



BERMUDA GOVERNMENT

MINISTRY OF EDUCATION AND WORKFORCE DEVELOPMENT

PATI Information Statement

Name of Public Authority: Department of Libraries and Archives

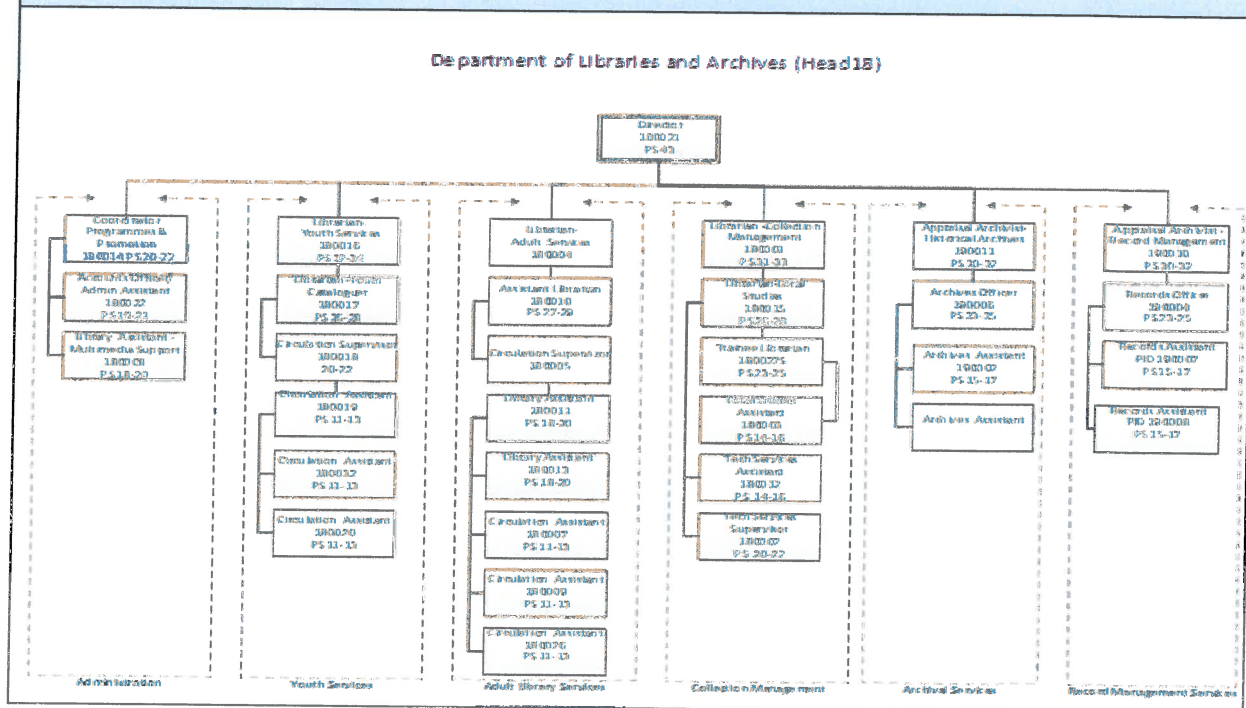
Introduction

The general purpose of the *Public Access to Information Act (2010)* is to make information (not subject to exemptions) accessible to the public in order to increase transparency and accountability about the department's administration and decision-making processes.

This information statement has been issued to provide the public with an understanding of the information generated by the Department of Libraries and Archives and how accessible information may be obtained regarding the decision-making processes and operations of the department.

This statement summarises the functions and services of this department and the records types generated in the performance of mandated duties and managerially identified objectives.

Section A: Structure, Organization and Legislation [s5(1)a]



Legislation

The Bermuda National Library directly operates under the following legislation:

1. *Bermuda National Library Act 1946*
2. *Bermuda National Library Regulations 1992*
3. *Legal Deposit Act 2008*

The Bermuda Archives directly operates under the following legislation:

4. *Bermuda Archives Act 1974*

Subject to the Bermuda Archives Act, the department is under general control and management of the responsible Minister, who is advised by the Records Committee (s.3; s.6). The Archives Director is responsible for the administration of the department, subject to any general or special directions of the Minister (s.5 (1)).

The Archives is essentially comprised of two functional programmes:

- i. Archives services, which include management of the Bermuda Archives
- ii. Records management services, which include management of the Government Records Centre.

Other relevant legislation includes:

5. *Bermuda Archives (Reproduction of Public and Judicial Records) Regulations 2002 (BR 22/2002)*
6. *The Copyright (Bermuda) Order, 1962*
7. *Historical Articles (Export Control) Act 1983*
8. *Limitations Act 1984*
9. *Audit Act 1990*
10. *Public Treasury (Administration and Payments) Act 1969*
11. *Financial Instructions*
12. *Public Service Commission Regulations 2001*

Other relevant documents include:

13. *Govt. of Bermuda Conditions of Employment and Code of Conduct*

Section B: 1) Functions, powers, duties of the Authority [s5(1)b]

Mission Statement

To facilitate access to information for research, inspiration, lifelong learning and recreation.

The scope of Bermuda National Library activities:

Public Library Functions:

1. Provide materials to help fulfill the community's appetite for information about popular cultural and social trends and their desire for satisfying recreational experiences.
2. Provide general information to help meet the need for information and answers to questions on a broad array of topics related to work, school and personal life.

National Library Functions:

1. Collection of the national print and non-print output through legal deposit, which the National Library is empowered to do through the Legal Deposit Act 2008.
2. The production of the Bermuda National Bibliography.
3. Operating an International Standard Book Number agency.
4. Operating and administering a local history (Bermudiana) collection, which includes out-of-print and rare books.

Bermuda Archives Functions:

1. Provides records management guidance and assistance to all Government departments for the management, storage, and disposition of records.
2. Preserves, arranges, describes, and, when applicable, repairs and provides reproductions of public archives and donated records.
3. Manages the Bermuda Archives, which includes public reference service.
4. Operates a records storage facility.

Some of the functions of the Archives are executed in coordination with the Records Committee (s.6).

Records Committee Functions:

The committee is responsible for advising the Minister on the classification, retention, and final disposition of public and judicial records and any prescribed matters.

Subject to the *Bermuda Archives Act 1974*, the Records Committee shall make recommendations to the Minister on the follow matters—

1. the retention or destruction of public records and judicial records;
2. the transfer of public records and judicial records to the Bermuda Archives;
3. the conditions and restrictions, if any, upon which any public records or public archives may be inspected or published;
4. the classification of public records and judicial records for retention, destruction, or transfer to the Bermuda Archives; and
5. any other matters which may be prescribed.

Members are appointed by the Minister and include:

1. Director of Libraries and Archives, Chair
2. Individual from Libraries and Archives with responsibility for records management
3. Individual from Libraries and Archives with responsibility for public archives
4. Assistant Accountant General
5. Policy and Strategy – Policy Analyst
6. Individual from Policy and Strategy with responsibility for PATI
7. Individual from ICT Policy and Innovation with responsibility for Privacy

Section B: 2) Obligations under Public Access To Information Act [s5(1)b]

To prepare an **information statement** for the public and promulgate it [s5],

- To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
 - General information, e.g. activities of the Authority
 - Log of all information requests and their outcome
 - Quarterly expenditure (upon request) [s6(5)]
 - Contracts valued at \$50,000 or more.
- To **respond to information requests** in a timely manner [s12-16]
- To **track information requests**, and provide this data to the Information Commissioner
- To respond to requests from the Information Commissioner [s9]
- To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- To conduct an **internal review** if formally requested [part 5]

- To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].
- **To do anything else as required** under the Public Access To Information Act and subsequent Regulations [s59, 60], including:
 - **Fees** for Requests for information
 - Management and maintenance of **records**
 - **Procedures** for administering the Act
- To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- To **designate one of its officers** to be the person to whom requests are directed [s62]

Exemptions

The Public Access To Information Act 2010 [part 4] provides that certain information held by public authorities will be covered by exemptions and cannot or may not be disclosed upon request because of the harm that disclosure is likely to cause. Harm generally refers to substantial damage to a particular interest, and must also be real, likely and significant.

The exemptions relate to records pertaining to the following areas:

- Health or safety, where disclosure would endanger the physical or mental health or the safety of an individual;
- Personal information, subject to certain instances where disclosure may be allowed;
- Commercial information, for example trade secrets or contractual negotiations;
- Information received in confidence;
- Cabinet documents, including official records of deliberations or decisions;
- Ministerial responsibility, where disclosure of records could undermine free and frank discussion and advice between Ministers, or between Ministers and public officers, in the course of their public duties;
- Deliberations of public authorities, where disclosure could undermine free and frank discussion and advice during the course of the deliberative process;
- Operations of public authorities, where disclosure could prejudice the effectiveness of operations of public authorities e.g., with respect to negotiating positions and industrial relations, or in relation to examinations, investigations, inquiries or audits conducted by public authorities;
- Records for which disclosure could have an adverse effect on the financial and economic interests of Bermuda;
- National security, defense, and international relations;
- Governor's responsibilities and communications with the United Kingdom;
- Law enforcement records for which disclosure of certain types of information would prejudice law enforcement efforts or would endanger a person's life or safety;
- Legal professional privilege, where disclosure of records would be exempt from production in legal proceedings on the basis of legal professional privilege;
- Records for which disclosure would be in contempt of court or a breach of parliamentary privilege; and
- Disclosure prohibited by other legislation.

Section C: Services and Programmes [s5(1)c]

Bermuda National Library:

Administration

Administration has overall management responsibility for the Library. They are responsible for setting policy to direct and support programmes and activities to accomplish the Library's mission.

Adult Services

Adult Services is the lending library for persons over the age of 14. Users are allowed to take books and other materials off the premises temporarily; there is also a non-circulating reference collection. The primary focus is on popular materials such as popular fiction and movies, as well as educational and nonfiction materials of interest to the general public; computer and internet access are also often offered. An Outreach Service provides home delivery of books to seniors in private residences and rest homes.

Collection Management

Collection Management is responsible for administering the Bermudiana and Legal Deposit collections, digitisation of Bermuda materials, issuing ISBNs to Bermuda publishers, and for acquiring and cataloguing adult materials. Collection Management also produces a number of publications to assist the public to use the Bermudiana Collection. All of these publications are available free of charge in print format or as PDF files via the Library's website.

Youth Services

Youth Services is the lending library for persons under the age of 18. Users are allowed to take books and other materials off the premises temporarily; there is also a non-circulating reference collection. Youth Services also provides other services, such as storytelling for infants, toddlers, and children; movie days, family story nights, etc. One of the most popular programmes offered is the summer reading programme.

Bermuda Archives:

Services for the Public

The Archives provides basic archival research assistance to archives users. Reference enquiries can be made in person, by phone, or mail/e-mail. Reference staff can spend up to 30 minutes attempting to identify or verify relevant archives, and if possible, supply researchers with information from these records. Researchers are responsible for any reproductions costs, which are outlined in the *Government Fees Amendment Regulations*.

In addition, the Archives works with private citizens and organizations to arrange for the transfer of significant historical and cultural private records to the Bermuda Archives, where they can be maintained and made accessible to the public.

Services for Government Departments

The Archives provides records management guidance and assistance to Government departments as outlined in the department's legislative mandate. In addition, the Archives operates a records center for the storage of semi-active and noncurrent Government records. Government departments can contact the Archives for records management assistance and to make arrangements for the transfer of relevant records.

Section D: Records and documents held [s5(1)d]

Bermuda National Library:

Administration files – Includes human resources; financial; buildings & properties; major equipment & supplies; safety & health; general information files; and correspondence files.

Policy files – Includes files related to the drafting of cabinet memoranda; parliamentary questions; ministerial statements; legislation & regulations; policies & procedures; boards and councils; and committee meetings.

Technical files – Includes files related to programming, publications, public relations, reproduction, conservation and digitisation, and automation.

Records Management files (Archives) – Includes ministerial, departmental, commission case files; project and consultant files; accession, request and disposition logs; transfer files.

Acquisitions files (Archives) – Includes files related to the purchase, deposit and loan of government or private records.

Institution and Organisations files – Includes files related to local and international heritage organisations and professional library, archival and records management organisations.

Public Service files (Archives) – Includes files related to the departmental publications and information leaflets; certification of records; exhibitions.

Section E: Administration (all public access) manuals [s5(1)e]

Bermuda National Library:

Staff work to international standards and consult the guidelines and directives established by organisations such as the Chartered Institute of Library and Information Professionals (CLIP) and the American Library Association (ALA).

Administrative manuals/guidelines include:

- Bermuda National Library Policy Booklet

Bermuda Archives:

Administrative manuals/guidelines include:

- ISO 15489 Information and documentation – Records management: Parts 1 & 2
- ISAD(G): General International Standard Archival Description
- Describing Archives: A Content Standard (DACs)
- Records management and archives policy and procedures

Section F: Decision-making Documents [s5(1)f]

Decisions are made in accordance to the guidelines outlined in the *Bermuda National Library Act (1946)*, the *Bermuda Archives Act (1974)*, legislation and directives relevant to all departments and ministries, and through the advice and recommendations given through the Minister responsible for the Department.

Section G: The Information Officer [s5(1)g]

For Public Access To Information queries, please contact:

C. Joanne Brangman
Director
Department of Libraries and Archives
jbrangman@gov.bm
(441) 299-0027

Section H: Any Other Information [s5(1)h]

Many of our documents are published electronically and can be downloaded in PDF format from the Library's website www.bnl.bm.

The Department of Libraries and Archives will provide guidance on making a PATI application and will provide the necessary application forms on its website.

Current records held in storage by the Bermuda Archives Records Centre are not accessible to the general public via the Bermuda Archives. Custody of these records is maintained by the record-creating office until these records have been transferred into the public archives. Requests for these records should be made to the appropriate Ministry and Department.

Section I: Any Other Information To be Provided? [s5(1)i]

Bermuda National Library:

Hours

Adult Library

13 Queen Street, Hamilton HM 11, Bermuda

8:30 a.m.-5:00 p.m. Monday to Thursday

10:00 a.m.-5:00 p.m. Friday

9:00 a.m.-5:00 p.m. Saturday

Sunday Closed

Youth Services

74 Church Street, Hamilton HM 12, Bermuda

Monday Closed

9:00 a.m.-5:00 p.m. Tuesday to Thursday

10:00 a.m.-5:00 p.m. Friday

9:00 a.m.-5:00 p.m. Saturday

Sunday Closed

E-mail queries: library@gov.bm

Bermuda Archives:

Bermuda Archives - Reference Services: 8:45 a.m. - 3 p.m.

Researcher requests must be made no later than 2:30 p.m.

Research materials are recalled at 2:50 p.m.

For reference queries and requests:

E-mail queries Bermuda Archives: reference.archives@gov.bm

E-mail queries Records Centre: recordscentre@gov.bm

Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

Date Information Statement was updated: Nov 25, 2020

Locations of Information Statement:

Principal office:

Bermuda National Library:

13 Queen Street

Hamilton HM 11, Bermuda

YES

Bermuda Archives:

Government Administration Building

30 Parliament Street

Hamilton HM 12

YES

• Available electronically

YES

• Website for Bermuda National Library: www.bnl.bm

YES

• A published notice in the Gazette indicating the places where the information statement is available for the public

YES

• With the Information Commissioner.

YES

Sign and Date:

C. Joanne Brangman

25. Nov. 2020

C. Joanne Brangman, Director

Date