# RIVERINA REGIONAL LIBRARY
# CUSTOMER EXCLUSION POLICY

| POLICY REFERENCE NUMBER: | | POL/RRL 003 | |
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| This document is to be reviewed annually. | | | |
| **RESPONSIBLE DIRECTOR** | | Robert Knight, Director RRL | |

# 1. INTRODUCTION

Riverina Regional Library (RRL) branch libraries endeavour to provide safe and pleasant environments for the public to enjoy while at the same time ensuring that staff, volunteers and visitors are provided a secure and productive place in which to work and enjoy. To achieve this end, RRL supports the legislative guidelines for libraries set out in the Library Regulation 2018.

Part 3 Clause 17 of the Library Regulation 2010 provides guidelines for libraries regarding acceptable public behaviour within libraries.

## 1.1 Policy Objectives

The Riverina Regional Library Customer Exclusion Policy is guided by the Library Regulation 2010 Part 3 Use of libraries and library material and the RRL Internet Usage Policy. This policy determines the parameters and guidelines for library staff to follow in regards to exclusion of members of the public from libraries. It is the intention of RRL that these parameters be used in conjunction with staff judgement to make informed decisions that assist in providing safe and pleasant environments for the public and staff.

## 1.2 Scope of Policy

This policy applies at all RRL branch libraries.

## 1.3 Definitions

Riverina Regional Library branch libraries include:

Adelong, Batlow, Bland, Coolamon, Cootamundra, Corowa, Culcairn, Gundagai, Henty, Holbrook, Howlong, Jindera, Junee, Leeton, Mulwala, Talbingo, Temora, Tumbarumba, Tumut and RRL Mobile Library.

Member councils are councils that are signatories to the RRL Deed of Agreement.

## 1.4 Legislative Context

RRL operates under the Library Act 1939 and the Library Regulation 2018.

Related legislation: Work Health and Safety Act 2011.

## 1.5 Related Documents

RRL Customer Service Charter and Customer Code of Conduct

RRL Fees and Charges Schedule

RRL Internet Usage Policy

RRL Children's Policy

## 1.6 Responsibilities and Administration of the Policy

Riverina Regional Library members, RRL staff and branch library staff are responsible for abiding by the intent of this policy. The RRL Customer Lending Policy is available to the public via the RRL website.

## 1.7 Reporting Requirements

This policy will be reviewed annually in line with item RRL2.2.4 – Shape the Future of the RRL Integrated Planning Strategy 2018-2022 with a full policy review undertaken every four years in line with Local Government procedures. Progress of policies will be reported biannually.

## 1.8 Approval Arrangements

Approval arrangements will be undertaken through the RRL Advisory Committee approval process.

## 1.9 Review procedures

This policy will be reviewed annually in line with item RRL2.2.4 – Shape the Future of the RRL Integrated Planning Strategy 2018-2022.

# 2. POLICY CONTENT

## 2.1 Administration and General Principles of the Riverina Regional Library Customer Exclusion Policy

### 2.1.1 Authorisation

The Library Regulation 2018 assigns authority to all library staff to request a person comply with the regulation or in the case that said person does not comply, to ask the person to leave the library premises if the regulation has been breached.

The public, RRL staff, including administration centre and branch library staff, are responsible for abiding by the intent of this policy. A person who is seen to have breached the regulation may be advised by staff that compliance with the regulation is required. Staff may offer to provide the person a copy (or direct them to the policy on the internet) of the RRL Customer Service Charter & Customer Code of Conduct and/or the Library Regulation 2005.

The RRL Customer Exclusion Policy is available to the public via the RRL website.

### 2.1.2 Staff training and communication

Staff are made aware of their responsibilities to ensure a safe and pleasant environment for themselves, the public, volunteers and other members of the public visiting the libraries. RRL Branch Staff are kept up-to-date with information from around the region where appropriate. RRL provides forums for discussion of library issues via email and also via Branch Meeting/Training Days held bi-annually during the year.

Staff are required to provide information to library management at their branch regarding any breach of the Library Regulation 2005. Exclusion from the library may only be endorsed by either the (Branch) Library Manager or (Branch) Officer-in-Charge.

### 2.1.3 Process for asking a person to leave the library

Staff may request that a person leave the library if it is decided that there has been a breach of the Library Regulation 2010, The RRL Internet Usage Policy, or if the person does not intend to comply with the regulation.

Where a person is seen to be in breach of the Library Regulation 2010 and has resisted complying after a request from staff, staff may then ask the person to leave the library premises to ensure the safety and wellbeing of those working and using the library at the time.

Initially the exclusion may not need to be extended other than a **"*cooling off period*"** where the person could be permitted re-entry to the library should they decide to comply.

Should a person breach the Library Regulation 2010 or the RRL Internet Usage Policy they may be asked to leave the library premises by a staff member authorised to do so by either the (Branch) Library Manager or the (Branch) Officer-in-Charge. The authorised staff member will provide advice to the person in breach with a period of time for which the person must not return to the library. The person must agree not to return within the stated time or they may be excluded from the library for a longer length of time by management.

## 2.1.4 Exclusion from the library

Periods of exclusion are based on those established by the Library Council of NSW. Periods of exclusion will only be enforceable by the Library Manager or Officer-in-Charge of a RRL Branch Library with the endorsement/advisement of said branch's member Council management.

## Periods of exclusion

The maximum period for exclusion from RRL is life.

The standard period of exclusion for a person in breach of clause 17(3) of the Library Regulation 2010 will be two (2) months. Consideration will be taken as to the nature and severity of the breach and whether the person has breached the regulation prior to the current incident.

If necessitated, the period of exclusion for repeat occurrences and/or severe breaches will be set at up to one (1) year.

Where a person has been excluded from the library for a period of a year, a review of the circumstances may be undertaken and the exclusion lifted if the Director RRL, Library Manager, Officer-in-Charge and/or member Council Management deems it warranted. Discussion of the lifting of the exclusion period must be undertaken by those directly involved ie, Officer-in-Charge or Library Manager and/or member council Management.

The Library Manager or Officer-in-Charge, in consultation with the Director, RRL may determine a period of exclusion to exceed the standard period of exclusion (2 months) up to the maximum of life. The extended time of exclusion will be directed by the severity of the breach and the impact on staff, volunteers and library users and visitors. Advisement of such exclusion will be provided to the General Manager of the affected member Council.

## 2.1.5 Procedures for exclusion from the library

### 2.1.5.1 Notification of exclusion

Notification in writing will be provided to a person who is excluded from the library for a breach of the Regulation.

The letter will be provided either in person or by post where the person's name and address is known. In the case that the person is not known to staff, and the person refuses to provide their name, the person will be notified on their return to the library with the letter addressed Dear Sir/Madam and hand delivered. The letter will identify the breach of the Regulation and the non-compliance after request. The letter will also identify the time period for which the person will be excluded from the library and also set out the review and appeal process.

Communication of the exclusion will be provided to staff who will be required to know should the person return to the library.

#### 2.1.5.2 Review and appeal process

A person who has been excluded from the library may ask to have their case reviewed by the Director RRL, the (Branch) Library Manager or (Branch) Officer-in-Charge. A determination will be made in relation to whether the exclusion will remain in force or if the time limit of the exclusion will be reduced or extended. The determination will be made with all available documentation regarding the exclusion including incident reports and will take into account the case put forward by the person seeking the review.

#### 2.1.5.3 Records management

All incidents, including breaches of the Regulation will be recorded by the staff member initially involved in the incident. Reports of breaches should be made on the day of the incident and signed and dated by the staff member(s) making the record. Staff members will advise their supervisor of the incident and provide the report as soon as convenient whereby the supervisor will sign and date the report.

Records of exclusion will be recorded by the (Branch) Library Manager or (Branch) Officer-in-Charge and kept as per the member Council's record keeping requirements.

## 2.2 Related legislation

The RRL Customer Exclusion Policy, which is guided by the Library Regulation 2010, determines guidelines for all stakeholders, including staff and the public, in relation to excluding members of the public from a RRL branch library. The Library Regulation 2010 Part 3 states:

> *(1) A library staff member may direct any person to leave the library, and not to re-enter the library for such period as the staff member directs, if the staff member is of the opinion that:*
>
> > *(a) the person has contravened any provision of this Part, or*
> >
> > *(b) the person's condition, conduct, dress or manner is likely to give offence to any person in the library or to interfere with any other person's use of the library.*
>
> *(2) A person to whom such a direction is given must not fail to comply with the direction.*

*(3) The period for which a person may be excluded from the library by such a direction must not exceed the maximum period determined by the governing body of the library.*

## Amendments

Amendments to this policy in relation to operational matters may be made with the approval of the Director RRL.

# 3. References

New South Wales Government Legislation, Library Act 1939

New South Wales Government Legislation, Library Regulation 2018

State Library of NSW, Legislation and Policies