



# Rules of Conduct and Enforcement

## Operational

### Purpose

The Brantford Public Library's Rules of Conduct have been developed to maintain a safe and welcoming environment for the public and staff. The Library has the right and obligation to enforce the Rules of Conduct in a fair and consistent manner.

This policy identifies the Rules of Conduct, types of misconduct that lead to suspensions under the Ontario *Trespass to Property Act*, and processes for appeal and reinstatement for individuals who have been suspended as a result of misconduct.

### Policy

#### **Section 1: Rules of Conduct**

The following guidelines are in place for the safety of community members, visitors, and staff, and to provide a welcoming space for the enjoyment of library services and facilities by all. Anyone who fails to follow these guidelines or modify their behaviour as requested by Library staff may be asked to leave.

All visitors to the Brantford Public Library will follow the directions of Library staff, and these Rules of Conduct:

#### **Act Safely and Responsibly**

You are responsible for persons in your care. For additional information, please refer to Brantford Public Library's Safe Child Policy. You are also responsible for your property and the property of persons in your care. The Library is not responsible for lost, stolen, or damaged items. It is recommended that you keep all personal belongings with you.

You must abide by all laws and Library policies. We have zero tolerance for:

- a. Violent, threatening, abusive, discriminatory, or harassing language or behaviour.
- b. Smoking or vaping on Library premises.
- c. Misuse, consumption, distribution or solicitation of alcohol or non-prescribed drugs, including intoxication or impairment.
- d. Possession and use of weapons or items used as weapons.
- e. Canvassing, petitioning, distributing or posting unauthorized circulars, or engaging in unauthorized commercial activity, including selling and soliciting.

## **Be Considerate of Others**

Be mindful of your behaviour and how it impacts others. Ensure that you:

- a. Use appropriate volume and language, including during use of personal devices.
- b. Comply with copyright legislation when taking pictures and videos in the facility, and obtain verbal consent from persons appearing in your images prior to photographing or filming.
- c. Wear footwear, and tops and bottoms with sufficient coverage at all times.
- d. Keep in mind that the Library serves families, children, and persons of different backgrounds and abilities. We require that respect for all persons be demonstrated at all times.
- e. Keep doorways, aisles, and walkways free of personal items.

## **Be Respectful of the Space**

Keep spaces clean and use facilities for their intended purposes. Be considerate of property and materials by:

- a. Not damaging or misusing materials, equipment or property.
- b. Checking out all materials before leaving the library.
- c. Not using Library facilities to bathe or wash clothing.
- d. Not bringing animals into Library facilities, except for service or support animals, or animals featured in programs. Service and support animals are required to be restrained, calm, and under control at all times.

The Library may issue a suspension of privileges, trespass notice, or pursue criminal charges as it deems appropriate regardless of compliance or non-compliance with these Rules of Conduct. Personal information, such as names and images, may be collected and used for the purposes of Rules of Conduct enforcement or safety.

## **Section 2: Rules of Conduct Enforcement**

### **2.1 General**

This section outlines the Brantford Public Library's response to customer and visitor misconduct. It also identifies the appeals and reinstatement processes for people who are suspended as a result of misconduct.

The Library is committed to applying the Rules of Conduct in a fair and equitable manner.

When a breach of the Rules of Conduct occurs, the Library has discretion in determining whether a person will be suspended and the time period of the suspension. Factors taken into consideration will include the severity of the misconduct, repeat occurrences, the circumstances surrounding the incident, and any mitigating factors.

Any person who has been suspended from the Brantford Public Library for three, six or 12 months has the right to appeal the suspension, and for suspensions of 12 months, the person has the right to appeal if their request to have Library privileges reinstated is denied.

Brantford Public Library is committed to reviewing the Rules of Conduct and their application on a regular basis to support fair and equitable access for all.

In the absence of the CEO/Chief Librarian, the CEO designate is authorized to make decisions as outlined in this policy.

Suspension Notices, when issued, will be provided in writing and will specify the period of exclusion, the reason(s) for exclusion, information about the appeals process, the date of reinstatement of library privileges, and information about the process for requesting reinstatement of library privileges, if applicable.

Refusal to accept a written Suspension Notice or a lack of awareness of a Suspension Notice by the suspended individual does not nullify the validity of a suspension.

## 2.2 Minor Violations

When disregard for the Rules of Conduct occurs, including but not limited to **minor** cases of theft, vandalism, disturbances, impairment, safety violations, harassing language or behaviors, some or all of the following actions may be taken depending on the severity and circumstances of the situation:

- a) staff will inform the person of how the Rules of Conduct was violated and give a verbal warning;
- b) staff may give a further verbal warning and advise that the person may be asked to leave the premises if misconduct does not cease;
- c) the person may be directed to leave the location for the remainder of the day;
- d) the person may be suspended from all Brantford Public Library locations for a period of time, which can include a three months or six months suspension period, in which case a Suspension Notice will be issued to the person or mailed to an appropriate guardian, informing that they are excluded from all Brantford Public Library locations for a period of time;
- e) staff will keep a record of known, relevant personal information about the individual responsible for the misconduct, for the purpose of identification (such as name, physical description, and/or image);
- f) if applicable, the person will be directed to reimburse the Brantford Public Library for expenses incurred as a result of the person's actions.

## 2.3 Major Violations

A system wide exclusion from all Brantford Public Library locations may be applied when theft, violence, threat of violence, abusive or discriminatory language or behaviour, persistent disregard for the Rules of Conduct or safety, exhibitionism, vandalism, substance use, or other criminal activity occurs. For these **major** violations, the following actions may be taken:

- a) staff will inform the person of how the rules were violated;
- b) police will be notified depending on the nature and severity of the violation;
- c) the person may be suspended from all Brantford Public Library locations for a period of time, which can include a six or 12 months suspension period, in which case a Suspension Notice will be issued to the person or mailed to an appropriate guardian, informing that they are excluded from all Brantford Public Library locations for a period of time;

- d) staff will keep a record of known, relevant personal information about the individual responsible for the misconduct, for the purpose of identification (such as name, physical description, and/or image);
- e) if applicable, the person will be directed to reimburse the Brantford Public Library for expenses incurred as a result of the person's actions.

## 2.4 Appeals

A person has the right to appeal a Suspension Notice, an extension of a suspension period, or a decision to deny reinstatement at any point during the period of suspension.

Appeals are to be submitted in writing, either in a form or letter that includes the suspended person's name and contact information, the suspension information, and the reason for the appeal.

Appeals are first directed to the CEO/Chief Librarian. Responses to initial appeals will be provided by the CEO/Chief Librarian or designate within 30 days from the date of receipt. Upon receipt of the decision of the CEO/Chief Librarian, the person may further appeal to the Brantford Public Library Board.

The decision of the Library Board is final and there are no further steps to be taken in the appeals process. Responses to final appeals will be provided by a representative of the Library Board within 60 days from the date of receipt.

A person's library privileges shall not be reinstated during the application for reinstatement or appeal process.

## 2.5 Suspension Extensions

The CEO/Chief Librarian may extend a suspension period if an individual continues to attempt re-entry during the period of suspension, after having been made aware of their suspension. The length of extension will depend on the frequency of re-entry attempts and whether additional misconduct occurred during the re-entry attempt(s). An updated, written Suspension Notice will be issued when a suspension is extended.

The CEO/Chief Librarian may extend the suspension period for an indefinite period and refuse to reinstate the library privileges of a person requesting reinstatement. A person who has applied for reinstatement shall be informed in writing of the CEO/Chief Librarian's decision and the reasons for the decision.

## 2.6 Reinstatement of Library Privileges

Any person committing a violation resulting in suspension will be informed of the date they can return to the premises.

A person who has been served a Suspension Notice for a three- or six- month period of time may return to the premises on or after their specified return date. Upon their return, it is the Library's practice to conduct a re-entry conversation that reminds the individual of relevant rules and expectations.

A person who has been served a Suspension Notice for a 12-month period of time for a major violation will be notified that they must apply in writing at the end of the suspension period to the CEO/Chief Librarian for reinstatement of library privileges.

The person must provide the following information when applying for reinstatement: their name, contact information, date of suspension, and reason for requesting reinstatement.

The Chief Executive Officer shall consider all appeals and applications for reinstatement using the following criteria:

- a) the safety of the public and Brantford Public Library staff and the circumstances surrounding the exclusion;
- b) the past behaviour of the person making the application with regards to the Rules of Conduct;
- c) the person's reasons for seeking reinstatement;
- d) where applicable, whether the person has reimbursed Brantford Public Library for all expenses incurred as a result of the person's actions; and,
- e) mitigating factors that may support successful re-entry.

## History

**Supersedes:** *Brantford Public Library Rules of Conduct*

**Background documents, related policies:** *Brantford Public Library Safe Child Policy; Brantford Public Library Customer Privacy and Access to Information Policy; Trespass to Property Act*

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