

Data protection management in UK library and information services

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Abstract: Against a backdrop of increasing data security and privacy concerns, current data protection law will soon be overhauled by the General Data Protection Regulation (GDPR). Previous research has indicated a lack of data protection management in libraries. However, it has been nine years since the latest study. This survey aims to provide an updated study into the extent of data protection management in UK library and information services and gauge preparation of the incoming GDPR. The survey was open for a month and received 162 responses. Quantitative data was analysed SPSS statistics software package and compared to previous research. This revealed largely higher percentages for respondents aware of data protection legislation, training, policies and protection officers than recorded in previous studies. This might suggest that data protection management in libraries has improved, however respondents were not confident about GDPR.

Keywords: Data Protection, General Data Protection Regulation, GDPR, management, library, libraries, information services

1 INTRODUCTION

Data protection is defined in the UK Data Protection Act 1998, c.29 as: “the regulation of the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information”. As clarified by the Information Commissioner’s Office (3): “The definition of processing is very wide and it is difficult to think of anything an organisation might do with data that will not be processing”

Libraries across all sectors hold and process vast amounts of personal data including: patron details, circulation records and reservation requests. In addition, library facilities such as computers may also hold data including browsing histories, caches and cookies. Cloud based services will store and transfer data beyond the libraries’ control.

In particular, library staff can deal with requests for information or resources that reveal sensitive personal data including: sexuality, political opinions, religious beliefs, health conditions or criminal proceedings. As a result, according to Magi (5), libraries not only have a responsibility to comply with the legislation but: “a moral obligation to keep that information confidential”.

Crucially, the UK Data Protection Act 1998 will soon be replaced by new legislation: the General Data Protection Regulation (GDPR, Reg 2016/679) which comes into force on 25th May 2018.

2 WHAT IS GENERAL DATA PROTECTION REGULATION (GDPR)?

The GDPR will update and replace the existing Data Protection Act 1998 (DPA). It is confirmed that the legislation will not be affected by the UK withdrawal from the European Union (4).

In order to ensure compliance, organisations will need to review their current processes and make necessary changes to their procedures in order to demonstrate adherence to best practice. This might involve a number of key measures including:

- Appointing a Data Protection Officer.
- Ensuring the organisation is registered with the ICO as a data controller.
- Conducting an internal audit of current procedures to identify any potential risks.
- Creating a register of all personal information and how it is gathered, stored and processed.
- Establishing a retention schedule to ensure personal data is not kept for longer than necessary.

- Reviewing contracts with third party data processors and assessing the transfer of any personal information outside of the EU.
- Reviewing systems to ensure data can be erased in line with the right of erasure.
- Providing clear and accessible privacy notices.
- Delivering regular and up to date training for all.
- Ensuring a clear procedure for reporting data breaches should be established.

As detailed above, GDPR will usher in many changes, facilitating an overhaul of current data protection law. But what is the current situation within library and information services and how will this be effected?

3 AIMS AND OBJECTIVES

Studies into the level of data protection or privacy management within libraries have been conducted over the last 25 years and the results have been somewhat comparable in finding that the majority of library staff did not educate users about their rights, did not have a dedicated privacy or data protection policy and did not receive training (1, 2, 5, 6, 7 and 8). However, it has been nine years since the latest study. Consequently, this paper aims to provide a current investigation into the extent of data protection management in UK library and information services by seeking to establish the level of policies, training and awareness of data protection with the LIS sector and gathering opinions and perceptions of data protection legislation.

4 METHODOLOGY

The methodology of the majority of previous studies was a questionnaire. In order to make comparisons, the method of data collection in this research was in the form of an online survey. The research took an inductive approach and consisted of descriptive quantitative research summarised through statistical analyses. Using quantitative methods produced objective data that could be directly compared to previous statistics. Based on previous research, the Likert scale was used to identify trends and measure attitudes. The survey mostly consisted of fixed response questions. The population of interest included library staff across all sectors in the UK. A large sample of respondents across all sectors were surveyed using random sampling to make observations on the population based on the sample. The survey was distributed online across a variety of means, primarily JISC Mailing lists including: LIS-UKEIG, LIS-LIRG, LIS-LINK, LIS-HEINFE, LIS-EDUC, LIS-BAILER, LIS-ARLG, LIS-PROFESSIONAL, LIS-MEDICAL, LIS-PUB-LIBS, LIB-TOURISMANDHOSPITALITY and LIS-SCITECH. The survey was also distributed via social media platforms such as Twitter and Facebook in order to reach respondents beyond dedicated roles or departments. Contacts and colleagues in professional associations and other institutions were contacted and kindly participated in distributing the survey amongst their networks. The survey was open for a month and received 162 responses.

5 DATA ANALYSIS

5.1 Demographics

Survey responses were dominated by the academic sector who made up 64% of respondents despite concerted efforts to increase responses from other sectors. This may contribute to sampling bias within the data making it unrepresentative of the population. Nearly half of all responses were from members of staff who have worked in the industry for sixteen years or more which may be indicative of greater concern for data protection amongst more senior staff with management responsibilities. Large organisations with over 100 LIS staff were most frequently represented and nearly all respondents had undertaken an LIS degree (93%) providing little basis for comparison by qualification.

5.2 Key findings

To assess levels of knowledge or understanding of data protection, participants were asked to rate their awareness of current data protection law and of the incoming GDPR legislation at the start of the survey. The

majority of respondents rated their awareness of current data protection law as average, but with a larger distribution amongst high or very high awareness (fig. 1).

This contrasts strongly with the next question which asks participants to rate their awareness of GDPR. The majority of respondents (35%) rated their awareness of GDPR as very poor, with a larger distribution of responses at the bottom end of the scale and a mean response of poor overall (fig.2). Accordingly, comprehension of current data protection law does not equate to awareness of the new incoming legislation



Figure one

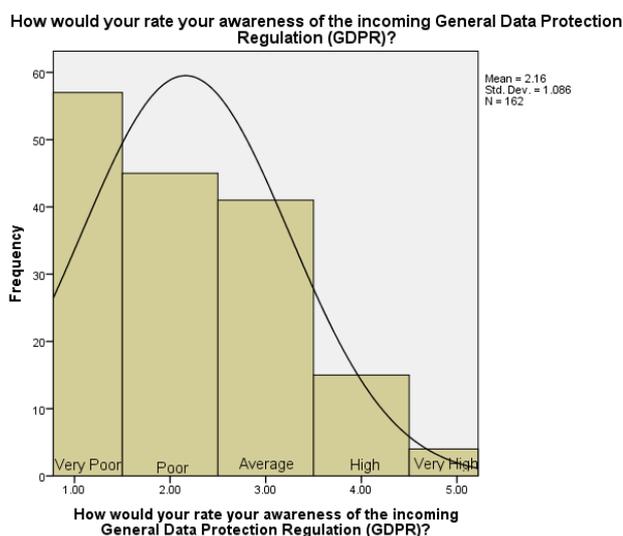


Figure two

A key objective of the survey was to assess the level of data protection training or advice information professionals had received as staff training is key to good practice and will become an integral feature of GDPR. Crucially, the survey sought to identify whether this had been delivered as part of the job or whether this knowledge was sought on the respondents own initiative from supporting institutions such as professional associations or special interest groups. Interestingly, 62% of respondents reported having received data protection training within the workplace, compared to 14% who had only received training outside the workplace and 24% who had received neither, Again, this is a more positive response than that recorded by previous studies.

This survey observed that 69% of participants reported that their organisation issued documentation such as guidelines or policies to staff compared to 6% who didn't issue any documentation. Whilst this is a favourable outcome compared to the previous findings, it is key to highlight that a quarter of all participants did not know whether any guidelines were available.

Respondents were asked how current the policies were to identify if data protection had become a recent trend due to influences such as GDPR, high profile data breaches reported in the media or growing concerns over user privacy. This survey found that 12% of policies were updated annually but most respondents did not answer or did not know. This may be because documentation was produced within the organisation rather than by library staff hinting that the number of library specific privacy policies would be much lower than the data revealed in the previous questions.

As part of GDPR, all public authorities will be required to hire a Data Protection Officer. As a result, this study aimed to investigate how many staff were aware of a qualified individual within their organisations. Positively, this study found 71% were aware of an officer, 4% reported no officer and 25% did not know. Although this indicates an increase in the awareness of dedicated data protection staff, a sizeable percentage were not aware of an individual in their organisation who would be able to provide advice or expertise.

In addition, when asked if they would like to receive more training and support regarding data protection over 71% agreed or strongly agreed that more training was desired, with a small minority of only 6% who did not feel more training or support was necessary.

Participants were asked whether they felt data protection management was an important element of library and information services. Satisfyingly, the data showed that only 2% disagreed that data protection was an important element of library and information services, whilst an overall majority of 85% agreed or strong agreed.

5.3 Statistical testing

Statistical testing uncovered 45 significant correlations between variables. Unsurprisingly, confidence in level of data protection knowledge had a strong, positive correlation with awareness of data protection legislation ($r_s=0.769$) with a significance level of 0.01% ($\rho<0.01$) which indicates a 99% probability of a correlation. This variable also has a moderate positive correlation with awareness of GDPR legislation ($r_s=0.512$ $\rho<0.01$) and there was a moderate positive correlation between awareness of data protection legislation and awareness of GDPR ($r_s=0.505$ $\rho<0.01$).

However moderate negative correlations were revealed between confidence in level of data protection knowledge and awareness of data protection documentation for staff ($r_s=0.497$ $\rho<0.01$), awareness of a data protection individual within the organisation ($r_s=0.459$ $\rho<0.01$) and awareness of data protection documentation for users ($r_s=0.411$ $\rho<0.01$). Further research into this study might benefit from testing these correlations further.

6 DISCUSSION

It is noted that when directly compared to previous studies, this research delivered higher percentages for respondents who were aware of data protection legislation, had received training, had data protection policies and an appointed data protection officer. However, finer details including how often policies were updated and whether the organisation was registered under the act produced fewer positive responses.

Although the majority of participants felt their awareness of data protection was above average at the start of the study, when asked to rate the confidence in their level of knowledge towards the end the mean response was between poor to average. In addition, the vast majority (71%) either agreed or strongly agreed that they would like to receive more training and support regarding data protection. Finally, correlational study revealed some negative correlational relationships which would benefit from being studied further.

In relation to GDPR, respondents were notably less confident but seemed aware of gaps in their knowledge and expressed enthusiasm for learning more. They require more training and support from the wider organisation.

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