

GYMPIE REGIONAL LIBRARIES CUSTOMER EXCLUSION GUIDELINE

1.0 PURPOSE AND SCOPE

This guideline outlines the conditions under which Library users who act outside the **Gympie Regional Libraries Conditions of Entry** may be removed or excluded from the Library.

2.0 ACTIONS/METHOD

Public behaviour in library facilities at all library service points and communication with Library staff conducted from outside Library premises, by mail, telephone, email, other Internet service, or any other means.

2.1 Customer Exclusion Guideline

Gympie Regional Libraries recognise that excluding or banning a person from a public facility is a serious matter which only occurs after significant consideration.

Exclusion or banning occurs in response to a breach of the **Gympie Regional Libraries Conditions of Entry** or to serious infringements of security. The Library's preferred approach is to educate and assist Library users to understand acceptable behaviours, but where required, penalties will be applied, up to and including total and permanent exclusion from all Library premises.

All Library staff are authorised to make judgements regarding individual or group behaviour and may direct persons who breach the **Gympie Regional Libraries Conditions of Entry** to leave the Library. Further penalties may apply, as per the Schedule of Penalties detailed below.

Behaviours listed are indicative and should be used as a guide, and are not intended to be a definitive list. Staff will make judgments about the appropriateness of proposed penalties based on factors such as:

- The age of the person involved (under *Gympie Regional Libraries Conditions of Entry*, parents take full responsibility for their children's behaviour within the library)
- The mental capacity of the person involved
- Previous behaviours and attitudes displayed by the person
- The presence of parents, carers or other assistants for the person
- The frequency and severity of the behaviours

Where an exclusion of more than 30 days is applied, written notification of the exclusion, detailing the reasons, will be provided **where the name and address of the person is known**.

Individuals who have been excluded from the Library may appeal the duration of the ban – all appeals should be made in writing and addressed to the Manager-Community Learning and Engagement.

In addition to being grounds for extending any exclusion from the Library, entering or attempting to enter the Library during the term of a ban is considered as trespass which will be dealt with in accordance with the relevant legislation (Criminal Code Act).

2.1a Schedule of Penalties

Behaviour Type	Penalty
<p>Category 1</p> <ul style="list-style-type: none"> • Undertaking or attempting to undertake any illegal activity, including drug use, assault or fighting, use or display of weapons, malicious fire alarm activity or interference with safety equipment • Property Damage, including graffiti • Theft or attempted theft of library materials or equipment • Directing specific threat of physical harm or intimidation • Engaging in sexual conduct or activity, including indecent exposure or lewd conduct • Inappropriate interactions with minors • Possessing or using a controlled substance or alcoholic beverage • Major misuse of public computers, such as downloading malicious or illegal software, accessing pornography etc. 	<ul style="list-style-type: none"> • Immediate removal from Library premises • Exclusion from Library premises with total loss of all Library privileges, from 1 to 5 years • Incident reported to Queensland Police <p>Exclusion for Category 1 behaviour may be authorised by:</p> <ul style="list-style-type: none"> • Library staff <p>NOTE: The use of insulting, threatening, abusive or offensive language to Library staff may result in immediate exclusion.</p>
<p>Category 2</p> <ul style="list-style-type: none"> • Persistent disruptive behaviour or behaviour that interferes with normal Library operations • Behaviour that disturbs other Library clients or staff, such as: harassment; the use of insulting, threatening or offensive language; behaviour that endangers self or other library clients • Excessively loud or disruptive behaviour • Bullying as defined by the <i>National Definition of bullying for Australian schools</i> • Refusal to leave Library premises when directed to do so • Returning to the Library during active exclusion • Smoking on Library premises • Being under the influence of any controlled substance or intoxicating beverage • Misuse of Public Access Computers, including viewing inappropriate material or using someone else's card 	<ul style="list-style-type: none"> • One warning at the discretion of Library staff • Subsequent offences will result in removal from Library premises • Exclusion from Library premises and/or loss of all library privileges from 1 to 12 months • Repeated offending may result in Category 1 penalties <p>Exclusion for Category 2 behaviour may be authorised by:</p> <ul style="list-style-type: none"> • Library staff <p>NOTE: The use of insulting, threatening or offensive language to library staff may result in immediate Category 1 penalties.</p>
<p>Category 3</p> <ul style="list-style-type: none"> • Bringing pets or other unapproved animals into the library • Inadequate supervision by carers for those in their care (NOTE: Children under 12 must be accompanied by an adult at all times). • Inappropriate dress, including lack of shirt or top 	<ul style="list-style-type: none"> • One or more warnings, at the discretion of Library staff • Subsequent offences will result in direction to leave the library immediately and not re-enter for a period of up to 3 days

<ul style="list-style-type: none"> • Offensive personal hygiene • Littering • Misuse of library property, e.g. moving furniture or equipment • Blocking aisles and walkways • Running; riding skateboards, bicycles, scooters etc 	<ul style="list-style-type: none"> • Repeated offending may result in Category 2 penalties <p>Exclusion for Category 3 behaviour may be approved by:</p> <ul style="list-style-type: none"> • Library staff
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3.0 CANCELLATION OF MEMBERSHIP AND ENTRY BANS

Rights of library membership or use can be suspended or cancelled at the discretion of the Library staff in line with the **Customer Exclusion Guideline** if:

- The member fails to return library materials or to pay for lost or damaged materials.
- The client's behaviour disturbs other library clients or staff and they do not desist from this behaviour when requested to do so by library staff.

A person who is so directed must leave the library immediately and:

- not re-enter the library on the same day,
- failure to comply with direction from staff may result in suspension of library privileges and referral to the police for further action.

3.1 Entry Bans

- For serious breaches of the Library's Conditions of Entry, clients may be banned from entering the Library.
- A person who is banned will first receive verbal notification, followed where possible, by written notification.
- The written notification will include the grounds of the ban, the duration of the ban, and appeal rights and procedures.
- The duration of the ban will depend on the nature and severity of the infringement and whether the patron has been previously banned.
- The minimum period of a ban is one month; the maximum period of a ban is 5 years.
- Entering or attempting to enter the Library during the term of a ban is grounds for extending the ban.
- In addition to being grounds for extending the ban, entering or attempting to enter the Library during the term of a ban is considered as trespass which will be dealt with in accordance with the relevant legislation. (Criminal Code Act).
- The authority to ban a client from entering the Library premises is delegated to the Manager Libraries, Gympie Regional Council in consultation with the Director of Corporate and Community Services.

3.2 Appeals on Entry Bans

- A person who has been banned may appeal the duration of the ban
- All appeals should be made in writing and addressed to the Manager Libraries.
- The appeal will be considered by the CEO or nominated Delegate.
- The determination of the appeal will be made by consideration of available incident reports and records, and any case put forward by the person seeking the appeal.
- A ban may be revoked, or its duration reduced, on appeal.
- Gympie Regional Libraries recognises that excluding, or banning, a person from a public building is a serious matter.
- Exclusion/banning is a last resort, only warranted after conciliatory approaches have failed, or immediately in response to serious infringements of security