

State Library of Western Australia

REQUESTS FOR CLIENT PERSONAL INFORMATION POLICY

1. Purpose

The purpose of the policy is to ensure consistency in the treatment of requests for client personal information held by the State Library of Western Australia.

2. Scope

This policy applies to all clients, staff, volunteers and contractors of the State Library. Clients include anyone who enters the State Library building or its surrounds (captured on State Library's CCTV) or anyone who uses the State Library's collections or services online, whether a State Library member or not.

This includes client information in systems provided by the Department of Local Government, Sport and Cultural Industries where information is managed on behalf of the State Library; for example, records of websites visited via State Library's public computers.

A legal demand for a document includes:

- Court Order;
- WA Police order to produce a document;
- email from WA Police, from an official WA Police email account with the Officer's badge number supplied, specifying the document required and where / how the document is to be supplied; or
- letter from a lawyer representing a client.

This Policy does not apply to:

- requests for the personal information of State Library staff, volunteers and contractors (covered under *Freedom of Information Act 1992*);
- applications for access to documents (including CCTV) under the *Freedom of Information Act 1992*;
- requests for personal information of State Library clients held by third parties that the State has contracted to provide library services (clients would have to apply for access directly to the third party);
- requests from other Western Australian Government agencies to share personal information or de-identified personal information (covered by the State Library's Privacy Policy); and
- requests from individuals to receive a copy of their own personal information held by the State Library and if they believe it is incorrect, to have it corrected (covered by the State Library's Privacy Policy).

3. Context

The State Library is a public institution, and as such, the public is welcome to enter and use the Library's collections and services both in person and online.

The State Library recognises that the "relationship between the library and the user is one of confidentiality" (*IFLA Code of Ethics for Librarians and other Information Workers*, 2016). This public access has to be balanced with the consideration of the safety of all clients, staff and collections.

The State Library collects the personal information of clients for the purposes of providing library services to the community. This information may be collected and stored by the State Library, the Department of Local Government, Sport and Cultural Industries or by third parties contracted by the State Library to provide services on its behalf. Examples of third parties include mailing list and event booking providers and contracted providers of online resources like ebook platforms and databases.

The State Library sometimes receives requests for the personal information of clients. This can include requests from members of the public and legal requests from law enforcement agencies, courts and lawyers representing clients. Any request for the personal information of a client will be dealt with following the Requests for Client Personal Information Guidelines.

The CEO and State Librarian, Director Corporate Services or Director Library Services will determine to what extent the State Library will provide personal information being sought by the requesting authority taking into consideration:

- the safety of clients, staff and collections;
- respect for the privacy and confidentiality of clients;
- relevant State or Commonwealth legislation; and
- any other relevant factors.

The State Library does not control the personal information collected by contracted third parties and cannot provide access to the personal information they collect. The State Library will attempt to identify any third party a client may have provided personal information to; these third parties may then be contacted for access to this information.

4. Policy Statement

It is the policy of the Library Board of Western Australia that:

A client's personal information will be provided upon legal demand.

Only the CEO and State Librarian, Director Corporate Services or Director Library Services can authorise the provision of a client's personal information to fulfil a legal demand.

5. References

- Requests for Client Personal Information Guidelines
- Privacy Policy
- Privacy Statement
- *IFLA Code of Ethics for Librarians and other Information Workers*
- *Freedom of Information Act 1992*

6. Responsibility for this document

Director Corporate Services

7. Authorisation and Review

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