

Appendix 1

Use of the internet in prison libraries

In the special case of prisons CILIP supports the general principle that internet access should be available to staff and prisoners. There is a political dimension in that while CILIP supports internet access for prisoners as a principle, and undoubtedly prisoners should enjoy basic human rights, there is already a tension between the rights of prisoners and both security and the perceived need for retribution and punishment. Moreover, prisoners do not yet enjoy all the benefits of citizenship, such as the right to vote.

Prison staff and related contractors (education departments and librarians for example) usually have access to a limited range of approved sites, including the BBC site and government sites; with senior staff, in areas where prisoners cannot enter, having full internet access. Up until very recently there has been no access for prisoners to the internet. This has usually been on two main grounds. The first is that it is highly undesirable for the public good that prisoners should have access to information that might make future offending more likely, for example pornographic or violent sites. The second is that internet email could allow prisoners to communicate with their victims, or write to other offenders or anyone else to plan crime. Other methods of communication by prisoners, such as letters, are openly and officially checked by staff to prevent security breaches or risks to staff safety, but this might be impractical or excessively labour-intensive in the case of email.



The disadvantages of lack of internet access for prisoners, apart from the general benefits of access to information to people who are physically restricted, are as follows. Prisoners cannot access information to support educational courses and so have to fall back on the very limited resources of the prison library, or an education department. In particular, Open University (OU) courses, though followed only by a small minority of prisoners, no longer use TV broadcasts and much OU educational material is available online only. Prisoners preparing for release cannot fully equip themselves with ICT skills. A further serious drawback, and one which may be open to challenge, is that prisoners cannot fully access the information needed to prepare a legal case.

Major issues

Prison librarians are working in a special environment, where it is accepted that prisoners, and to some extent staff, do not enjoy all the rights that can be expected in civil society. In general, and particularly in the emergency situation, prison security is paramount, with any challenges to be considered at a later date.

Where there is a conflict between the interests of the prison authority and the librarian/local authority or other agency on the subject of internet access, the librarian has the right to argue the case, and to seek support from the employer (where the library service is contracted to a local authority or other body), or from CILIP.

Prison librarians should co-operate with and support schemes such as Polaris, which are piloting internet access for prisoners on a 'walled garden' basis.

If internet access does in future become available in prison libraries, librarians should be careful to make explicit to prisoners any plans to record use, for example information as to which sites have been accessed by a particular prisoner.

Librarians have a duty to assist the police when officers are investigating crime. In some cases where the prison library computer is integrated with the local authority system, technical reasons may determine that the enquiry can be answered only by an IT unit, for example within the local authority.

It is highly desirable that guidelines and detailed plans for collection and disclosure of internet use data should be made in advance by the prison, library staff and any contractor such as the local authority or agency. These could usefully be incorporated in the service level agreement.

CILIP supports the principle of internet access for prisoners, and individual librarians should welcome any future pilots or plans by

the government or the prisons to devise creative and safe solutions to the issues raised by this question.

Checklist

- What access are prisoners allowed to the internet? Is this proportionate to the risk represented by the prisoners?
- If prisoners are able to access the internet, do guidelines or a service level agreement set out the parameters for the collection and disclosure of usage data? Are prisoners informed of this?
- Is access sufficient to allow:
 - access to information necessary for prisoners to prepare their defence?
 - support for courses?
 - preparation for release?
- Are some enquiries concerning the personal use of the internet (or library resources generally) really 'fishing exercises'?

Example of good practice

Polaris: A Ministry of Justice pilot project, Polaris, has been developed in seven London prisons. Polaris stands for Programme for Offender Learning and Resettlement Information Services. Each of the prisons has a Polaris room with a number of computers which have limited access to a number of websites that have been 'white listed'. The sites, which are accessible through this system, have been security checked and unacceptable links have been removed. Prisoners who wish to use Polaris are risk assessed and have access for timed sessions, under supervision. The future of this project is uncertain, although it is hoped Polaris will continue in some form, according to a briefing by the Prisoners' Education Trust February 2009.

Appendix 2

CILIP's User Privacy in Libraries Task & Finish Group

A group was set up by CILIP's Policy Forum in 2008 to create principles about privacy and develop statements to reflect these principles. The group put together this document to provide guidelines for CILIP members.

Members of the group

Stephen Bury

Head of European & American Collections,
British Library

Guy Daines

Director of Policy and Advocacy, CILIP and
Secretary to Group (from April 2009)

Angela Donaldson

Honorary Secretary, British & Irish Association
of Law Librarians (BIALL)

Ayub Khan

Head of Libraries (Strategy) Warwickshire and
CILIP Council Member

Bruce Madge

Immediate Past President, CILIP

Bernard Naylor

Member, CILIP Ethics Panel

Neil Simmons

Vice-Chair, CILIP Prison Libraries Group and
Member, CILIP Policy Forum

Barbara Stratton

Senior Policy Adviser, CILIP and Secretary to
Group (until March 2009)

Margaret Watson

Chair

Alison Wheeler

CILIP Public Libraries Group and Member,
CILIP Policy Forum



Critical friends

John Pateman

Head of Lincolnshire Libraries, member of
Information for Social Change

Paul Pedley

Head of Research, Economist Intelligence
Unit, information law consultant

Paul Sturges

Professor of Library Studies, Loughborough
University

The work of the Task & Finish Group was also supported by Jill Howard (Policy Support Officer) and Jacqueline May (Policy Officer) within CILIP's Policy & Advocacy Unit.

Appendix 3

Warwickshire Library and Information Service
Child Photographic consent form (Page 1)

Warwickshire Library & Information Service

**Section J2
Child Photographic Consent Form**

Child Photographic Consent Form

Background

- Photographs of children enjoying Library activities or events should not routinely be taken, as this can detract from the primary purpose of the event.
- A number of excellent photographs are available on individual divisional shared files.

Procedure

- To focus on a smaller number of well thought out photo opportunities.
- Usually these will be specially funded and photographs will be taken by professional photographers.
- Where photographs are taken of children the following form must be completed in full by the parent.
- Photographic images must be attached to the appropriate consent form. With all information filed at the local library.

Appendix 3

Warwickshire Library and Information Service
Child Photographic consent form (Page 2)

Warwickshire Library & Information Service

Dear Parent or Guardian,

Warwickshire Library and Information Service has a reputation for producing attractive publications, and has a popular website (www.warwickshire.gov.uk) which shares information and services both in and beyond Warwickshire.

Photographs are a key feature of our publications, display panels and website. They illustrate details of services and represent the people who use them. We constantly need new photographs for our collection. For this reason, we will be soon taking some photographs either in our libraries or at events organised by the Service.

I am asking for your approval to use photos of your child, possibly in a range of publications or on the Warwickshire County Council website. Our policy is that no children will be named and none of the publications will be on sensitive issues. The Library and Information Service is not responsible for photographs taken by photographers from local newspapers.

Please complete the form below and return it to a member of staff. Thank you for taking the time to fill this in.

Yours Sincerely,

Linda Smith
Head of Service - Operations

✂

Name: _____ Relationship to child(ren): _____
(Please Print)

Child(rens) name(s): _____
(Please Print)

Grants permission for the above child(rens) photo(s) to be used by Warwickshire County Council for as long as it is required – please tick all those permission is granted for.

On our website: In printed publications: In the broadcast media

Signed: _____ Date: _____

Contact Address: _____

Contact Telephone No: _____

Any Comments: _____

Under the Data Protection Act 1998, this information will not be used for any purpose other than that stated on this form.

Discover • Imagine • Learn • with libraries

www.warwickshire.gov.uk/libraries



Appendix 4

List of web links

2. Privacy

2.2 Personal data - the principles

- P.7 (iv) IFLA (1999) Statement on libraries and intellectual freedom

<http://www.ifla.org/en/publications/ifla-statement-on-libraries-and-intellectual-freedom>

- (v) CILIP Ethical Principles for library and information professionals

<http://www.cilip.org.uk/get-involved/policy/ethics/pages/principles.aspx>

P.9 **Further information:**

American Library Association Privacy Tool Kit:

<http://www.ala.org/ala/aboutala/offices/oiflif/toolkits/toolkitsprivacy/>

Australian Library and Information Association Privacy Policy

<http://www.alia.org.au/alianet/privacy.html>

British Standards Institution (2009) BS 10012:2009. Data protection:

Specification for a personal information management system

<http://www.bsigroup.com/en/Shop/Publication-Detail?pid=000000000030175849>

Data Protection Act 1998

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=1&BrowseLetter=D&NavFrom=1&activeTextDocId=3190610>

Information Commissioner's Office (ICO) Data Protection Technical Guidance:

Determining what is personal data

http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/personal_data_flowchart_v1_with_preface001.pdf

ICO Privacy impact assessment handbook

http://www.ico.gov.uk/upload/documents/pia_handbook_html_v2/index.html

ICO Sharing personal information: our approach

http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/sharing_personal_information_v1.1.pdf

International Federation of Library Associations and Institutions (IFLA) (2002) The Glasgow Declaration on Libraries, Information Services and Intellectual Freedom

http://archive.ifla.org/faife/policy/iflastat/gld_eclar-e.html

IFLA (1999) Statement on libraries and intellectual freedom

<http://www.ifla.org/en/publications/ifla-statement-on-libraries-and-intellectual-freedom>

P.9 **Examples of good practice**

Cabinet Office Cross government actions: mandatory minimum measures

<http://www.cabinetoffice.gov.uk/sites/default/files/resources/cross-gov-actions.pdf>

Leicester University About data protection at the University

http://www2.le.ac.uk/offices/itservices/resources/cis/iso/data-protection-and-freedom-of-information/DP_Site/index?searchterm>About%20data%20protection

Suffolk County Council Privacy and data protection

<http://www.suffolk.gov.uk/CouncilAndDemocracy/SiteHelp/PrivacyandDataProtection.htm>

2.3 Data Sharing

P.10 Further information:

Information Commissioner's Office
(2007) Framework Code of Practice for
Sharing Personal Information
http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/ico_information_sharing_framework_draft_1008.pdf

2.4 Personal data security

P.11 Examples of good practice in the use of encrypted memory sticks

Leicestershire & Rutland NHS Trust
(2009) Guidelines for the use of
hardware encrypted memory sticks
<http://documents.lcrchs.nhs.uk/Library/CHSIG028LCRCHSGuidanceonuseofmemorysticksFinalJul09.pdf>

University of Leicester Information
Security Policy
<http://www2.le.ac.uk/offices/itservices/resources/cis/iso/pol/pdfs/sl6.pdf>

The University of Manchester
Information Handling, encryption &
mobile computing
<http://www.its.manchester.ac.uk/media/services/itservices/migration/itservices/secure-it/itsecuritypolicies/GP-InformationHandling.pdf>

P.12 Further information:

Information Commissioner's Office
(2010) Our approach to encryption
http://www.ico.gov.uk/news/current_topics/our_approach_to_encryption.aspx

FSA Guidelines on Responsibility for
Customer Data Security
http://www.fsa.gov.uk/smallfirms/resources/factsheets/pdfs/data_security.pdf

BCS the Chartered Institute for IT/
Information Security Awareness Forum
(2009) Personal Data Guardianship Code
<http://www.bcs.org/server.php?show=nav.10666>

Information Commissioner's Office
(2007) Data Protection Good Practice
Note: Security of personal information
http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/security%20v%201.0_plain_english_website_version1.pdf

The National Archives (2007) Code of
practice for archivists and records
managers under section 51(4) of the
DPA 1998

<http://www.nationalarchives.gov.uk/documents/information-management/dp-code-of-practice.pdf>

The National Archives (2000) Data
Protection Act 1998 A guide for
records managers and archivists
<http://www.nationalarchives.gov.uk/documents/information-management/dpguide.pdf>

2.5 Use of the internet

P.12 Internet use – the core issue

Second para:

Privacy & Electronic Communications
(EC Directive) Regulations 2003
<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Secondary&PageNumber=43&BrowseLetter=P&NavFrom=1&activeTextDocId=859396>

P.12 Internet use – associated issues

Third para:
cybercrime

<http://www.jisclegal.ac.uk/cybercrime/cybercrime.htm>

P.13 Fifth para:

Data Retention (EC Directive)
Regulations 2009 (No 859)
<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Secondary&PageNumber=4&BrowseLetter=D&NavFrom=1&activeTextDocId=3576509>

2.6 Children and privacy

P.13 Reference:

Convention on the Rights of the Child
<http://www2.ohchr.org/english/law/crc.htm>

P.14 Last para

ICO's Guide to Data Protection
http://www.ico.gov.uk/for_organisations/data_protection_guide.aspx

2.8 CCTV in libraries

P.15 Further information:

Data Protection Act 1998
<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=1&BrowseLetter=D&NavFrom=1&activeTextDocId=3190610>

Human Rights Act 1998
<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=5&BrowseLetter=H&NavFrom=1&activeTextDocId=1851003>

Information Commissioner's Office (ICO) (2008 revised edition) CCTV Code of Practice
http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/ico_cctvfinal_2301.pdf

ICO Notification under the Data Protection Act 1998
http://www.ico.gov.uk/what_we_cover/data_protection/notification.aspx

Security Industry Authority
<http://www.the-sia.org.uk/home/>

P.15 Examples of good practice:

British Library: CCTV systems at the British Library
<http://www.bl.uk/aboutus/foi/pubsch/pubsch/eme6/cctv.pdf>

Royal Borough of Kensington and Chelsea: Library Service CCTV policy
<http://www.rbkc.gov.uk/pdf/cctvpolicy0607.pdf>

2.9 Photography and filming in libraries

P.15 Further information:

Museums, Libraries & Archives Council (MLA) Safeguarding Guidance
[http://www.mla.gov.uk/what/publications/~media/Files/pdf/2008/Safeguarding_v5_Updated_2.ashx](http://www.mla.gov.uk/what/publications/~/media/Files/pdf/2008/Safeguarding_v5_Updated_2.ashx)

P.15 Examples of good practice

Football Foundation: Photography Code of Practice
<http://www.footballfoundation.org.uk/EasySiteWeb/getresource.axd?AssetID=20810&type=Full&servicetype=Attachment>

3. Keeping users informed

P.17 Further information:

Data Protection Act 1998
<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=1&BrowseLetter=D&NavFrom=1&activeTextDocId=3190610>

Freedom of Information Act 2000
<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=7&BrowseLetter=F&NavFrom=1&activeTextDocId=1876329>

Information Commissioner's Office (2009) Privacy Notices Code of Practice
http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/privacy_notices_cop_final.pdf

Legal opinion of James Eadie, commissioned by CILIP 2005, on Police access to library user records
<http://www.cilip.org.uk/get-involved/advocacy/information-society/Privacy/Pages/rightsofaccess.aspx>

Police and Criminal Evidence Act 1984
<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Primary&title=Police+and+Criminal+Evidence+Act&Year=1984&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=1871554&PageNumber=1&SortAlpha=0>

Terrorism Act 2000

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=1&BrowseLetter=T&NavFrom=1&activeTextDocId=1851852>

P.17 Examples of good practice:

Warwickshire Library & Information Service – Customer Privacy and Protection of Personal Information
<http://www.warwickshire.gov.uk/Web/corporate/pages.nsf/Links/50E2AF072BA39727802576DB0057BB4C>

The Law Society's Data Protection policy
<http://www.lawsociety.org.uk/documents/downloads/Data%20protection%20policy%20v%201.4%202007-02-061.pdf>

4. How to handle requests for data

P.21 Further information:

Information Commissioner's Office (2009) The Think privacy toolkit
www.ico.gov.uk/news/current_topics/think_privacy.aspx

CILIP Ethical Principles for library and information professionals
<http://www.cilip.org.uk/get-involved/policy/ethics/pages/principles.aspx>

Data Protection Act 1998

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=1&BrowseLetter=D&NavFrom=1&activeTextDocId=3190610>

Environmental Information Regulations 2004 (full original text, not updated version)

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Legislation&title=Environmental+Information+Regulations&Year=2004&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=945378&PageNumber=1&SortAlpha=0>

Freedom of Information Act 2000

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Legislation&title=Freedom+of+Information&Year=2000&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=1876329&PageNumber=1&SortAlpha=0>

Freedom of Information (Scotland) Act 2002

[http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Legislation&title=Freedom+of+Information+\(Scotland\)+Act&Year=2002&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=599972&PageNumber=1&SortAlpha=0](http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Legislation&title=Freedom+of+Information+(Scotland)+Act&Year=2002&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=599972&PageNumber=1&SortAlpha=0)

Police & Criminal Evidence Act 1984

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Legislation&title=Police+and+Criminal+Evidence&Year=1984&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=1871554&PageNumber=1&SortAlpha=0>

Terrorism Act 2000

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Legislation&title=Terrorism+Act&Year=2000&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=1851852&PageNumber=1&SortAlpha=0>

Regulation of Investigatory Powers Act 2000

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=3&BrowseLetter=R&NavFrom=1&activeTextDocId=1757378>

5. The law and the privacy of users

5.1 The key legislation:

P.22 Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/115/contents>

P.22 Human Rights Act 1998

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=5&BrowseLetter=H&NavFrom=1&activeTextDocId=1851003>

P.22 Data Protection Act 1998

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=1&BrowseLetter=D&NavFrom=1&activeTextDocId=3190610>

P.23 Regulation of Investigatory Powers Act 2000

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=3&BrowseLetter=R&NavFrom=1&activeTextDocId=1757378>

P.23 Terrorism Act 2006

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=1&BrowseLetter=T&NavFrom=1&activeTextDocId=2321013>

P.23 Privacy and Electronic Communications (EC Directive) Regulations 2003

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Secondary&PageNumber=43&BrowseLetter=P&NavFrom=1&activeTextDocId=859396>

P.23 Public Interest Disclosure Act 1998

<http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=9&BrowseLetter=P&NavFrom=1&activeTextDocId=1455502>

5.2 Statutory bodies:

P.23 Equalities & Human Rights Commission (EHCR)

<http://www.equalityhumanrights.com>

P.23 Information Commissioner's Office (ICO)

<http://www.ico.gov.uk/>

P.23 Scottish Information Commissioner

<http://www.itspublicknowledge.info/home/ScottishInformationCommissioner.asp>

P.23 The ICO website includes sections on the rights of individuals

http://www.ico.gov.uk/for_the_public.aspx

and the responsibilities of organisations

http://www.ico.gov.uk/for_organisations.aspx

P.23 The ICO provides an enquiry service

https://www.ico.gov.uk/Global/contact_us.aspx

but ask that the FAQ section

<http://www.ico.gov.uk/Global/faqs.aspx>

on their website is checked first.

5.3 Other bodies providing advice and information:

P.23 JISC Legal Information Service

<http://www.jisclegal.ac.uk/index.html>

P.23 Public Concern at Work

<http://www.pcaw.co.uk/individuals/individuals.htm>

6. Ethics Panel

Second para:

P.24 See CILIP's website for further

information about CILIP and

professional ethics

[http://www.cilip.org.uk/get-](http://www.cilip.org.uk/get-involved/policy/ethics/pages/default.aspx)

[involved/policy/ethics/pages/default.aspx](http://www.cilip.org.uk/get-involved/policy/ethics/pages/default.aspx)

and the Ethics Panel