

WWCL Customer Exclusion Procedure

The Wagga Wagga City Library (WWCL) is committed to providing opportunities to satisfy recreation and information needs in a safe and welcoming environment.

WWCL supports the legislative guidelines for libraries set out in the Library Regulation 2018. Part 3 Clause 17 of the Library Regulation 2018 provides guidelines for libraries regarding acceptable behaviour within libraries.

Responsibilities

Library customers and staff.

Purpose

This procedure explains exclusion orders from library service points. It is informed by the Library Regulation 2018.

Scope

Wagga Wagga City Library customers and staff

Procedure Provisions

Authorisation

The Library Regulation 2018 assigns authority to library staff to request compliance with the regulation and to ask a person to leave the library premises if the regulation is breached.

The Library Regulation 2018 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.

Copies of the WWCL Customer Code of Conduct and Membership Conditions, the WWCL Customer Exclusion Procedure, and the Library Regulation 2018 are available online and can be provided by staff on request.

WWCL staff are required to provide information to the Manager Library Services about any breach of the Library Regulation 2018.

Refusing access to the library

WWCL staff may ask a person to leave the library if there has been a breach of the Library Regulation 2018 or if the person does not intend to comply with the regulation.

A person who has been requested to leave may re-enter the library should they agree to comply with Library Regulation 2018.

Exclusion from the library

Breaching the Library Regulation 2018 may result in exclusion from the library.

Periods of exclusion are based on recommendations by the Library Council of NSW. Periods of exclusion are determined by the Library Manager with the approval of Council management.

Periods of Exclusion

The maximum period for exclusion from WWCL is life.

The standard period of exclusion for a breach of the Library Regulation 2018 is two (2) months. The nature and severity of the breach, and whether the person has prior breaches, will be considered when determining the period of exclusion.

The period of exclusion for repeat breaches and/or severe breaches is one (1) year.

A one (1) year exclusion may be reviewed and lifted at the discretion of the Manager Library Services and/or Council Management.

The Library Manager, in consultation with the Council Community Services Executive, may determine a period of exclusion exceeding the standard period (2 months) up to the maximum of life. The period of exclusion will be determined by the severity of the breach. The General Manager will be advised of exclusions.

Notice of exclusion

A notice of exclusion will be provided in writing to a person in breach of the Library Regulation 2018.

The letter will be delivered in person or by post. If the person's identity is not known to staff, or if the person refuses to provide their name, they will be notified on their return to the library with a hand delivered letter addressed Dear Sir/Madam. The letter will explain the breach and non-compliance, define the exclusion period, and describe the review and appeal process.

Review and appeal process

An excluded person may seek to have their case reviewed by the Library Manager. A decision will be made to keep the exclusion in place, to reduce the time of the exclusion, or to extend the time of the exclusion. The determination will be made with reference to all available documentation regarding the exclusion and will take into consideration information provided by the person seeking the review.

Records management

All breaches of the Library Regulation 2018 will be recorded. Reports of breaches should be made as soon as practicable 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 practicable.

Records of exclusion will be kept as per Council's record keeping requirements.

Legislative Context

- Library Act 1939
- Library Regulation 2018
- Related legislation: Work Health and Safety Act 2011

Related Documents

- WWCL Customer Code of Conduct
- WWCL Internet Usage Procedure
- WWCL Children's Procedure

References

New South Wales Government Legislation, Library Act 1939

New South Wales Government Legislation, Library Regulation 2018

State Library of NSW, Legislation and Policies