensure that VPL is compliant with the act and to enhance VPL's privacy management program. The CCTV Systems Policy [[link](#)] is a related Board policy that further ensures VPL meets FOIPPA obligations in our operations. VPL has administrative policies that further articulate staff's responsibilities when handling personal or sensitive information.

INDIGENOUS CONSIDERATIONS

Article 31 of the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UN Declaration) outlines the rights of Indigenous peoples to maintain, control, protect, and develop aspects of their culture such as language, traditional knowledge, and art.

Section 18.1 of FOIPPA aligns BC's legislation with Article 31 of the UN Declaration by providing explicit protections for information that might harm aspects of Indigenous culture, and by granting Indigenous people control over the disclosure of that information.

It is a mandatory exception to disclosure which requires VPL to refuse access to information that falls under the exception, unless VPL has obtained written consent from the Indigenous people that would be harmed by disclosure. VPL is required to give third party notice when there is reason to believe that this exception applies. To date, the Library has not needed to apply these provisions, however staff remain cognizant of the amendments in their dealings with the local Nations.

STRATEGIC IMPLICATIONS

FOIPPA sets out the access and privacy rights of individuals as they relate to the public sector, and sets the terms under which public bodies, including VPL, can collect, use, and disclose personal information. VPL collects and uses personal information in accordance with FOIPPA to conduct library business, and to evaluate, plan, and provide library services and programs. Ensuring compliance with FOIPPA helps to build and maintain trust with our patrons.

BACKGROUND

In 2016, the City of Vancouver scheduled an internal audit of Privacy Compliance. The objective of the audit was to evaluate the effectiveness of City-wide internal controls in place supporting compliance with privacy regulations. A final report with recommendations was issued in March

2017. The Privacy Compliance Audit recommended three actions to strengthen VPL’s privacy management program: enhance privacy training, formalize breach management protocols, and establish a personal information bank (PIB). The recommendations of the audit have been met.

The B.C Freedom of Information and Protection of Policy Act was amended and received royal assent on November 25, 2021. Following review, very few changes to VPL policies and procedures were required, as the existing framework met or exceeded the requirements of the act.

Two changes that resulted in the need to consider existing procedures were the requirement for a privacy impact assessment (PIA) for all new programs, and the change to the requirement that all personal information be stored in Canada. The requirement for a PIA for new programs was introduced in 2022. VPL has historically taken a conservative approach to storing data outside of Canada and has a robust process in place for assessing products that store data outside of Canada. These procedures have proven sufficient for managing our risks and ensuring appropriate handling of personal information.

DISCUSSION

Access to Information Requests

FOIPPA gives individuals the right to request access to information held by public bodies. In 2024, the Library received six requests for information under FOIPPA. Two requests were delegated to the City of Vancouver.

Request	Applicant and Description	Status
FOI-2024-001	Patron – own information - security incident	completed
FOI-2024-002	Patron – own information – security incident	completed
FOI-2024-003	Patron – own information – CCTV footage	abandoned
FOI-2024-004	Patron – own information -security incident	completed
Delegated request	Patron – own information – security incident	completed
Delegated request	Patron – VPL communications – current events	completed

Privacy Breaches

Four minor privacy breaches occurred in 2024. Staff self-reported their own error, demonstrating the effectiveness of VPL training.

Description	Individuals Impacted	Action Taken	Individuals Notified
System downtime procedures were not followed	17 patrons	Review of procedures	Yes
Staff stored patron email outside of Canada	1 patron	Review of procedures	Yes
Staff exposed patrons' email addresses by not using BCC	13 patrons	Review of procedures	Yes
Staff exposed staffs' personal email addresses by not using BCC	317 staff	Review of procedures and staff communication	Yes

Project Work

In 2024, staff reporting to the Privacy Officer and in Information Technology Services worked to create a streamlined procedure for PIAs that would address IT compliance. The rollout of the new procedure in Q1 2025 will be accompanied by a new administrative policy on privacy impact assessments. The policy was developed to ensure staff understanding of and compliance with VPL's obligation under section 69 (5.3) of FOIPPA to complete a privacy impact assessment for new initiatives or substantial changes to initiatives that may involve personal information.

FINANCIAL IMPLICATIONS

Development of VPL's privacy management program, staff training, handling of privacy breaches, and processing the majority of access to information requests occurs within the operating budget. When an information request is delegated to the City of Vancouver, it is funded through their operating budget.