



TITLE:	Public computer and internet access and use	ISSUE DATE:	22 July 2014
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1. PURPOSE

The Hawkesbury Library Service (Library) provides computer and Internet access, including wifi. Any person using Library facilities and the internet within the Library must do so in accordance with this Operational Management Standard (OMS); that is, in an ethical and lawful manner. The Internet can be accessed by means of:

- The Library's public computers
- Library user's own devices via the Library's WiFi service (once they have obtained the password on display within the Library)
- Library user's own internet enabled devices

This OMS also provides direction on how this OMS is communicated to Library users and actions to be taken if a Library user does not abide by the OMS.

2. SCOPE

This OMS is to be read in conjunction with:

Use of the Hawkesbury Library Service under Library Regulation 2018 OMS.

3. DEFINITIONS

- The Library – means Hawkesbury Library Service which includes Hawkesbury Central Library, Windsor and Richmond Branch Library, Richmond.
- Library Council of New South Wales – is constituted under Section 3 of the Library Act 1939.
- Library user – a person using library resources or entering a Library building
- Computer use includes – WiFi, personal mobile devices, public computers provided by the Library
- Library member – For the purposes of this OMS, a person who has completed and submitted a Library Membership, Temporary Library Membership or Public Computer Visitor Card form.



4. ROLES AND RESPONSIBILITIES

Authorised Officer	Roles & Responsibilities
Library staff	<ul style="list-style-type: none"> • Advise patrons of breaches of this OMS or the <i>Library Patron Code of Conduct</i> and that compliance is required • When necessary, instruct library users to cease accessing inappropriate sites, using an electronic message • Record and report on incidence, in writing, to Library Coordinator • Request complaints from Library patrons about breaches of <i>the Library Patron Code of Conduct</i> are made in writing, providing: a concise and clear account of the complaint, date of occurrence and the contact details of the complainant • Report to Library Coordinator all complaints made by Library patrons about other Library patrons who are in breach of this OMS or the <i>Library Patron Code of Conduct</i>
Senior officer on Library duty	<ul style="list-style-type: none"> • As above and; • Issue a warning to a person that they risk being directed to leave the Library premises • Direct a person to leave the Library premises for the remainder of the day or remainder of the weekend (cooling off period) • Temporarily suspend the Library patron from access privileges to Library computers • Report breaches and actions taken in response to them (as above), in writing, to Library Coordinator
Librarians	<ul style="list-style-type: none"> • As above and: • Register incident documentation in ECM • Investigate reports made by staff about Library patrons' breaches of the <i>Library Patron Code of Conduct</i> • Investigate complaints made by Library patrons about other Library patrons' breaches of the <i>Library Patron Code of Conduct</i> • Provide written reports and recommended actions to Library Coordinator
Library Coordinator	<ul style="list-style-type: none"> • As above and; • Determine a period of exclusion of a person up to two months • Sign a Letter of Exclusion for up to two months • Report exclusions to Manager Cultural Services • Provide written reports and recommended actions to Manager Cultural Services where recommended action is exclusion for up to one year • Provide written reports and recommended actions to Manager Cultural Services and Director Support Services where recommended action is exclusion for greater than one year • Sign a Letter of Exclusion for up to one year, once approved • Report illegal activities to the relevant external law enforcement agencies
Manager Cultural Services (or delegate not involved in original decision)	<ul style="list-style-type: none"> • Determine a period of exclusion of a person up to one year ¹ • Review a request to lift an exclusion of a period equal to or less than one year and determine to lift or maintain the exclusion • Report exclusions to Director Support Services
Director Support Services	<ul style="list-style-type: none"> • Determine a period of exclusion of a person of greater than one year • Review a request to lift an exclusion of a period of greater than one year and determine to lift or maintain the exclusion • Sign a Letter of Exclusion for greater than one year.

¹ *Library Regulation 2018*, clause 17 **Library patrons may be directed to leave** (see Appendix 1)



5. RELATED LEGISLATION/POLICY/PROCEDURE

Hawkesbury Library Service, *Use of the Hawkesbury Library Service under Library Regulation 2018*
OMS

Library Act 1939 (NSW)

Library Regulation 2018 (NSW)

Anti Discrimination Act 1977 (NSW)

Copyright Act 1968

Library Council of NSW, *Access to Information in NSW Public Libraries Guideline*, 2007

Library Council of NSW, *Internet Policy Guidelines for NSW Public Libraries*, 2011

Library Council of NSW, *Children's Policy Guidelines for NSW Public Libraries*, 2013

<https://www.sl.nsw.gov.au/public-library-services/library-council-guidelines>

6. RELATED SAFE WORK METHOD STATEMENTS (SWMS)

Safety – CUL-022 – Dealing With Customers

7. INTERNAL CONTROLS

The safety and comfort of staff and Library users is the most important consideration, therefore staff on duty at the time are authorised to implement the schedule of penalties and to make appropriate calls for assistance from other staff or the police after appraisal of the situation. Note that staff work weekend and evening shifts.

8. STAFF TRAINING AND COMMUNICATION

Library staff are updated on this OMS and related procedures through their team meetings. The management of incidents is regularly discussed at key meetings and is constantly monitored by the Library Management Team (Library Coordinator and Librarians).

9. AMENDMENTS

All amendments or changes to this OMS should be referred to the Responsible Officer.



10. PUBLIC COMPUTER & INTERNET ACCESS AND USE OPERATIONAL MANAGEMENT STANDARD

In NSW free access to information through public libraries is mandated by the *Library Act, 1939*. Everyone has the right to use a public library whatever their age, sex, race, religion, cultural identity, language, disability, socioeconomic status, individual lifestyle, political allegiance or social views.

Hawkesbury City Council operates its public library service in accordance with the *NSW Library Act, 1939*, the *Library Regulation 2018* and various Library Council of New South Wales guidelines.

The principal findings from research into how NSW public libraries sustain their communities in social, cultural and environmental terms and their associated economic contribution include:

"The top five contributions to the community were seen as being a safe and pleasant place to visit; supporting educational facilities; facilitating lifelong learning; encouraging responsible social behaviour; and ensuring access to the Internet for all. The underlying themes are clearly those of safety, harmony, equity and education."²

10.1. Bookings

- a) Bookings are made for up to 1 hour and there is a limit of 3 sessions per day per Library user. (Time limits are periodically reviewed).
- b) Computer users are not permitted to use another person's card to enable bookings in excess of the session limit.
- c) The Library reserves the right to cancel bookings, terminate public computer sessions and suspend Library cards.
- d) A "Conditions of Use" screen displays on public computers when Library patrons commence their computer session.

10.2. Software

- a) Although all care is taken to ensure that all computers and web services for public use are free of malicious software, the Library is not liable in the event of contamination of any personal devices.
- b) Use of non-library software is not permitted on Library computers.
- c) A Library user must not attempt to interfere with IT resources or attempt to subvert the security of any IT resource.

10.3. Using the computer and the internet in a public place

- a) The Library is not responsible for restricting the content on the Internet or supervising Internet use.
- b) The Library does not use censoring software as it inhibits free access to information, it may stop people accessing legitimate information, and it does not provide adequate protection for children from all material that may be harmful on the Internet.
- c) Library users must be sensitive to the values and beliefs of others and are not to view material which may reasonably be considered to offend other library users.
- d) Library users are not to display pornography or potentially controversial information or images on any computer screens located in the Library.

10.4. Copyright

- a) Library resources must not be used to copy software, upload or download material that is licensed or protected under copyright or trademark laws unless such activities fall within current licensing conditions and/or copyright legislation.³

² *Enriching communities: the value of public libraries in New South Wales*, Library Council of NSW, Sydney, March 2008, pi

³ *Copyright Act 1968 (Commonwealth)* See Appendix 1



10.5. Children and Young People

- a) The Library promotes and supports young people's access to information, including electronic information through its internet facilities.
- b) Parents/guardians are responsible for their child's use of the internet. They must ensure their child abides by *Public Computer and Internet Access and Use OMS*.
- c) Junior library users (under the age of 18*) must have the consent of their parents/guardians before using the internet in the Library. (*If a young person is 16 or over and has left home they are responsible for themselves).
- d) Library staff are available to assist young people in the use of the internet, and to recommend websites on particular subjects.
- e) Library staff do not supervise or monitor children and young people using the internet in the library so there is a risk that unsupervised children and young people may be subject to cyber bullying or exposure to material deemed unsuitable by their parent/guardians.
- f) The Library has no control over young people accessing the internet using personal devices via WiFi.

10.6. Security

- a) The electronic mail and World Wide Web services are not secure. Therefore users should be careful about submitting personal details or other information that could have the potential to be misused.
- b) Information available through the Internet changes frequently. The accuracy of the information or its suitability for a particular purpose cannot be guaranteed.

11. SCHEDULE OF PENALTIES

There are six penalty categories outlined in the *Use of the Hawkesbury Library Service under Library Regulation 2018 OMS*. Refer to that OMS for all categories.

11.1. Category A: Breach of Use of the Library OMS

One warning then terminate public computer session to a period of 1 day of exclusion up to a maximum of 2 months.

- Use of another person's Library card to make computer bookings
- Using audible devices with or without headphones set to a volume that disturbs others
- Viewing or displaying material which may reasonably be considered to offend other library users.

Library users viewing or displaying material which may reasonably be considered to offend other library users will firstly be instructed to cease accessing the site, using an electronic message. The message is to read:

- *"Continued viewing of offensive material will result in termination of your session without warning"*.
- If the session does require terminating, the Library user's logon account is deactivated for the remainder of the day.



11.2. Category B: Serious Breach of Use of the Library OMS (call Police when required)

Terminate public computer session immediately to a period of exclusion of 7 days to a maximum of 1 year

- Repeated violation of category A
- A further instance of the Library user viewing material which is reasonably considered offensive on public access computers will result in exclusion their Library membership being suspended for a 3 month period
- Accessing, downloading or printing pornographic or offensive material. You must comply with the *Classification (Publications, Films and Computer Games) Enforcement Act 1995* (NSW)
- Licence infringement
- Copyright infringement
- Attempting to modify or gain access to files, password or data belonging to others
- Unauthorised monitoring of electronic communications
- Interfere or attempt to interfere with IT resources or attempt to subvert the security of any IT resource

11.3. Category F: Serious Violation toward Person/s or Property (call Police)

Period of exclusion is 1 year to life

- Accessing, downloading or printing child pornography
- Engaging in any other behaviour that could constitute an offence under applicable law

11.4. The Library has an obligation to report unlawful activity to the police, and individuals may be subject to prosecution.

11.5. Refer to *Use of the Hawkesbury Library Service under Library Regulation 2018 OMS* for:

- Library exclusion procedures
- Related record keeping procedures.



APPENDIX 1

References: Commonwealth legislation

Copyright Act 1968 (Commonwealth)

39A Infringing copies made on machines installed in libraries and archives

Where:

- a) a person makes an infringing copy of, or of part of, a work on a machine (including a computer), being a machine installed by or with the approval of the body administering a library or archives on the premises of the library or archives, or outside those premises for the convenience of persons using the library or archives; and
- b) there is affixed to, or in close proximity to, the machine, in a place readily visible to persons using the machine, a notice of the prescribed dimensions and in accordance with the prescribed form.

Neither the body administering the library or archives nor the officer in charge of the library or archives shall be taken to have authorized the making of the infringing copy by reason only that the copy was made on that machine.