

Title

Library Terms & Conditions

Purpose

To identify persons and groups who are eligible for membership of Singleton Public Library and the terms and conditions by which all library members and users must abide.

This document supports the library achieving the following outcomes:

- Library collections are equitably accessible to all community members wanting to use the library service
- Maintain consistency of lending services to everyone who uses the library
- Maintain clear and consistent messages about the role and scope of public libraries in young persons' lives
- Maintain clear and consistent messages about the role and scope of parent/guardian responsibilities and safety of children visiting the library
- Maintain free and equitable access to computing facilities including the Internet and wireless network to residents and non-residents

Application

These Terms and Conditions apply to all persons who have contact with Singleton Public Library as residents, non-residents, ratepayers, business, corporate or community entities.

Relevant Legislation

- NSW Library Act 1939
- Children and Young Persons (Care and Protection) Act 1998
- Privacy legislation both state and federal, e.g. the NSW Privacy and Personal Information Protection Act 1998.
- Classification (Publications, Film and Computer Games) Enforcement Act 1995.
- Public Library Exemption under the Classification (Publications, Films and Computer Games) Enforcement Act 1995 (NSW).
- Civil Liability Act 2002 No. 22 (NSW).

Effective Date

Upon adoption by Council.

Definitions

For the purposes of this document, the following definitions apply:

Resident

The term 'resident' shall mean any person residing or paying rates within Singleton local government area.

Non-Resident

The term 'non-resident' shall mean people who have permanent work in the Singleton local government area or who live in surrounding local government areas.

Young Persons

The term 'young persons' shall comprise both children and young adults. The term 'children' is understood to refer to children aged from birth to twelve years inclusive. The term 'young adult' is understood to refer to young persons aged from thirteen to eighteen years inclusive. This is in line with the Library's membership for Junior and Young Adults.

It should be noted under the *Children's and Young Person's Act (Care and Protection) 1998* a 'child' is under 16 years and a young person is 16 to 18 years and in relevant situations these definitions will apply.

Banned

The term 'banned' shall mean that a person to whom the term applies may not visit the library premises or utilise library services for the term of the ban.

Suspended

The term 'suspended' shall mean that a person to whom the term applies owes the Council money for library materials returned late or damaged and may not borrow any further items or utilise library PCs until rectified.

Adult Education

The term 'adult education' shall mean any information about courses, notice of lectures, cultural exhibitions, meetings, seminars, study, craft weekends and summer courses, etc.

Local

The term 'local' shall mean the Singleton local government area.

Principles

Privacy of Information

Singleton Public Library uses membership information for several purposes:

- Residential address is required for proof of residency or for sending correspondence, such as overdue and reservation notices, etc.
- Postal address is used to send correspondence, such as overdue and reservation notices, etc.
- Date of birth is used as an identifier for people with common names, for assigning borrower status (junior, adult, etc.) and for identification of demographic trends. This information is used by the library for planning future services.
- Gender information is recorded for identification and statistical purposes. It is also held for planning future services, collection management and selection of items in the collection.

Proof of Identity

To register as a member current proof of name and home address is required. Acceptable forms of identification may include:

- Council rates notice
- Official rent receipt/lease agreement from real estate agent
- Paid telephone, gas, electricity or utility account
- Financial institution statement
- Concession card (government issue)
- Motor vehicle registration
- Electoral roll notification

Under 16 years

Applicants under the age of 16 require a parent or guardian to act as a guarantor, provide identification and sign the membership card on their behalf.

Membership

Membership Eligibility

Membership is free and only one membership per individual is allowed. All users of internet services are required to be members except genuine tourists. Membership of the library is governed by the Library Act 1939 and any regulations made under the act.

Organisation Eligibility

Membership is available to organisations that provide services to the Singleton local government area. The membership must be registered under

the head of the organisation and a letter of authorisation from that person is required. Borrowing privileges are as per general membership, but Singleton Public Library does reserve the right to limit the number of items borrowed on a specific subject.

Responsibilities

All members are to notify the library of any changes that may affect their membership. This includes name, address, phone number or email address.

Renewal/Deletion

Library members will be asked to renew their membership periodically, at which time customer details are updated. Memberships, which have not been used for more than three years, are removed from the database in line with State Library Guidelines as part of regular database management. Memberships with outstanding fines (over \$10) or loans are not deleted.

Membership Card

On satisfactory completion of the conditions required for membership, one library card shall be issued to the applicant together with verbal advice regarding the rules of operation, including borrowing limits, financial liability for lost or damaged items, and stock request provisions. On becoming a member the applicant signs the card in agreement of complying with the *Library Terms & Conditions*. The member is responsible for all items borrowed on the card. Parents/guardians shall take responsibility for items on all cards issued to their children. The card can also be utilised for remote access to databases and personal details through the Council website and online catalogue.

Replacement

New library members are issued with a library membership card, which may be replaced free of charge should it become worn, or a member changes name. A fee is charged for lost, stolen or damaged cards.

Security

Members are advised to keep their card in a secure place, and not lend it to anyone. It is important to notify the library immediately if a library card is lost or stolen, or if unauthorised use is suspected. Until the loss or theft is reported the library cannot prevent unauthorised use of a member's card, and members will be held responsible for items loaned and fees accrued.

Loans

The standard loan period is for 3 weeks (21 days).

Extensions (renewals)

A member who needs to keep an item for longer than the standard loan period may extend the loan for a further loan period, except if the item is reserved. A loan extension can be done at the library, by phone or through the internet. A limit of two extensions has been set.

Overdue Loans/Fines

Overdue loans are items that have been returned or renewed after the date due. Overdue fines are levied per individual item per day. Items that are extended when overdue will incur a fine for the period between the due date and the renewal date.

Overdue Notices

It is the responsibility of members to return items borrowed by the due date. Overdue notices are sent out as a courtesy and to encourage the return of overdue items. The benefit to members is that it will remind them to return the item before a larger fine is incurred. A single notice is automatically generated when the item is 14 days overdue.

Suspended Borrowing Rights

A member shall have their borrowing rights suspended for one or more of the following:

- An item overdue for more than 14 days
- Outstanding fines and/or lost item payments of \$10.00 or more

A member who has a problem paying a fine may negotiate payment by installment at the discretion of a member of the Library Management Team. If agreed conditions are not met, borrowing rights will again be suspended.

Lost/Damaged/Stolen Items/Incomplete Returns

When members join the library they agree to pay for lost, damaged or stolen items. Charges for these items are based on the actual cost of replacing the item plus an administration fee to cover the costs of ordering and accessioning the item. Please note the library is unable to accept replacement items in lieu of payment.

Corporate Users

To support Council as a learning organisation and enable staff to remain aware of current information and standards a Corporate Library Service is supplied. Upon commencement of employment at Council a Corporate membership card will be issued. Use for corporate purposes will incur no charges to the individual.

Standards of behaviour

Whilst utilising the library service all users must behave in a safe manner and respect the rights of others. Any person may be banned for such period of time as Council deems appropriate due to:

- Vandalism of a library building, fittings or contents
- Conduct that is deemed unsafe to themselves or others
- Conduct that is detrimental to the peaceful use and enjoyment of facilities by others
- Breach of the Regulations made under the Library Act 1939.

Young Persons

Council staff are not responsible for supervision of young persons, or determining which library resources young persons may use or access. Parents/guardians are encouraged to set their own family rules. It is the responsibility of the parent/guardian to monitor young person's selection and use of library resources.

Singleton Public Library exercises no limitation on access to publications classified *Unrestricted* under the *Classification (Publications, Films and Computer Games) Act 1995*. The library has no censorship role in its choice of library resources that form the collection. Parents/guardians are responsible for their child's use of the Internet.

Supervision of Children and Young Adults

The library offers a range of services that support the information, literacy, education and recreation needs of children and young adults. Staff do not supervise children and young adults in the Library.

The Library does not provide childcare. Libraries are not a substitute for childcare agencies, and any parent/guardian who uses libraries as such is putting their child at risk. Libraries do not have the facilities or appropriate licences to attend to the needs of the sick, injured or hungry.

Council ensures that the Library meets occupational health and safety requirements and ensures that the Library is safe and welcoming for all library users. Responsibility for children and young adults' safety and use of the Library lies with parent/guardian at all times.

Young children left alone in a library can become distressed, bored or disruptive. Disruptive persons may be removed from the library under the *Library Act 1939*, including children and young adults.

Any children left unattended in a public library may be classed as a child or young person at risk of harm under the *Children and Young Persons (Care*

and Protection) Act 1998, s23, and subsequently may be reported as such to the Department of Community Services under s24 or s27 of the Act.

Parents who leave a child unattended in a public library are exposing their child to potential harm, and may themselves be committing an offence under the *Children and Young Persons (Care and Protection) Act 1998, s228.*

To protect library staff from any litigation:

- Staff members should not be alone with a child in the Library during or after hours.
- Staff cannot attempt to drive a child to any destination.

If a child has not been collected by the Library's closing time they are at risk. In such cases, the procedure for closing the library will be followed.

Supervision at Library Events & Activities

Children and Young Adults attending Library programs remain the responsibility of and in the care of the parent/guardian.

- Pre-school activities require a parent/guardian to stay with their child at all times.
- Children attending library events or activities must have a parent/guardian remain on the library premises at all times.
- Young Adults attending library events or activities must have a parent/guardian contactable at all times.

Children of pre-school age are often not socialised enough for group listening, may wander away, become distressed or disrupt others. It is the responsibility of the parent/guardian to manage their child's behaviour. Parents/Guardians may be asked to temporarily leave the area with their child if disruptive behaviour persists.

Internet Use

The Library provides free internet access under the *NSW Library Act 1939, Section 10*, the following conditions apply:

- All Internet access is filtered for inappropriate content such as pornography and illegal peer to peer file sharing sites.
- Although filtering systems are in place the responsibility of censorship remains with the individual, parent/guardian.
- It is required that bookings be made for the use of computing resources. Bookings are limited to 1 hour however can be extended if availability permits.

Community Information & Leaflets

Library leaflet stands and notice boards are managed and maintained by staff. They are considered an important part of the information service provided and

priority is given to local community notices and adult education. Individuals and organisations must ask library staff permission to display a notice or handout. Information displayed will be at the discretion of the Library Management Team.

Notices of cultural events which are not local, including shows, films and other 'What's On' activities will be displayed where space allows. Personal, business, accommodation and fee for service notices will not be displayed. Any requests for display of material which is discriminatory, racially vilifying, inappropriate for general exhibition or defamatory will be refused.

Library Competition Eligibility

Council staff and their immediate family members are eligible to participate in library competitions and events only when judging of the event is conducted by an independent third party with an expertise in the particular subject.

Council staff and their immediate family members are ineligible to participate in library competitions when the prize winner is not determined by an independent assessment process or when a member of Council staff judges a prize winner.

Responsibilities

The Library Coordinator is to ensure that this policy is implemented and adhered to by all Library staff. In addition, the Manager Community & Cultural Services is responsible for ensuring that appropriate support and training is available to ensure compliance.

Related Documents

- Relevant policy statements of the International Federation of Library Associations and Institutions (IFLA) and the Australian Library and Information Association (ALIA), including:
- Public Library Manifesto (IFLA/UNESCO)
- Statement of Libraries and Intellectual Freedom (IFLA)
- Statement on Public Library Services (ALIA)
- Statement on Free Access to Information (ALIA)
- Statement on Information Literacy for All Australians (ALIA)

Other related documents include:

- Library Council of NSW, Privacy Guidelines for NSW Public Libraries (reviewed 2009).
- Library Council of NSW, Children's Policy Guidelines (revised 2008).
- Library Council of NSW, Internet Policy Guidelines (reviewed 2012).

- Library Council of NSW, People Places: A Guide for Public Library Buildings in NSW (2nd ed. 2005).
- Library Council of NSW, Living Learning Libraries: Standards and Guidelines for NSW Public Libraries (5th ed. 2014).
- Department of Premier and Cabinet, Keep Them Safe (2009)
- Library Circulation Procedure Manual