

WWCL Customer Exclusion procedure

Wagga Wagga City Library (WWCL) endeavours to provide a safe, secure and pleasant environment for library members, visitors, staff, and volunteers. WWCL 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.

Responsibilities

All library users and staff are responsible for abiding by the intent of this procedure. The WWCL Customer Lending Procedure is available to the public via the WWCL website.

Purpose

The WWCL Customer Exclusion Procedure and the WWCL Internet Usage Procedure are informed by the Library Regulation 2010 Part 3 Use of Libraries and Library Material. These procedures provide guidelines for library staff to follow in regard to exclusion orders. These guidelines will be used in conjunction with staff judgement to make informed decisions that assist in providing safe and pleasant environments for the public and staff.

Scope

Wagga Wagga City Library.

Procedure Provisions

Administration and General Principles of the Wagga Wagga City Library Customer Exclusion Procedure

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.

All library users and WWCL staff are responsible for abiding by the intent of this procedure. Any person who breaches the regulation may be advised by staff that compliance with the regulation is required. Staff may provide the person a copy (or direct them to the procedure on the internet) of the WWCL Customer Service Charter & Customer Code of Conduct and/or the Library Regulation 2005.

The WWCL Customer Exclusion Procedure is available to the public via the WWCL website.

Staff training and communication

WWCL staff attend training and information sessions designed to facilitate the fostering of a safe and pleasant environment for all library users. WWCL staff attend forums, in person and online, for discussion of library issues.

WWCL staff are required to provide information to library management about any breach of the Library Regulation 2005. Exclusion from the library may only be endorsed by the WWCL Library Manager.

Process for asking a person to leave the library

WWCL staff may ask a person to leave the library if there has been a breach of the Library Regulation 2010, the WWCL Internet Usage Procedure, or if the person does not intend to comply with the regulation.

When a person is in breach of the Library Regulation 2010 and resists complying after a request from WWCL staff, the person may be asked to leave the library premises.

The exclusion may extend to a cooling off period, when an excluded person may be permitted re-entry to the library should they agree to comply.

Should a person breach the Library Regulation 2010 or the WWCL Internet Usage Procedure they may be excluded from the library premises by a staff member authorised to do so by the Library Services Manager. The authorised staff member will provide advice to the person regarding the duration of the exclusion period. The person

must not return within the stated exclusion period. Contravention of the exclusion order may result in the extension of the exclusion period.

Exclusion from the library

Periods of exclusion are based on those established by the Library Council of NSW. Periods of exclusion are enforceable by the Library Manager with the endorsement/advisement of Council management.

Periods of exclusion

The maximum period for exclusion from WWCL is life.

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

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

A one (1) year exclusion may be reviewed and the exclusion be lifted if the Library Manager and/or member Council Management deems it warranted.

The Library Manager, in consultation with the Community Services Executive, 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 determined by the severity of the breach. Advisement of such exclusion will be provided to the General Manager.

Procedures for exclusion from the library

Notification of Exclusion

Notification in writing will be provided to a person who is excluded from the library for a breach of Library Regulation 2010.

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 define the exclusion period and set out the review and appeal process.

Review and appeal process

A person who has been excluded from the library may seek to have their case reviewed by the Library Manager. A determination will be made in relation to whether the

exclusion will remain in place, be reduced, or be extended. The determination will be made with reference to all available documentation regarding the exclusion, and will take into consideration the case put forward by the person seeking the review.

Records management

All breaches of the Regulation will be recorded by the library staff member. 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 WWCL Library Manager and kept as per the member Council's record keeping requirements.

Legislative Context

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

Related Legislation

The WWCL Customer Exclusion Procedure, 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 WWCL 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 procedure in relation to operational matters may be made with the approval of the Library Manager, WWCL.

Related Documents

- WWCL Customer Service Charter and Customer Code of Conduct
- WWCL Fees and Charges Schedule
- 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