

Policy Adopted by Board	
Policy Name	Responsible Conduct Policy - Public
Version number	3.0
Policy date	December 2020
Date to be reviewed	December 2023
Responsibility	CEO with delegation to Executive Manager Public Participation
Related YPRL Policies and Procedures	Employee Code of Conduct Closed Circuit Television (CCTV) Surveillance Policy Internet Access Policy Privacy Policy Incident Management and Reporting Procedure Responsible Conduct Procedures

Purpose

The purpose of the Responsible Conduct Policy (the Policy) is to contribute to Yarra Plenty Regional Library (YPRL) Service being:

- a safe place
- a welcoming place
- a respectful place, where
 - needs and interests can be pursued freely;
 - people show due regard to the needs, sensitivities and rights of others.

The Policy defines the commonplace standards of behaviour on which fulfilment of this purpose depends and establishes how YPRL staff respond when these standards are not observed.

Scope

The Policy applies to:

- YPRL premises and anybody occupying those premises;
- Communication with YPRL staff conducted from outside YPRL premises, by mail, telephone, email, other Internet service or any other means.

Related Legislation

The Policy is supported by:

- Internet Access Policy
- *Privacy and Data Protection Act 2014 (Vic) (PDP Act)*
- Employee Code of Conduct
- Membership Policy

Definitions

Term	Definition
Inconsiderate or offensive behaviour	<p>Includes but is not necessarily limited to</p> <ul style="list-style-type: none"> • communication that causes offense or disturbance to others; • displaying material that is offensive or objectionable to other members of the public, such as pornography, expressions of racial hatred, and representations of violence; • being noisy in designated quiet areas (including receiving and conducting mobile telephone calls); • personal hygiene or dress contrary to minimum community norms; • canvassing or hawking; • interference with personal property; • abuse of YPRL property, or behaviour that puts YPRL property at risk, including misuse of furniture and eating or drinking in non-designated areas; • abuse of YPRL systems and processes (e.g. deliberately misfiling library material, circumventing booking systems); • refusal to comply with any government mandated regulations (such as during a state of emergency).
Infringement of security and safety	<ul style="list-style-type: none"> • events, actions or behaviours that harm, or threaten or create risk of harm (including intimidation and harassment); • theft or malicious damage of property, including personal property and the property of the YPRL; • trespass, including unauthorised entry to non-public areas and unauthorised access to YPRL information systems.
Incident Report	A report that is prepared following an infringement of security or when a client refuses to cooperate with staff enforcing the Policy.
The Policy	The Responsible Conduct Policy
VPS	Victoria Police Service
Yarra Plenty Regional Library premises	Branch libraries at Greensborough, Eltham, Ivanhoe, Rosanna, Watsonia, Lalor, Mill Park, Thomastown and Whittlesea; any transport service operated by the YPRL and any other premises or areas that YPRL has leased, hired, or otherwise contracted to use. Surrounding common areas are subject to the Policy only if the YPRL has contracted the use of those areas.

Policy

Standards of behaviour

YPRL welcomes everybody subject only to observance of two commonplace standards of behaviour:

- that the security and safety of people or property is not infringed;
- that due regard is shown for the needs, interests and rights of others.

Failure to observe these standards is considered unacceptable.

Unacceptable behaviour

Unacceptable behaviour includes:

- behaviour that is otherwise inconsiderate or offensive, including but not necessarily limited to:
 - communication that causes offense or disturbance to others;
 - displaying material that is offensive or objectionable to other members of the public, such as pornography, expressions of racial hatred, and representations of violence;
 - being noisy in designated quiet areas (including receiving and conducting mobile telephone calls);
 - personal hygiene or dress contrary to minimum community norms;
 - canvassing or hawking;
 - interference with personal property;
 - abuse of YPRL property, or behaviour that puts YPRL property at risk, including misuse of furniture and eating or drinking in non-designated areas;
 - abuse of YPRL systems and processes (e.g. deliberately misfiling library material, circumventing booking systems).
- **infringing the security and safety** of people or property includes:
 - events, actions or behaviours that harm, create risk of harm or threaten harm, including intimidation and harassment;
 - theft or malicious damage of property;
 - trespass, including unauthorised entry to non-public areas and unauthorised access to YPRL information systems.

YPRL staff are empowered to determine whether or not behaviour is unacceptable for the purposes of the policy.

Response to infringements of security and safety

YPRL staff are required to refer all apparent infringements of security to their Manager and then complete an incident report.

Response to inconsiderate or offensive behaviour

The initial response to inconsiderate or offensive behaviour is to encourage the person responsible to behave in a more considerate manner. Ejecting a person from YPRL premises or terminating communication with YPRL staff conducted from outside YPRL premises is a last resort, only ever warranted after conciliatory approaches have failed, or in response to infringements of security.

Initial response

With reference to the detailed description in the Responsible Conduct Procedures document, the response of YPRL staff to inconsiderate or offensive behaviour is to:

- point out the possible adverse impacts of the client's behaviour on others;
- support the person in using the YPRL effectively.

Second response and ejection

A person on YPRL premises whose behaviour is unacceptable, and who fails to heed initial approaches by YPRL staff, will be informed by the Branch Manager or most senior officer available that under the Policy they will be ejected from the premises.

When a person is being ejected from YPRL, the person is told (by the Branch Manager) why they are being ejected, that the ejection is occurring under the Policy and that they will not be permitted to re-enter YPRL premises until the next day.

Termination of communication with YPRL staff conducted from outside YPRL premises

A person who behaves unacceptably in communicating with YPRL staff from outside YPRL premises (by being abusive, for example) will be informed that communication will be terminated unless the behaviour ceases. Communication will be immediately terminated unless the person complies.

Incident Report

An Incident Report should be completed following any of the circumstances described above.

In the case of a client leaving the premises prior to Branch Manager's involvement and ejection, staff should complete an Incident Report.

Authority

The authority to initiate the ejection of a person from YPRL premises under the Policy is delegated to the Branch Manager or most senior officer available.

Authority to terminate communication by any person from outside YPRL premises under the Policy is delegated to all staff.

Bans

Grounds

A person may be banned from entering YPRL premises or communicating with YPRL staff from outside YPRL premises ('banned'), on the following grounds:

- infringements of security or safety;
- they have been the subject of multiple Incident Reports or had communication with YPRL staff from outside YPRL premises terminated three times within a 6 month period;
- A person may be banned only on condition that their identity can be positively established.

Note that Branch Manager Reports with reference to YPRL clients may be taken into consideration by the CEO regarding the issuing of a ban.

Authority

The CEO has the authority to issue bans for any period.

YPRL Executive Leadership Team (ELT) has delegated authority to issue a ban and to determine the duration of a ban up to a maximum of six months.

Consequences

A person who has been banned may be issued with a letter on the premises or may be informed by registered letter of the ban. The letter will include a summary of incidents leading to the ban, the basis of the ban in policy, the duration of the ban and appeal rights and procedures.

The duration of a ban is at the discretion of the CEO or ELT member and is determined by circumstances leading to the ban and whether the banned person has been previously banned.

A banned person who is seen on YPRL premises will be immediately asked to leave by the Branch Manager or most senior officer available.

Entering or attempting to enter YPRL premises during the term of a ban is grounds for extending the ban.

Appeals

A person who has been banned may appeal to the CEO to reduce the duration of the ban. The CEO may delegate consideration of the appeal of the ban to an ELT member but not to the ELT who originally issued the ban.

The determination of the appeal will be made by consideration of the available Incident Reports and records, and any case put forward by the person seeking the review.

The appeal should be settled within 1 week of its receipt and client informed of the outcome as soon as is practicable.

Register of bans

A register of current bans is maintained and kept at YPRL Library Support Services (LSS) offices. It may be viewed on request by library service staff. The Register may include a copy of the ban notice and other information identifying banned people, including photographs.

Protection of Yarra Plenty Regional Library Property

YPRL may seek restitution for serious damage to, or theft of YPRL property resulting from apparently intentional or reckless actions.

Information privacy

Under the State Government's *Privacy and Data Protection Act 2014 (Vic)* and its own Freedom of Information Statement, YPRL is committed to protecting the privacy of clients.

Formal records are made of infringements of security or a clients' refusal to cooperate with staff enforcing the Policy. These records serve the enforcement of the Policy, and inform improvement of the Policy, related Procedures and staff training.

A record made in the enforcement of the Policy is treated as confidential and subject to strict controls:

- Records are registered in YPRL's central files

- Records are made available within YPRL only for purposes related to the enforcement of the Policy and only with the sanction of the CEO or an ELT. Incident Reports are routinely distributed to:
 - Executive Leadership Team members
 - Branch Managers
 - OH&S Committee

- Records are made available outside the Yarra Plenty Regional Library only with the specific permission of the Yarra Plenty Regional Library CEO and only if this is required under law, is reasonably necessary for the enforcement of the criminal law, or there are reasonable grounds for believing that any person's life or health would be put at risk by not disclosing the information.

- Members of the public have access to their personal records created in the enforcement of the Policy in accordance with the Information Privacy Act 2000.

YPRL staff will discuss and disclose information about individual's conduct only when reporting incidents or debriefing with supervisors or managers.

Training and Development

The Policy will form part of the welcome pack supplied to YPRL staff upon commencement. Managers will ensure staff training is offered each year with customer service staff required to attend every two years. Training includes:

- the legal and ethical framework underlying the Policy;
- developing a shared sense of acceptable and unacceptable behaviour;
- engaging with clients behaving unacceptably;
- threat assessment and appropriate action;
- responding to the display of potentially offensive or objectionable material;
- strategies for de-escalating conflict and withdrawing from unsafe situations;
- incident reports and administration of the Policy;
- debriefing staff who have been involved in upsetting interactions (supervisors and managers).

Staff who have been involved in threatening or upsetting interactions with clients will be personally debriefed by a supervisor or manager and will be encouraged to access the Employee Assistance Provider.

Managers will ensure orientation to the policy and procedures will be delivered by each Branch or Department implementing the policy and procedures.

Responsibilities

The Responsible Conduct Policy and Procedures will be reviewed every three years, to ensure a shared understanding of the policy and procedures and to ensure most effective application of the policy at YPRL.