



Responsible Conduct Policy

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Maintained by:	Visitor and Information Services
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- **Authority**

State Librarian and Chief Executive Officer

- **Responsibilities**

State Library of Queensland has a responsibility to put measures in place to ensure a safe and welcoming environment. State Library staff have a responsibility to comply with and implement State Library policies. State Library clients are responsible for ensuring that their behaviour, when using State Library, does not negatively impact on other clients or State Library staff.

- **Policy statement**

This Responsible Conduct Policy (the Policy) and the Procedures used by staff to implement the Policy, are key tools to guide the behaviour of both staff and clients when navigating the diverse and numerous interactions taking place at State Library.

- **Purpose**

The purpose of this Responsible Conduct Policy is to contribute to State Library 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.

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

- **Scope**

The Policy applies to:

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

- **Definitions**

Term	Definition
Client Behaviour Incident Report	A report that is prepared by State Library staff following an incident relevant to unacceptable behaviour as defined in the Policy.
Inconsiderate or offensive behaviour	<p>Describes unacceptable behaviour that does not represent an apparent infringement of security and safety. Note that some of these behaviours may also fall into the 'infringement of security and safety' category depending upon the circumstances.</p> <p>Includes but is not limited to:</p> <ul style="list-style-type: none"> • displaying material that is offensive or objectionable to other members of the public, such as pornography, expressions of racial hatred, and representations of violence • behaviour that is incompatible with the intended use of a space or service e.g. 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 State Library property or facilities, or behaviour that puts State Library property or facilities at risk, including: <ul style="list-style-type: none"> ○ misuse of or substantial rearrangement of furniture ○ using State Library spaces and furniture specifically to facilitate sleeping ○ eating or drinking in non-designated areas
Infringement of security and safety	<p>Includes but is not limited to:</p> <ul style="list-style-type: none"> • physical assault • 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 State Library • trespass, including unauthorised entry to non-public areas and unauthorised access to State Library information systems
Protective Services	Queensland Government Protective Services
State Library premises	<p>The South Bank, Cannon Hill, and Cairns sites, and any other premises or areas that State Library has leased, hired, or otherwise contracted to use including the Anzac Square Memorial Galleries.</p> <p>With respect to the South Bank site the limit of State Library premises is the roofline of the State Library building and The Edge. Surrounding common areas are subject to the Policy only if State Library has contracted the use of those areas.</p>
State Library staff	This policy applies to all permanent, temporary and casual State Library staff (including volunteers) and contractors (including venue supervisors).

- **Standards of behaviour**

State Library 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**

- **Inconsiderate or offensive behaviour** is considered unacceptable. This includes but is not limited to the examples provided at **7. Definitions**.
- **Infringement of security and safety** is also considered unacceptable. This includes but is not limited to the examples provided at **7. Definitions**.
- State Library staff have the authority to determine whether or not behaviour is unacceptable for the purposes of this policy and to determine the most appropriate response to the behaviour. State Library staff determining whether or not behaviour is unacceptable, need to act reasonably and give proper consideration to human rights under the *Human Rights Act 2019*.

- **Response to infringements of security and safety**

10.1 Role of State Library staff

- Determine whether or not behaviour is unacceptable.
- Determine whether the unacceptable behaviour is an infringement of security and safety or inconsiderate or offensive behaviour.
- If it determined that the unacceptable behaviour is an infringement of security and safety, State Library staff are required to refer the matter to Protective Services and a State Library people leader.

10.2 Role of Protective Services Officers – Cultural Precinct

- Protective Services is responsible for maintaining security on State Library South Bank premises.
- The function and powers of Protective Services Officers are defined in the [State Buildings Protective Security Act 1983](#).
- Protective Services Officers have power in respect of all State Library South Bank premises.
- Protective Services Officers are invested with certain powers of search and the authority to demand identification, direct a person to leave a State Government building and to detain a person, pending arrival of a Queensland Police Service officer.
- Protective Services is contracted on the Queensland Cultural Centre precinct to actively monitor and enforce security measures. On State Library Premises, Protective Services Officers operate under the State Library Security Policy and relevant legislation.
- At the South Bank site, Protective Services maintain a continuous presence, undertaking regular patrols and continuously monitoring closed circuit television cameras in place throughout the State Library building and the Cultural Centre precinct. Duress alarms, which can be used to alert Protective Services officers, are in place at service points in State Library premises including The Edge.
- Protective Services Officers may remove a person from State Library premises after conciliatory approaches have failed, or in response to infringements of security.

10.3 Involving the Queensland Police Service

Protective Services Officers have primary responsibility for determining when the involvement of the Queensland Police Service is warranted and for actually requesting the assistance of, and liaising with, the Queensland Police Service.

State Library staff may independently request the assistance of the Queensland Police Service if difficulty in contacting Protective Services would increase risk of harm to any person or prevent enforcement of the law.

- **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.

11.1 Initial response

The initial response of State Library 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 State Library effectively.

11.2 Subsequent responses and removal

A person on State Library premises whose behaviour is unacceptable, and who fails to heed initial approaches by State Library staff or Protective Services officers, will be informed by a State Library staff member or Protective Services officer that under the Policy he/she will be removed from the premises.

When a person is being removed from State Library the person is told (by the State Library staff member or the attending Protective Services officer) why he or she is being removed, that the removal is occurring under the Policy and that he or she will not be permitted to re-enter State Library premises until the next day.

With reference to the *Libraries Acts 1988*, the most senior State Library officer available or the attending Protective Services is authorised to initiate the removal of a person from State Library premises under the Policy.

All staff have the authority to terminate unacceptable communication with any person from outside State Library premises under the Policy.

11.3 Termination of communication with State Library staff conducted from outside State Library premises

A person who behaves unacceptably in communicating with State Library staff from outside State Library 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.

11.4 Client Behaviour Incident Report

A Client Behaviour Incident Report is completed by State Library staff following incidents.

- **Bans**

Under sections 20(1)(d) and (e) and 22 of the *Libraries Acts 1988*, the Library Board of Queensland's functions and powers include controlling access to State Library resources and controlling and managing State Library premises. The Library Board of Queensland can ban individuals from entering State Library premises.

12.1 Grounds

A person may be banned from entering State Library or communicating with State Library staff from outside State Library premises on the following grounds:

- infringements of security or safety
- he/she exhibits a pattern of unacceptable behaviour having been the subject of Client Behaviour Incident Reports describing unacceptable behaviour or has previously had communication with State Library staff from outside State Library premises terminated.

Note that Protective Services reports with reference to State Library clients may be taken into consideration by State Library staff, the State Librarian and Chief Executive Officer or Executive Director regarding the issuing of a ban.

12.2 Authority

The State Librarian and Chief Executive Officer has the authority to issue bans for any period. State Library Executive Directors have authority to issue a ban and to determine the duration of a ban up to a maximum of 2 years.

The most senior State Library officer available or to the attending Protective Services has the authority to initiate the removal of a person from State Library premises under the Policy. All staff have the authority to terminate unacceptable communication with any person from outside State Library premises under the Policy.

12.3 Consequences

A person who has been banned may be issued with a letter either on the premises or by registered letter. The letter will include a summary of circumstances leading to the ban, the basis of the ban in policy, the duration of the ban and appeal rights and procedures. A ban may also be issued verbally should a ban letter be refused. When a ban is issued verbally, a summary of the above should also be communicated where possible,

The duration of a ban is at the discretion of the State Librarian and Chief Executive Officer or an Executive Director and is determined by considering the nature and severity of the behaviour, the circumstances leading to the ban (including repeated occurrences), whether the person has been previously banned and the duration of this ban..

A person subject to a ban who attempts to enter State Library premises will be prevented from doing so. A banned person who is apprehended on State Library premises will be immediately required to leave.

Entering or attempting to enter State Library premises during the term of a ban is grounds for an extension of the ban. Multiple attempts to enter State Library may lead to a charge of trespass.

12.4 Appeals

A person who has been banned may appeal to the State Librarian and Chief Executive Officer regarding the ban. The State Librarian and Chief Executive Officer may delegate consideration of the appeal of the ban to an Executive Director but not to the Executive Director 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.

A banned person may initiate an appeal for up to 14 days from receipt of the ban notice.

The appeal should be settled within a reasonable time from its receipt and the client informed of the progress and the outcome as soon as is practicable.

12.5 Register of bans

A register of current bans is maintained by Visitor and Information Services staff. It may be accessed by staff involved in the administration of the Policy. The Register may include a copy of the ban notice and other information identifying banned people, including photographs.

• **Protection of State Library Property**

Under S.81 of *the Libraries Act 1988*, State Library reserves the right to inspect bags at exits and to prevent bags being brought into non-designated areas.

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

• **Information privacy**

Under the State Government's [Information Privacy Act 2009](#) and its own *Intellectual Freedom Policy*, State Library 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 this Policy. These records serve the enforcement of the Policy, and inform improvement of this 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 State Library's central files
- Records are made available within State Library only for purposes related to the enforcement of this Policy and only with the sanction of the State Librarian and Chief Executive Officer or an Executive Director
- Records are made available outside the State Library or Protective Services (including to law enforcement officials) only with the specific permission of the State Librarian and Chief Executive Officer 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 records created in the enforcement of this Policy in accordance with the Information Privacy Act 2009.

State Library staff will discuss and disclose information about any individual's conduct contained in records made in the enforcement of the policy, only for the purpose of implementing the Policy.

• **Essential considerations**

Review of this policy has included consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019*. When applying this policy, the State Library will act and make decisions in a way that is compatible with human rights and give proper consideration to all human rights, as required by the *Human Rights Act 2019*.

The *Human Rights Act 2019* exists to:

- protect and promote human rights
- help build a culture in the Queensland public sector that respects and promotes human rights
- help promote a dialogue about the nature, meaning and scope of human rights.

The *Human Rights Act* protects 23 fundamental human rights drawn from international human rights law, including the following rights:

- freedom of thought, conscience, religion and belief
- freedom of expression
- peaceful assembly and freedom of association

- taking part in public life
- privacy and reputation
- cultural rights – generally
- cultural rights – Aboriginal peoples and Torres Strait Islander peoples
- right to education.

- **References**

The Policy is implemented by State Library through the Responsible Conduct Procedures.

The Policy is supported by:

- [Code of Conduct for the Queensland Public Service](#)
- [Human Rights Act 2019](#)
- [Information Privacy Act 2009](#)
- [Libraries Act 1988](#)
- [State Buildings Protective Security Act 1983](#).
- [Bags and Belongings Policy](#)
- [Intellectual Freedom Policy](#)
- [Public Access Information and Communication Technology \(ICT\) Services Policy](#)

- **Approval**

State Librarian and Chief Executive Officer 25/03/2020

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