

Responsible Directorate	Community Development
Responsible Business Unit/s	Community Services
Responsible Officer	Manager Community Services
Affected Business Unit/s	Community Services

The overdue library loans and debt collections fees will not be applied as per Council's adopted Economic Stimulus and Community Recovery Package.

Objective

To provide easy access to the City of Stirling Libraries collections, catalogues, databases and exhibitions onsite and online and to meet community needs.

Scope

This policy extends to all users of the City's libraries and those City Officers who work within the libraries.

Policy

Membership

Members of the community are invited to apply for library membership by providing proof of their identity and current residential address in accordance with the Membership Statement and agreeing to the Terms and Conditions of Use.

Any person under 18 years of age must have their membership application authorised by their parent or legal guardian.

Any person who is a temporary resident will be permitted to enrol only upon payment of a refundable deposit as determined by Council. The deposit will be refunded when the membership ceases, all items have been returned and no monies are outstanding or when the member has established permanent residency.

Fines for overdue library loans and debt collection fees shall be levied in accordance with Regulation 14(1) of the Library Board of WA Act 1951-1983. Fines shall apply from the first day after the due date for the return of the item. Fees and charges will be determined by Council's adopted Fees and Charges in the Annual Budget. Fine payments are non-refundable. Any application for the cancellation of a fine must be made in writing and will be referred to the Director Community Development for a final decision.

Temporary suspension of membership is at the discretion of Service Lead – Libraries and Lifelong Learning and will be applied to any library member who retains library materials, has an outstanding debt or misuses the library facilities.

Suspension of membership will apply to any library member who, in the City's opinion, is in breach of the Terms and Conditions of Use.

Online Services and Public Access Computers

Library Services will provide access to computer and Internet facilities to library members, subject to the member agreeing to the *Public Access Computers Terms and Conditions*. To facilitate equitable access, a member is required to use the booking system and will be limited to a specified amount of computer access per day as determined by Service Lead – Libraries and Lifelong Learning. Free public WiFi is available within the City of Stirling Libraries subject to the user agreeing to the terms and conditions of use.

A member will be granted free access to information on Public Access Computers. The City does not guarantee continuous Internet access during the time booked.

Printing will be available for a fee as determined by Council's adopted Fees and Charges in the Annual Budget.

The City has no control over the information accessed through the Internet and cannot be held responsible for its content and will not guarantee or accept liability or responsibility for retrieved information's accuracy, authoritativeness, timeliness, usefulness and whether it is lawful. The City shall have no liability or responsibility for any direct or indirect consequential damages or claims related to the use thereof.

The City's Corporate Information Policies may deny access to some sites.

All users of the Internet must abide by the *Western Australian Classification (Publications, Film and Computer Games) Enforcement Act 1996*.

Public Welfare

The responsible parent, legal guardian or caregiver must supervise their children while in the library. The following principles apply:

1. Children are not to be left unattended at any time;
2. The City takes no responsibility for the welfare of unattended children; and
3. A child left unattended in a public library may be classed as a child at risk of harm under section 28(2) of the *Children and Community Services Act 2004* and may be reported to the police or Department of Child Protection. A parent who leaves an unattended child in a City of Stirling Library may be breaching the *Children and Community Services Act 2004* (failing to protect a child from harm s.101).
4. Parents, legal guardians or caregivers are required to read and clearly understand the Duty of Care Statement displayed in the library on the Community Noticeboard.

Copyright

The City of Stirling Libraries support and uphold the rights of copyright owners as documented in the *Commonwealth Copyright Act 1968*, and the *Commonwealth Copyright Legislation Amendment Act 2004*.

Photography

Members may take photographs of the general interior for personal use on the condition flash photography is not allowed past the main entrance. Library materials may be photographed, observing the provisions of the *Commonwealth Copyright Act 1968*. Photography of children under 12 years is not permitted.

Certain library materials may not be photographed because of age, condition or fragility, or copyright conditions.

Definitions

At Risk of Harm means any detrimental effect of a significant nature on a child's wellbeing.

Child means a child under the age of 12 years.

Online Services means information that is accessed over the Internet. This includes but is not limited to, content on the World Wide Web, postings on newsgroups and bulletin boards, email, files that can be downloaded and information that is accessed in real time without previously being stored, such as chat services, voice over the Internet or streamed audio/video content.

Public Access Computers means any fixed (i.e. desktop computer), movable (i.e. laptop computer or mobile computer) device that is made available for use by members of the community that can access the Internet content and other computing services.

Public Access Computers Terms and Conditions means the Terms and Conditions determined and amended from time to time.

Temporary Resident means a person who is unable to provide satisfactory evidence of permanent residence in Western Australia (e.g. persons residing in a caravan park, boarding house, hotel, motel, hostel or similar accommodation, education or visitor).

Terms and Conditions of Use means the terms and conditions determined and as amended by the City.

Unattended Child means a child not supervised or looked after or for a parent, legal guardian or caregiver to leave a child unattended at that age.

Relevant management practices/documents

Duty of Care Statement
 Free Wi-Fi Zone Terms and Conditions of Use
 Library Membership Management Practice
 Library Terms and Conditions
 Membership Statement
 Online Services Terms and Conditions
 Public Access Computers Management Practice
 Statement on Free Access to Information (Australian Library and Information Association, 2015)
 Statement on Libraries and Literacies (Australian Library and Information Association, 2006)
 Statement on Public Library Services (Australian Library and Information Association, 2009)

Legislation/local law requirements

Censorship Act 1996
Child and Community Services Act 2004
Commonwealth Copyright Act 1968
Commonwealth Copyright Legislation Amendment Act 2004
 Framework Agreement between state and local government for the provision of public library services in Western Australia, 2010
Library Board (Registered Public Libraries) Regulations 1985
 Local Level Agreement for the delivery of public library services, 2011
WA Classification (Publications, Films and Computer Games) Enforcement Act 1996

Office use only			
Relevant delegations	Not applicable		
Initial Council adoption	Date	30 October 2012	Resolution # 1012/071
Last reviewed	Date	26 May 2020	Resolution # 0520/027
Next review due	Date	2021	