

### Purpose

Yarra Libraries are for the use and enjoyment by the whole community. This policy is to ensure that:

- The library operates effectively and efficiently.
- Members of the community enjoy the facilities in a way that does not infringe upon the rights of other users or of staff.

Yarra Libraries actively supports the *Charter of Human Rights and Responsibilities Act 2006* (Vic.), listing 20 substantive rights, notably those of direct relevance to the role and function of public libraries including freedom of thought, conscience, religion and belief, freedom of expression, taking part in public life and cultural life.

### Scope

This policy applies to all Officers and Councillors and users of the Yarra Libraries service.

### Definitions

Term / Abbreviation	Definition
Borrow	To take an item from a library in accordance with the conditions of borrowing.
Institution	Any institute, association, corporation, society, business, collective or agency.
Authorised Staff Member	Any person officially employed by Council to work for Yarra Libraries.
Library	All or any library outlet under the management and control of the Council and includes all buildings or portions thereof, and other areas, facilities and vehicles used in connection with the provision of the library service.
Yarra Libraries	All the library facilities, resources, services and activities provided by Yarra City Council.
Manager	The person who is responsible for the day to day operations of the library service.
Member	A person or institution holding a membership card issues in accordance with the Yarra Libraries Policy.
Membership Card	A current and valid card issued to a member in accordance with this policy as authority to borrow books.
Restricted Areas	Areas within the Library to which access is restricted to officers and employees of the Library.
User	Any person whether or not a member, making use of the library service.
<p>Note: Words importing the masculine gender include the feminine, words in the singular number include the plural words in the plural number include the singular number.</p>	

### Policy statement

#### 1. Administration of the library

- (a) The Manager is responsible for the management and administration of the Library Service in accordance with the policies and directions of the Council.
- (b) Any person using Yarra Libraries shall obey the lawful directions of an Authorised Staff Member.

#### 2. Admission and Use

- (a) Users may only enter the Library at times of opening, as fixed by Council. These opening hours will be prominently displayed inside and outside the Library and advertised by other methods as shall be determined by the Manager.
- (b) Any person may enter the Library (other than Restricted Areas) for the purpose of using the services and facilities on the premises during the hours it is open to the public.
- (c) Subject to the provisions of this policy members may have access to the Library for the purpose of borrowing library materials and using the facilities at the discretion of an Authorised Staff Member.
- (d) No person, other than library staff or persons duly authorised by the Library Manager or the Council, shall enter or remain in the Library during the hours when the Library is not open for use by the public.
- (e) Children are welcome to use the library under the following conditions:
  - (i) Children 7 years old and under must be supervised by a parent or caregiver. Supervision requires that the person be within sight of the child at all times.
  - (ii) Children 8 to 10 years old may use the library on their own but should not be left unattended for extended periods of time.
  - (iii) Older children (aged 10 and above) may use the library service without being supervised provided they maintain acceptable library behaviour at all times.

#### 3. Membership

- (a) Any individual may apply to become a member of the Library by completing the prescribed membership form and providing proof of identity and current residential address. Membership is free.
- (b) An Authorised Staff Member may, at his or her absolute discretion, allow any association, society, institution, business or agency, to become a member of the Library provided that such body's premises, predominant area of service or activity, or normal place of meeting is within the municipality.

- (c) If an Institution wishes to borrow library materials the Institution shall have a representative complete and sign an application form, on behalf of the Institution, which shall include an undertaking that the Institution will comply with the provisions of this policy.
- (d) If a person under the age of 18 wishes to be a member, the person must have a parent or guardian sign a guarantee by which that person guarantees to:
  - (i) pay for the loss or damage to any item while in the young member's use or possession;
  - (ii) agree not to hold the library responsible for the suitability of items chosen by the young member; and
  - (iii) accept responsibility as a guarantor until receipt of a notice of withdrawal of guarantee has been received by an Authorised Staff Member.
  - (iv) accept responsibility as a guarantor for the young member's use of the internet or WiFi.
- (e) Every member on being issued with a membership card shall:
  - (i) be responsible for the custody of the card;
  - (ii) produce the card or suitable identification to Library Staff whenever an item is borrowed;
  - (iii) notify any change of address to the Library;
  - (iv) surrender the card to an Authorised Staff Member on ceasing to be eligible for membership; and
  - (v) report the loss of the card to the Library immediately such loss is discovered.
- (f) Library Staff may issue a replacement card:
  - (i) immediately upon payment of such fee as may be determined by the Chief Executive Officer; or
  - (ii) under special circumstances without charge.
- (g) Institutional members must report the loss of the card, in writing, to an Authorised Staff Member who may then issue a replacement card without charge or delay.
- (h) Membership is current for a period of two years unless it is surrendered or cancelled before this. A person whose membership has lapsed will be required by an Authorised Staff Member to re-register before borrowing items.

- (i) Membership cards are not transferable and the holder of the membership card is responsible for all items borrowed on that card.
- (j) An Authorised Staff Member may suspend or cancel the membership of any member who fails to comply with any obligation of membership of the Library.

#### **4. Borrowing of Library Items**

- (a) The Council shall determine the number of items (in total and of a particular type) which may be borrowed by an individual member during a borrowing period and will also determine the overdue charges that will apply to items returned late.
- (b) The usual period allowed for a member to retain an item shall be determined by Council, and the date for return of each item shall be clearly indicated to the member. The time allowed for retaining an item may be varied at the discretion of an Authorised Staff Member.
- (c) A member is responsible for safe care of every item borrowed on his/her membership card and for its return to the library by the due date.
- (d) There is no onus on the Library to send to any member a notice that an item has not been returned by the due date. Failure to send such notice is not an excuse for non-return of items. Library Staff may require that overdue items be returned before any other item is issued.
- (e) A member may apply by telephone, the Library website or in person for an extension to the time allowed for retaining an item. The number of extensions available will be determined at the discretion of the Authorise Staff Member. Such extension will not be granted if the item has been reserved by another member or another library.
- (f) Any item in the lending stock of the Library may be reserved for a member, free of charge. The Library will notify the member when the item is available.
- (g) A member may recommend the Library purchase an item which is not in stock of the library, or may request the Library to borrow an item from another library for him/her. Items requested by a member for loan from another library are only made available subject to the conditions of loan applied by that lending library.
- (h) A member is responsible for reporting to the Librarian any damage discovered in any item on loan to him/her. This damage shall be reported at the time of issue or immediately on return.

- (i) If an item is lost or damaged beyond repair, while borrowed by a member, or it is stolen from a member, the member shall pay to the Council the full replacement value of the item including the cost of cataloguing and processing.
- (j) Failure to receive a notice concerning overdue charges is no excuse for non-payment of such charges. Liabilities incurred by a member for the loss of items shall be discharged before any further item is issued.
- (k) The Council or any of its officers may take action for the recovery of an item or for its value, at any time after the item becomes overdue.
- (l) Items stolen or lost remain the property of the Library although replaced or paid for.
- (m) All users of the Yarra Libraries are entitled to consult all Library items located at the Library, except for Library items to which are on restricted access because of:
  - (i) the rarity of the Library item;
  - (ii) the physical condition of the Library item;
  - (iii) any condition imposed by the donor of the Library item; or
  - (iv) any relevant legislation.
- (n) An Authorised Staff Member may require a member to make a statutory declaration concerning the loss of an item.

### 5. Conduct in the Library

- (a) Users must:
  - (i) Conduct themselves in a responsible and reasonable manner whilst in the library, showing consideration for the rights of other users and staff.
  - (ii) When leaving the Library, open any container or bag brought into the library, for inspection, on the request of an Authorised Staff Member.
  - (iii) Leave the Library at closing time or at the request of an Authorised Staff Member.
- (b) Users must not:
  - (i) Behave in the Library in such a manner as may cause serious inconvenience or discomfort to any other user or staff member in the library.
  - (ii) Bring into the Library any animal, other than a guide dog for the blind.
  - (iii) Drink alcohol or smoke in any Library.

- (iv) Deface, mutilate, break, damage or interfere with any part of any Library building, furniture, fittings, computers, equipment, books, or materials belonging to, or in the care of, the Library Service.
- (v) Solicit or collect gifts of money or subscriptions or sell or expose for sale any goods in the library.
- (vi) Conduct any form of gambling within the Library.
- (vii) Conduct any “for profit” business within the Library.
- (viii) Remain in the Library after being requested to leave the premises by an Authorised Staff Member.
- (ix) Use the internet to download or view offensive material, as per the Yarra Libraries Internet and Wireless Use Policy.

Users wishing to book any meeting rooms within the Library must apply to do so using the prescribed application form.

### **Enforcement of this Policy**

Any person who (whether wilfully or not) does not abide by the requirements of this Policy may be requested to give his/her name and address to an Authorised Staff Member and may be asked to immediately leave the library.

Failure to comply with this Policy may result in the suspension of Library privileges and, if necessary, referral to the Police for further action.

### **Privacy**

*Information gained as a result of membership registration, book circulation or participation in any library activity will not:*

*be made available to outside enquirers (except by a Court order), or be used by library staff for any purposes other than follow-up of unreturned books borrowed from the library service, or for statistical purposes. Note: This includes information held in files outside the library and in computer files. Membership and circulation statistics shall not be identifiable with individual members except where this agreed to by users for operational reasons such as the home library service.*

### **Related documents**

- *Yarra Libraries Internet and Wireless Use Policy.*
- *Unattended Children Policy*
- *Yarra Libraries Strategic Plan 2008 – 2012*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*