



CODE OF CONDUCT

LIBRARY USERS

Version	Date	Approved
1 / 2016	10/03/2016	ERLC Board

Purpose

Eastern Regional Libraries Corporation (ERLC) is committed to providing an open and inviting atmosphere in all its branches and outreach vehicles.

ERLC wants its premises to be pleasant places to visit, with staff and public displaying mutual respect and consideration.

It is not intended that the Code of Conduct Library Users should cover all situations that may arise, and in some circumstances decisions will be made by the Branch Manager or Officer in Charge of the library premises.

Background

Under ERLC's Membership, Access and Use Policy (**Policy**) any person may have access to the library for the purpose of using the services and facilities within the library during the hours it is open to the public, subject to compliance with the Corporation's policies and guidelines which the Board may adopt from time to time, and which shall be published and made available to all library users.

The Policy also states that a person while in the library must not:

- (i) commit any nuisance;
- (ii) destroy, damage or interfere with any library property;
- (iii) act contrary to any sign;
- (iv) act contrary to any of the Corporation's policies and guidelines which the Board may adopt from time to time and which shall be published and made available to all library Users; or
- (v) act contrary to any lawful direction of the Branch Manager or Officer in Charge, including a direction to leave for breach this policy.

The Code of Conduct provides guidelines for users of our library premises.

Behaviour in the Library

While at the library, you are encouraged to:

- Speak politely and in a normal voice to staff and other library users.
- Be respectful and considerate of other people and their property.
- Inform the staff if assistance is needed for your full use of library services. Let the staff know when you are unable to find what you need so they can try to get the information for you. This also helps the library know what needs to be added to the collection.
- Explore new ideas and interests by attending library programs.
- Be responsible for the safety, wellbeing and conduct of children or other people in your care.
- Limit the use of mobile phones and to turn them off, or place in silent mode, when attending a library event.
- Keep your personal belongings in your control at all times. The library is not responsible for lost or stolen items.
- Leave materials, equipment and furniture in a clean and tidy manner.
- Abide by all policies and guidelines adopted by ERLC.
- Most importantly, cooperate with the requests of library staff.

Unwelcome Behaviour

While at the library the following are examples of what is considered inappropriate or a nuisance:

- Not treating all people with courtesy and respect and showing regard for their needs, sensitivities and rights.
- Not treating all people equally irrespective of gender, sexual orientation, race, cultural background, religion, disability, marital status, age or political conviction.
- Behaviour that is unsafe or disturbing to other library users, volunteers or staff, such as using offensive language, talking loudly, shouting, screaming, children crying excessively or making other loud noises, pushing, running, shoving, throwing things, or other disruptive behavior.
- Verbally or physically harassing or threatening other library users, volunteers or staff. Harassment may include, but is not limited to: initiating unwanted conversation; impeding access to or within the building; or other actions that an individual reasonably perceives to be hostile, threatening, intrusive or offensive.
- Sexual misconduct, such as exposure, offensive touching, comments or unwanted sexual advances to library users, volunteers or staff.
- Bodily hygiene that is offensive so as to unduly interfere with another library user's use of the library. You will be required to leave the building.
- Inappropriate dress, including no shirt or shoes.
- Neglecting to provide proper supervision of persons in your care, including abandoning, or leaving unattended, children or other persons in need of supervision e.g. leaving young children unattended in the library at any time for more than 15 minutes.
- Recklessly or intentionally damaging or destroying library materials or property, or the personal property of other library users.
- Displaying, including as a result of access via a library computer, or distributing inappropriate material that can be identified as, for example, pornographic, racist, homophobic, extremist, etc.
- Exhibiting signs of being under the influence of alcohol or controlled substances.
- Blocking aisles or passageways so as to make it dangerous, difficult or impossible to walk through. This includes placement of cords for electricity to electronic equipment, such as laptop computers.
- Sleeping on the floor.
- Use of personal listening or communication devices at a level that can be heard by others.
- Disruptive use of mobile phones. Mobile phones may be used for quiet short conversations anywhere in the library. Staff will ask you to end your call if you are disrupting others with your conversation.
- Solicitation of funds, distribution of literature or promotional materials, or sale of goods by any person or agency other than the library.
- Entering or remaining in a library building before or after posted hours of operation without permission.
- Entering into staff work areas not open to the public.
- Skateboarding, skating, or loitering on library property. Bicycles, shopping trolleys, etc. are not allowed onto the premises.
- Any behaviour that is prohibited by law.
- Any other behaviours or nuisances which, in the clear judgment of library staff, disrupt the environment for other library users of the library.

Procedures for dealing with unwelcome behaviours or nuisances

If library staff observe behaviour that is contrary to this Code of Conduct and, therefore, the Policy, generally following steps will be taken:

1. First Incident

The following actions (subject to 5 below) will be taken where practicable and where it raises no risk of injury to our library users and staff:

1. The library user will receive an oral warning from a staff member informing them that their behaviour is unacceptable, including being given a reason why. This will be done discretely where practicable.
2. Depending on the nature of unacceptable behaviour or nuisance (including, but not limited to, Clause 5) the library user may immediately be verbally informed that an Incident Report will be completed and sent to ERLC's Administration and the library user will receive an official written warning from the ERLC which may include a further suspension of services.
3. The library user may be asked to leave the premises for up to 72 hours depending on the seriousness of the offending behaviour or nuisance.
4. A first warning will be recorded against the library user's membership or, if they are not a member, by recording their name and address in the library's records.

2. First Incident ~ Failure to immediately stop unacceptable behaviour or nuisance

The following actions (subject to 5 below) will be taken where practicable and where it raises no risk of injury to our library users and staff:

1. If the unacceptable behaviour or nuisance does not immediately stop the library user will immediately be verbally informed that an Incident Report will be completed and sent to ERLC's Administration and the library user will receive an official written warning from the ERLC.
2. The library user will immediately be verbally informed that he/she is suspended from all library services, with immediate effect, and that he/she will receive an official notification from ERLC indicating the length and nature of that suspension.
3. The library user will be asked to leave the premises.
4. If the library user fails to leave the premises on request, or if the Branch Manager or Officer in Charge believes there is risk of injury to our library users and staff, the Police, or shopping centre security (if available), will be summoned to have the library user removed from the premises.
5. A second warning will be recorded against the library user's membership or, if they are not a member, against their name and address in the library's records.

3. Second Incident

If there is a second incident of unacceptable behaviour or nuisance the following actions (subject to 5 below) will be taken where practicable and where it raises no risk of injury to our library users and staff:

1. The library user will immediately be verbally informed that an Incident Report will be completed and sent to ERLC's Administration and the library user will receive an official written warning from ERLC.
2. The library user will immediately be verbally informed that he/she is suspended from all library services, with immediate effect, and that he/she will receive an official notification from ERLC indicating the length and nature of that suspension.
3. The library user will be asked to leave the premises.
4. If the library user fails to leave the premises on request, or if the Branch Manager or Officer in Charge believes there is risk of injury to our library users and staff, the Police or shopping centre security (if available) will be summoned to have the library user removed from the premises.
5. The second incident warning will be recorded against the library user's membership or, if they are not a member, against their name and address in the library's records.

5. Police Notified

In certain circumstances (see 5 below) the Police will be summoned or notified.

The following actions will be taken where practicable and where it raises is no risk of injury to our library users and staff:

1. The library user will be informed that the Police have been summoned.
2. The library user will immediately be verbally informed that he/she is suspended from all library services, with immediate effect, and that he/she will receive an official notification from ERLC indicating the length and nature of that suspension.
3. The library user will be asked to leave the premises.
4. An Incident Report (attaching any Police report) will be completed and sent to ERLC's Administration

5. Notifying the Police

If a member of the public is causing, or has caused, a serious risk of harm or nuisance in the library, it is the responsibility of the staff member in charge at the time to make the decision as to whether or not the Police should be notified.

Examples of when the Police must be summoned via 000 include:

- Violent or aggressive behaviour towards library users, volunteers or staff
- Sexual misconduct e.g. exposure, offensive touching, comments or unwanted sexual advances to library users, volunteers or staff
- Viewing of any form of pornography on library resources or otherwise in view of other library users
- Library users apparently affected by substance use

Examples of when the Police may be summoned include:

- Behaviour that is unsafe or disturbing to staff or other library users
- Neglecting to provide proper supervision, including abandoning, or leaving unattended, of children or other persons in need of supervision
- Failure to leave the premises when requested by staff to do so

Examples of when the Police will be notified include:

- Vandalism of library property
- Theft

The Chief Executive, Corporate Manager Employee Relations or another Corporate Manager will be contacted immediately if the Police are summoned.

In the event that other library users experience anxiety or distress because of an incident, they will be offered access to ERLC's employee assistance program provider which can offer counselling services.

6. Suspension, Cancellation of Membership and/or Withdrawal of All or Specified Services

First Incident

The length of the initial suspension in relation to a First Incident (subject to 5 above) will be up to 72 hours, at the discretion of the staff member in charge.

Where an Incident Report is completed and sent to ERLC's Administration the library user may receive an official written warning from the ERLC which may include a further suspension of services. Any suspension will be a minimum of six months. Having considered the staff report and any Police report, the Chief Executive or his/her delegate can increase the suspension for any period up to 12 months.

Where there is failure to immediately cease unacceptable behaviour or nuisance (subject to 5 above), the minimum suspension will be six months. Having considered the staff report and any Police report, the Chief Executive or his/her delegate can increase the suspension for any period up to 12 months.

Second Incident

If, after an initial period of suspension, there is a second incident of unacceptable behaviour or nuisance, the library user will be suspended for a minimum of 12 months. Having considered the staff report and any Police report, the Chief Executive or his/her delegate can increase the suspension for any period up to 24 months.

Police Summoned or Notified

In relation to any incidents where the Police are summoned or notified in accordance with 5 above, and having considered the staff report, and any Police report, if the Chief Executive or his/her delegate believes that there is likely to be ongoing offence, risk or intrusion upon any other person or property on the library premises, the Chief Executive or his/her delegate can:

- suspend a library user/member for three years; or
- cancel a membership; and/or
- permanently withdraw access to all or specified library services.

7. Under the care of a parent, guardian or personal carer

Where it can be established that the library user is, or should be, under the care of a parent, guardian or personal carer, staff will discuss where practicable the unacceptable behaviour with the responsible person and, depending on the circumstances (e.g. mental capacity of the patron, etc.), the seriousness of the behaviour and its impact on other library users, no further action may be necessary.

If staff are satisfied that the incident is of such a serious nature (see clause 5 above) that it has caused, or is likely to cause, harm or significant distress to other library users, the Police will be summoned immediately.

If the Police are not summoned immediately, on receiving the Incident Report ERLC may, if it believes the matter to be of such a serious nature that it has caused, or is likely to cause, harm or significant distress to other library users, report the incident to the Police. Where applicable, the carer's organisation will also be informed.

8. Appeals of Suspension, Cancellation or Withdrawal of All or Specified Services

There is no review of a decision where a library user is suspended from services for up to 72 hours.

Any person the subject of a:

- suspension of membership for a period up to six (6) months; or
- suspension of all or specified services for a period up to six (6) months

can make a written submission to the Chief Executive if he/she believes there are extenuating circumstances, such that no, or a lesser, suspension should apply. The decision of the Chief Executive will be final.

Any person the subject of a:

- suspension of membership for a period greater than six (6) months; or
- suspension of all or specified services for a period greater than six (6) months
- cancellation of membership;
- permanent withdrawal of all or specified services,

may apply at any time to the ERLC Board, in writing, for review of that suspension, cancellation or withdrawal.

The ERLC Board will consider the application at its first available meeting and decide to:

- confirm;
- vary; or
- revoke,

the suspension, cancellation or withdrawal.

Where a person applies for review more than once in every six months, the Chief Executive may, at his/her discretion, determine that the application will not be put before the ERLC Board, provided that at least one application in every six months is presented.

9. Review of Suspension, Cancellation or Withdrawal of All or Specified Services

Once in every 12 months the Chief Executive will review:

- all current suspensions or withdrawals of all or specified services where the remainder of the suspension or withdrawal is equal to or greater than 12 months; and
- cancellations and permanent withdrawal of all or specified services.

The Chief Executive may, in his/her discretion, determine to:

- confirm;
- vary; or
- revoke,

any suspension, cancellation or withdrawal of all or specified services as part of that review.

Depending on the circumstances of the case, the library user the subject of a suspension, cancellation or withdrawal of all or specified services may be invited to make a written submission about why their suspension or withdrawal should be lifted.