

Library Conditions of Use Policy

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Corporate Plan:	<p>1. Lifestyle <i>L7 - Continue to renew the council; region through the development of restaurant/café facilities, camping, playgrounds and other civic spaces</i> <i>L8 - Partner with others to support and maintain a vibrant and arts, cultural, heritage and events sector.</i> <i>L9 - Enhance utilisation of Council-owned recreation facilities for a more diverse range of activities aligned to community and cultural needs</i></p> <p>3. Business <i>B4 - Enhance resource sharing and regional opportunities with other councils</i> <i>B11 - Employ best practice financial, governance and service methods across Council's work</i></p>
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Applicable Legislation:	<p><i>Libraries Act 1982 (South Australia)</i> <i>Copyright Act 1968 and Amendments (Cth)</i> <i>Freedom of Information Act 1982 (Cth)</i></p> <p><i>Children and Young People (Safety) Act 2017 (South Australia)</i></p>
Relevant Policies:	<p><i>Customer Service Policy</i> <i>Fees and Charges Policy and Schedule Children and Vulnerable Persons' Safety Policy</i> <i>LMS Policy and Operations Guide (Libraries of SA)</i></p>
Related Procedures:	<p><i>Rules for using library online resources and services</i> <i>Care of Children in Berri Barmera Library Service</i></p>
Delegations:	Nil

Library Conditions of Use Policy

Purpose

The Berri Barmera Library Service is provided to the community by the Berri Barmera Council. It is the main library and information service for people who live,

work and learn in the Berri Barmera Council area. It also forms part of a state-wide network of public libraries built on cooperation and resource sharing by:

- Providing free and easy access to information, through the One Card network
- Providing leadership in the community as a source of information
- Promoting literacy and learning
- Providing safe physical points-of-presence throughout the region
- Providing recreational materials to the community

Principles

The Berri Barmera Council provides facilities for the benefit of the community. It has developed certain conditions of use to ensure that people do not interfere with the reasonable enjoyment of patrons to the Berri and Barmera Libraries and that the library collections and facilities are securely protected.

The SA Public Library Network and the statewide Library Management System (LMS) Consortium, of which Berri and Barmera Libraries are members, shares a customer database so that library users in South Australia need only one library card to access the collections in any participating library. Any person who can produce appropriate identification which includes name and current address information may become a South Australian public library customer and a member of the 'One Card' system. Temporary membership is also available to visitors to the area from elsewhere in Australia, interstate or overseas.

In applying for or using your library membership, patrons agree to accept the *Library Conditions of Use* and will comply with them.

If a patron breaches the *Library Conditions of Use*, the Berri Barmera Council reserves the right to:

- Restrict or ban access to library materials and facilities; or
- Terminate membership of the library

This policy is applicable at both Berri and Barmera library facilities.

LIBRARY CONDITIONS OF USE

Membership

1. Membership of the Berri Barmera Library Service is open to all members of the community. Registration of new library members should follow the Joining Requirements and User Registration Process set out in the Libraries of SA *LMS Policy and Operations Guide*. Identification requirements for new library membership are:
 - current photo ID which states name, current address and birthdate OR
 - photo ID which states name and birthdate and an additional piece of identification showing name and current address OR
 - if no photo ID is available, official ID with name and an additional piece of current identification showing name and current address OR

- verified name and address details obtained through registration with an educational institution.
2. Temporary or visitor membership is granted to visitors with official identification and proof of address. Restrictions apply with temporary membership. Details are available on application to either the Berri or Barmera Library.
 3. A person under the age of 18 years who wishes to become a member of the Berri Barmera Library Service must have a registration form signed by a parent or guardian, with official proof of residential address, who agrees to be responsible for their conduct, all items borrowed and any fees incurred.
 4. Independent living-under 18. A person under the age of 18 years who is able to show, by producing documentation such as an electricity bill, rates notice or similar, that he or she lives independently of a parent or guardian may join as an adult member.
 5. Members are required to advise staff as soon as possible, either in person or online via the Library's website of any change in membership details or the loss of a Library card.

Behaviour in the library

1. Library facilities, materials and equipment must not be manipulated, altered or damaged in any way by library patrons.
2. Patrons of the Berri Barmera Library Service must at all times act in a manner that shows consideration for other patrons and staff. Inappropriate behaviour, such as verbal abuse, sexual or other harassment, aggression, anger, intimidation, rowdiness or assault, displayed by any patron towards another patron or library staff will not be tolerated.
3. Library staff may ask any patron to leave the premises if inappropriate behaviour is displayed. If this request is not complied with, library staff may call the police for assistance.
4. Where there is ongoing inappropriate behaviour, the Manager Library Services will issue a warning letter to the person, or his or her parent/guardian, advising that if the behaviour continues, that person may be restricted or banned from accessing the library and/or his or her membership terminated.
5. Adults/parents/guardians are responsible for the behaviour of any children under the age of 18 years, in their care, while in the library or its surrounds and should consider the comfort, safety and needs of other library patrons.
6. Adults/parents/guardians are responsible for supervising the use of public computers by such children/dependents and for ensuring that they do not access inappropriate material found on the Internet, or in other materials provided by the library. The Council and Library Services are not responsible

in any way for any inappropriate material accessed by any child under the age of 18 years.

7. The library or library staff are not responsible for any children left unattended in the library.
8. A library patron may be denied access to a particular service or to particular materials if their behaviour is inappropriate or unlawful.
9. A person shall not enter into or remain in the library premises while intoxicated or under the influence of alcohol or a drug so as to be visibly affected by it.

Library resources

1. A patron shall accept full responsibility for library materials borrowed in their name, return them by the due dates, and pay any charges incurred as highlighted within the *Fees and Charges Schedule*. The responsibility lies with the parent/guardian if the borrower is under 18 years of age.
2. Any materials borrowed may be recalled at short notice and the loan period of any material may be restricted.
3. In making materials available, the Berri Barmera Library Service follows the *Statement on Freedom to Read* issued by the Australian Library and Information Association and conform to Federal and State censorship decisions. Beyond these provisions, parents and guardians are held responsible for monitoring their children's access to the libraries' resources.

Food and drink

Food and drink may be consumed in the library by individual library users or when provided as part of a organised library program. Berri Regional Secondary College (BRSC) students are not permitted to eat and drink in the library during school hours. Water in a sealable container may be brought into the library by any library patron.

Animals in the library

With the exception of guide, disability and hearing and BRSC school therapy dogs, animals may not be brought into the library except on designated occasions.

Personal property

1. The library accepts no responsibility for any damage to patrons' own equipment while using library materials including, but not limited to, compact discs, DVDs, CD/ROMs, USB storage devices, laptops, tablets and mobile phones.
2. The library does not take any responsibility for the safety and security of personal belongings left in the library by patrons. Patrons bringing personal belongings into the library do so at their own risk.

3. Any item that is found by library staff will be retained until collected by the owner. If the item contains contact details, library staff will attempt to contact the owner and inform him or her that the item has been found. Any unclaimed items will be disposed of after three months.

Mobile Telephones

Mobile telephones may be used in Berri Barmera Libraries. Patrons are encouraged to either switch off their phones or adjust them to silent while in the library.

Electronic services

1. Berri Barmera Library Service provides computers and other electronic equipment for use by patrons for a variety of purposes. Patrons are requested to comply with any specific conditions of use for such equipment and to not tamper with computer security or change established settings. The *Rules for using Library online resources and services* of the Public Library Service is available for review at the circulation desk, at all public computer stations and is on the wireless log in screen when patrons are assigned a password for free internet access.
2. Some activities are unlawful and, therefore, **PROHIBITED**. These activities include, but are not limited to:
 - Gaining access to any material which is pornographic, offensive or objectionable
 - Engaging in any conduct which offends Commonwealth, State, or Local Council laws and regulations
 - Embarrassing or harassing (sexually or otherwise) another person
 - Engaging in any communication which contains a defamatory message – including reading and then forwarding a message of which you are not the author
 - Sending or forwarding any material which is abusive, discriminatory, obscene or otherwise illegal.

Copyright

When borrowing, using, photocopying or downloading information from the library collection, patrons must comply with the Copyright Act 1968 (Cth) and subsequent Copyright Amendments, which encompasses literary, dramatic, musical or artistic works on paper, disc, tape or any other medium including any electronic form of material.

Breach of Library Conditions of Use

1. The *Library Conditions of Use* must be strictly adhered to. If a library staff member has reasonable cause to suspect that a person has committed a breach of the Library Conditions of Use, the staff member or manager may direct that person to leave the library for a period of up to 24 hours or restrict access to other services.
2. If the Manager Library Services has reasonable cause to suspect a person has committed a breach of the *Library Conditions of Use*, then that person may be banned from the library for a period of up to one month.

3. Patrons must obey the lawful directions from the library staff.
4. In the event of any serious breach of the *Library Conditions of Use*, the library reserves the right to terminate a patron's membership of the Berri Barmera Library Service and to maintain that restriction at the Library's absolute discretion.
5. A person who commits a breach of the *Library Conditions of Use* may be subject to prosecution if that action also constitutes a breach of any law.

SCHEDULE: Care of Children in Berri Barmera Library Service

The Berri Barmera Library Service welcomes children to use and enjoy the wide variety of services and resources provided for them by Council.

However, responsibility for the welfare and behaviour of children using the library rests **at all times** with each child's parent/guardian or with an appropriate chaperone assigned by them.

While library staff will always respond with care and concern whenever a child requires their assistance, they cannot and will not accept responsibility to monitor, supervise or care for children left unattended in the library.

Library Policy and Conditions of Use

The Berri Barmera Library Policy and Conditions of Use states:

The Berri Barmera Council specifically requires that, when using the library;

“Adults/parents/guardians are responsible for the behaviour for any children under the age of 18 years, in their care, while in the library and should consider the comfort, safety and needs of other library patrons.”

“The library and library staff are not responsible for any children left unattended.”

Parents/guardians are advised that the State's Child Protection Legislation and Council Guidelines require that library staff report any reasonable concerns about a child's health and safety to the Police or Child Abuse Report Line within the South Australian Department for Education.

What does this mean?

It means that children under 10 should **always** be accompanied and adequately supervised (i.e. within sight) by a parent, guardian or caregiver who is a responsible person of at least 16 years of age, whenever they attend the library.

While older children (aged 10 and above) may be left unaccompanied in the library, the decision to do so is taken entirely at the discretion of a parent, guardian, or caregiver who must be a responsible person of at least 16 years of age.

All children should know how to contact a responsible adult, and both children and adults should be aware of the closing time of the library.

Children's behaviour in the library

It remains the responsibility of parents, guardians, or caregivers to ensure the appropriate behaviour of children while they are in the library.

For library purposes, “disruptive behaviour” means inappropriate behaviour that is harmful to property or the physical or emotional well-being of the child or others.

Disruptive or destructive children will be asked to leave the library, after warnings have been issued (if appropriate)

Parents/guardians of older children will be notified of their child's unacceptable behaviour and asked to collect their child from the library.

If the behaviour poses a serious risk to the health and safety of the child, other children, other library patrons or staff, the Police may be called to deal with the matter.

If, in the responsible opinion of the library staff, a child's behaviour raises concerns about their health and safety, the police may be notified if the child's 'responsible adult' cannot be contacted immediately.

Staff Procedure

If a staff member finds an unaccompanied child, under the age of 10, in the library the following steps should be taken:

- The staff member should determine if the person responsible for the child is in the library. If so, the staff member and child will attempt to locate them
- If there is not a person responsible for the child/children in the library the staff member will attempt to contact the parent/guardian at home or at work using information provided by the child, the library database, or the telephone directory
- If contacted, the parent/guardian will be asked to collect their child immediately. If the parent/guardian cannot be located, or if a contacted parent/guardian has not collected their child within an hour of being contacted, the staff member will contact the police.
- At all times staff should verbally reassure the child about what steps are being taken and why
- Staff should email the Library Manager detailing the name(s) of unattended children, the date and time of the incident and the course of action to be taken and complete an incident form.

Mandated notification

The Children and Young People (Safety) Act 2017 (chapter 5) places rights and responsibilities for protecting children on various individuals.

These individuals are required by law to report any reasonable grounds that a child/young person has been or is being abused or neglected and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties.

All staff working within the Council's Library Service are "mandated notifiers" under the Act.

SIGNED:
Responsible Officer

Date:

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