



1<sup>st</sup> April, 2003

## COMMUNITY SERVICES COMMITTEE MEETING

NOTICE IS HEREBY GIVEN THAT A COMMUNITY SERVICES COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF RANDWICK WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, 90 AVOCA STREET, RANDWICK, ON TUESDAY, 8<sup>TH</sup> APRIL, 2003 AT 5:30 P.M.

Committee Members: His Worship, the Mayor, Cr D. Sullivan, Crs Backes (Chairperson), Matson, Notley-Smith, Procopiadis, Tracey (Deputy Chairperson), and Whitehead.

Quorum: Four (4) members.

**NOTE:** AT THE EXTRAORDINARY MEETING HELD ON 5<sup>TH</sup> SEPTEMBER, 2000, THE COUNCIL RESOLVED THAT THE COMMUNITY SERVICES COMMITTEE BE CONSTITUTED AS A COMMITTEE WITH FULL DELEGATION TO DETERMINE MATTERS ON THE AGENDA.

**1 Apologies**

**2 Minutes**

CONFIRMATION OF THE MINUTES OF THE COMMUNITY SERVICES COMMITTEE MEETING HELD ON TUESDAY, 3<sup>RD</sup> DECEMBER, 2002.

**3 Addresses to Committee by the Public**

**4 Mayoral Minutes**

**5 Community Services**

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6.1 DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES' REPORT 08/2003 - LIBRARY INTERNET ACCESS POLICY. 15

**7 General Business**

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GENERAL MANAGER



## ***Director Planning & Community Development's Report 22/2003***

<b>SUBJECT:</b>	Vacation Care Program
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<b>DATE:</b>	27 March, 2003	<b>FILE NO:</b>	98/S/4413
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**REPORT BY:** DIRECTOR PLANNING & COMMUNITY DEVELOPMENT

### **INTRODUCTION:**

Council offers a Vacation Care Program during the school holiday periods for 30 children per day aged between 5 to 12 years from the Randwick Local Government Area.

The Program offers both centre based activities and excursions. A preferential booking and promotion system is in place that encourages the participation of children from disadvantaged backgrounds with a particular focus on children from the South Ward.

At the 11 June 2002 Community Service Committee meeting, Council adopted a recommendation that Council enter into a partnership with the Benevolent Society for the Vacation Care Program be conducted in the Kooloora Community Centre. It was considered that this approach would enable Council to enhance the delivery of the Vacation Care Program with the inclusion of the experience and expertise of the Benevolent Society.

The following provides an evaluation of the program.

### **ISSUES:**

The average number of children that were enrolled in the Vacation Care Program during the September/October school holiday period was 24 children per day and during the January school holiday period was 23 children per day. These figures have been very encouraging, given the time of the year that many families would be away on holidays. Evaluations conducted at the conclusion of the Program indicated that children thought that excursions were the best part of the program, in particular, swimming at the pools. Children also made suggestions for future activities that could be run. Staff, too, thought the most successful part of the program was the excursions and that children benefited from the Program. Staff also thought increased structure of the programs will be beneficial which is being worked towards by the Benevolent Society in conjunction with a Policies and Procedure Manual.

A significant proportion of the children that attend the Vacation Care Program are children living in the direct locality of the centre and are from families experiencing low socio-economic backgrounds. A number of the children attending the Program display challenging behaviour and the expertise of the Benevolent Society has been beneficial in working with these children and their families. Kooloora Community Centre currently purchases 20 places in the Vacation Care Program to benefit children in the local area.

The Benevolent Society is held in high regard within the community services sector and has enormous experience in the delivery of prevention and intervention programs particularly around the issues of child protection and families "at risk". In organising the September/October and January Vacation Care Programs, the Benevolent Society has drawn upon their expertise and utilised their resources and structure to produce quality programs for children. The Benevolent Society has also managed and supported staff and provided expertise to the staff employed to facilitate the Vacation Care Program. The Benevolent Society has recruited volunteers to assist paid workers in supervising the children and to make up the adult to staff ratio required by Council.

As part of improving services to children and their families accessing the Vacation Care Program, the Benevolent Society is keen to arrange for Scarba, a section of the Benevolent Society with expertise in child protection, and a Director of one of their child care centres to attend the Program weekly to assist in advising staff on behaviour management and child protection issues. If the current arrangement between Council, the Benevolent Society and Kooloora Community Centre is continued for future Vacation Care Programs, then the Benevolent Society will transfer the supervision of the project from a Senior Manager to a Director of a child care centre. This will further enhance the quality of the program. In addition, there is scope that staff from the Benevolent Society to refer families to relevant services in the community in order to support families with additional needs.

Following discussions held between Council and the Benevolent Society at the evaluation stage of the project, it was agreed that the Benevolent Society adds value to the Program through their expertise in working with children in the eastern suburbs of Sydney. The Benevolent Society has also already enhanced the Program through the development of evaluation mechanisms for children attending the Program, their parents and the staff employed at the Program. Feedback from the evaluations provides good tools for improved program development and running of activities. There has been significant changes and improvements in the facilitation of the Vacation Care Program from the September/October Vacation Care Program to the January program and further improvements leading up to the April 2003 Vacation Care Program. The improvements are contributed to the good working relationship between Council and the Benevolent Society with support from Kooloora Community Centre.

As the formal contract between Council and the Benevolent Society has not yet been signed, the Benevolent Society has requested that a Memorandum of Understanding be attached to the contract. The Memorandum of Understanding is attached to this Report for consideration and outlines the relationship between Council and the Benevolent Society and lines of delegation.

Overall, the collaboration between the Benevolent Society, Council and Kooloora Community Centre has been a positive strategy towards the provision of high quality recreational and educational activities that offer personal development, for the children that attend the Vacation Care Program. With the continuation in the collaboration with the Benevolent Society, services provided to the children and their families through the Vacation Care Program have the potential to further support families and enhance opportunities for disadvantaged children and their families.

### **CONCLUSION:**

The Vacation Care Program offered by Council provides a much needed service particularly to residents from low socio-economic backgrounds that have difficulty in accessing affordable and appropriate activities and care for their children during school holiday periods.

Working collaboratively with the Benevolent Society and Kooloora Community Centre has worked towards improving service delivery to the children that have attended the Program, many of whom have challenging behaviour and are vulnerable to being "at risk". The Benevolent Society has provided a professional and integrated program of activities combining both recreational and personal development for children attending the Program. Extending the collaboration between Council and the Benevolent Society will further develop the quality of care and services provided to children that access the Vacation Care Program.

### **RECOMMENDATION:**

1. Council's Vacation Care Program continue to be organised in collaboration with the Benevolent Society and Kooloora Community Centre and under-go a review on an annual basis with the next review due before June 2004.
2. That the attached Memorandum of Understanding prepared by the Benevolent Society be considered by Council and if approved be attached to the contract between the Benevolent Society, Council and Kooloora Community Centre.

### **ATTACHMENT/S:**

Memorandum of Understanding Vacation Care,  
The Benevolent Society & Randwick City Council

.....  
SIMA TRUUVERT  
ACTING DIRECTOR PLANNING &  
COMMUNITY DEVELOPMENT

.....  
LIZ COLLYER  
COORDINATOR  
COMMUNITY DEVELOPMENT

## **Memorandum of Understanding Vacation Care The Benevolent Society & Randwick City Council**

### **Contents**

1. Preamble
2. Objectives
3. The Parties
4. Outcome
5. Key features of the arrangement
6. Communication & management
7. Dispute resolution
8. Monitoring & review
9. Commencement

### **1. Preamble**

This Memorandum of Understanding (MOU) outlines a partnership between Randwick City Council and The Benevolent Society. The partnership seeks to provide a quality vacation care program to children living in Randwick LGA.

### **2. Objectives**

The objectives of this MOU are:

- To clarify working arrangements between staff of RCC and The Benevolent Society
- To promote shared understanding of the philosophy and objectives of the program
- To manage the monitoring and review of The Benevolent Society and RCC input
- To articulate the form the proposed partnership will take
- To promote effective working relationships between the two agencies.

### **3. The parties**

The parties to this MOU are RCC and The Benevolent Society.

### **4. Outcomes**

There are two outcomes sought from this agreement.

They are:

- That throughout this year (2003), the Benevolent Society and RCC will have developed and conducted quality vacation care programs at the Kooloora Community Centre.

- That emerging issues or difficulties in the partnership will have been identified and resolved satisfactorily.

## **5. Key features of the arrangement**

It is acknowledged that during 2003 The Benevolent Society and RCC agree to the working arrangements, monitoring and review processes as specified in the MOU and attachment A.

The key features of the agreement refer to service delivery regarding:

- Benevolent Society staff abiding by vacation care policies and procedures, sign a confidentiality statement and to have had police checks and signed the prohibited persons form
- RCC provide adequate resources for equipping and running the program.
- Staff support and training.

## **6. Communication & management**

The relationship managers will be the General Manager, Eastern/Central, The Benevolent Society and the Community Development Officer Women, Families and Children, RCC.

The key decision makers will be:

- Director, Planning and Community Development, RCC
- General Manager, Eastern & Central, The Benevolent Society

These individuals take responsibility for ensuring smooth communication within their own agencies.

## **7. Dispute resolution**

When issues are unable to be resolved at front line worker level the Coordinator Community Development RCC, will liaise with the General Manager at The Benevolent Society. If the issue is not able to be resolved at that level, then further resolution steps will be taken by the Director, Centre for Children at The Benevolent Society and the Director of Planning & Community Development at RCC.

## **8. Monitoring and review**

The agreement will be monitored on a termly basis, commencing at the end of the first term. Progress reports will be written at the end of each term by the General Manager and submitted to RCC.

## Appendix A

### Overview of Service Delivery

RCC runs a council funded vacation care program during school holidays from the Kooloora Community Centre. The aim of the program is to provide stimulating activities in a caring and friendly environment to children enrolled in local primary schools. The program has a particular focus on supporting disadvantaged children and their families.

The service offers 30 places with at least 20 made available to children living on the South Ward housing estates. The Benevolent Society delivers the service by employing casual staff and providing staff support and training which is funded by RCC.

The program operates from 9.30am-4.00pm during the school holidays (excluding public holidays).

### The role of Randwick City Council

- To promote a model which provides a quality, fun vacation care program
- To provide The Benevolent Society with the funds to employ staff, purchase equipment, consumables and excursions up to an amount stipulated in the contract.
- To provide advice, support and prompt decision making as issues arise

### Service delivery by The Benevolent Society is as follows:

- To develop and promote a model which provides a quality, fun vacation care program
- To provide support to children and their parents on behaviour management and parenting issues
- To provide pathways to information, resources and opportunities that enable families to acquire additional information about resources.
- To identify models and approaches which promote positive and informative interaction between parents, children and staff and the community

### Evaluation

- Evaluation of the program developed and approved by both agencies will be conducted after each program.

Signature.....Date.....

Position .....(Randwick City Council)

Signature .....Date.....

Position .....(The Benevolent Society)



## ***Director Planning & Community Development's Report 23/2003***

<b>SUBJECT:</b>	Children's Services Regulation 2002
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<b>DATE:</b>	27 March, 2003	<b>FILE NO:</b>	98/S/0085
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**REPORT BY:** DIRECTOR PLANNING & COMMUNITY DEVELOPMENT

### **INTRODUCTION:**

The Children Services Regulation 2002 is a draft Regulation is currently out in consultation stage from the NSW Department of Community Services. The draft Regulation consolidates two existing regulations which are the Centre Based and Mobile Child Care Services Regulation (No2) 1996 and the Family Day Care and Home Based Child Care Regulation 1996. The draft Regulation provides further clarification and guidance contained in Chapter 12 of the Children and Young Persons (Care and Protection) Act 1998.

The proposed changes to the Children Services Regulation 2002 if adopted will have a direct and significant impact on Council's Moverly Children's Centre. The major impacts include an increase in the number of staff required to fulfil the proposed increase of child worker ratios. As part of the consultation process for the draft Regulations, child care service providers and other stakeholders have been invited to lodge submissions addressing the proposed changes. Council's submission is an attachment to this report.

### **ISSUES:**

The draft Regulation raises a number of issues in terms of proposed changes. The rationale and benefits of the new Regulations relates 'to ensuring the safety, welfare and well-being of children in children services'. As outlined in the Regulatory Impact Statement, the benefits of the increase in staff and child ratios benefits children's development in the long term which is based on more than 30 years of child development research. The outcome aims to achieve better quality of care for the child.

The most significant change in the draft Regulation is the change in ratio of staff to child from 1 staff member to supervise and care for 5 children to 1 staff member to supervise and care for 4 children. The change in ratio is for children aged under 2 years of age with application of the youngest child's age when determining the staff/child ratios in mixed aged groups. This proposed change will have a dramatic and significant impact on Moverly Children's Centre in terms of a need for an increase in staff numbers and some changes in service delivery.



Groups sizes may also have a significant impact on the service delivery at Moverly. There needs to be clarification of the interpretations of the definition of groups and space within the centre. This will determine the impact on Moverly. The current Regulations state that for 0 to 2 year olds group sizes need to be a maximum of 10 children, while the proposed Regulations would enforce that group sizes will be reduced to a maximum of 8 children. For 3 to 5 years olds, group sizes are currently at a maximum of 25 children but would be reduced to a maximum of 20 children under the proposed Regulations. The current practice at Moverly is over and above the requirements in the draft Regulation, however, clarification is required on whether two or more groups could operate within the same room, thus determining impact on the centre. If a maximum of 20 children in a room were enforced, regardless of small groups then this would have a significant impact on service delivery.

There are other significant proposed changes which refers to licences and application, authorised supervisors, staffing issues such as experience and probity checks, facilities and equipment requirements including standards, policies and procedures of centre including record keeping and developmental and educational programs and equipment. It appears that this list of proposed changes may not have major budgetary or service implications. However, there will be additional requirements to the recruitment & selection processes for the employment of staff.

A part of the submission to the Department of Community Services is the need for funding from the Department and consequently, Council officers have asked for a review of funding and subsidy to Moverly. The submission also outlines the need for increased funding and change in current eligibility to provide Moverly with opportunities to apply for government funding. In the event that the draft Regulations are proclaimed, increased funding is required to account for the requirements for increased staffing levels, upgrade of equipment and change in work practices that will have budgetary implications. The reduction of staff to child ratio will leave Council in the position to increase fees to child care which will be required of parents / guardians for payment. On initial calculations fee increase could be around \$10 per day per child which families will need to absorb. This will place extra burden and stress on families needing to place their child/ren in child care, which is also outlined in the submission.

### **CONCLUSION:**

In principle, the proposed changes in particular the increase of the staff to child ratio will enhance the quality of care for children in child care centres. The reduction in group sizes are appropriate on the proviso that more than one group can operate within the same room at the child care centre. However, to successfully implement these changes, the Department of Community Services must increase funding for community based child care centres including Moverly. The proposed Regulation would require Moverly Child Care Centre to raise fees for parents needing to place their child/ren in child care, thus placing further stress on families, the community and Local Government.

### **RECOMMENDATION:**

That Council endorse this Report and the attached submission to be sent to the Department of Community Services.

**ATTACHMENT/S:**

Submission to Department of Community Services on Children Services Regulation 2002.

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SIMA TRUUVERT  
ACTING DIRECTOR PLANNING &  
COMMUNITY DEVELOPMENT

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LIZ COLLYER  
COORDINATOR  
COMMUNITY DEVELOPMENT

## **SUBMISSION TO THE DEPARTMENT OF COMMUNITY SERVICES ON THE CHILDREN SERVICES REGULATION 2002**

### **Introduction**

This is presented to the Department of Community Services from Randwick City Council. It follows a consultation process inviting service providers and individuals to comment on the draft Children Services Regulation 2002 and Regulatory Impact Statement. This submission will concentrate on the impact of the most significant aspects of the draft Regulation.

Randwick City Council operates one child care centre located in South Coogee which will be directly affected by the draft Children Services Regulation. Moverly Children's Centre is licenced to care for 39 children per day aged 0 to 6 years of age. The facility has been managed and subsidised by Council since its establishment in 1994. Through the Parents Advisory Committee, parents of children attending Moverly are actively involved in fundraising activities and decision-making at the centre.

Moverly's only sources of re-current funding are fees (user pays from parents), Child Care Benefit and Council's subsidy, which is budgeted for \$37,555 this financial year. Council has previously covered any budget shortfall each financial year which can fluctuate annually depending on vacancy rates. Moverly is located on Council land and Council forgoes income as rent for the facility for the use of a child care centre.

At this stage Moverly is not eligible to seek one off grants from the Department of Community Services. At the time of establishment of Moverly Children's Centre in 1994 there was a funding freeze in operational funding by both State and Federal Governments. Consequently, Moverly was unable to access recurrent funding and is ineligible for other one-off capital grants. In the past, Moverly has submitted an Expression of Interest into the Department of Community Services and which was unsuccessful as Moverly was assessed ineligible. Moverly's ineligible status is based on the grounds that Moverly is not in receipt of recurrent funds from the Department.

### **Draft Children Services Regulation 2002**

#### **Staff to Child Ratios**

The draft Regulations propose a reduction in ratio of staff to child from the current levels of 1:5 to 1:4 for children under 2 years of age in mixed groups. Although the reduction of children to staff ratio in the draft Regulation may improve quality of care Council is concerned of the impact the staff to child ratio will have on the cost through the need of increased staffing. Consequently, the Moverly Children's Centre will be required to increase fees drastically to comply with the proposed requirements. This would have a direct impact on affordability and accessibility of child care for families in the Randwick Local Government Area.

Following an analysis of the current staffing and structure at Moverly Children's Centre, additional staff members will cost the service and consequently families using this service approximately \$9 to \$10 per day per child. This is an increase of \$45 to \$50 per week per

child for child care. The proposed ratio change will result in a change of service delivery where family grouping will only occur for half-an-hour per day instead of 2 hours per day thus reducing the time for older siblings to spend time with their younger brother and/or sister.

Council's Social Plan demonstrates a commitment for access to affordable and quality child care services for families and their young children. As the Department would be aware, there is a need for child care placements in the Randwick Local Government Area. For example, there is currently 152 children on the waiting list for Moverly Children's Centre with 8 of these children over the age of three. The greatest need is for children aged between 0 and 3 years with 144 on the waiting list. It is likely that some families on this list will never get a place until the child reaches 3 or 4 years in age. This figure is consistent with those of other community based centres within the Local Government Area.

An increase in costs to run the service will be re-couped through an increase in fees for families using the child care centre. A significant increase in fees would place an additional burden on families through affordability and consequently access to child care. With a significant increase in fees, the result may be that some families may not be able to afford the new rates and will have no option but to withdraw their children from Moverly (and maybe child-care altogether). Some families may choose that the lower income earner (usually women) leave their employment as a result of unaffordability of child care. Families may also rely on family members such as grandparents for increased care of their grandchildren, thus placing further burden on the immediate family unit and extended families.

There will be an expectation by the community that Local Government provides the funds to compensate for the fee increase. As Council is contributing significantly to the provision of service delivery through provisions in the budget, forgone rent and technical and human support, then Council is not in a position to increase its funding.

It is considered that if the above changes in the Regulations are adopted it will be imperative that the Department of Community Service provide a significant increase in funding for community based organizations and Local Government which operate child care centres on a cost recovery basis. Moverly is not eligible to apply for funding as it is not in receipt of recurrent funding from the Department. As the proposed increase of staff to child ratio would put a significant burden on parents through an increase in fees. Council is also not in a position to provide further subsidies to Moverly Children's Centre. It is the responsibility of the Department of Community Services as the agency responsible for children and families to provide subsidies to cover the fee increases as a result in changes to the Regulation. The Department's current policy is not equitable and discriminates against services such as Council's Moverly Children's Centre based on the timing of its commencement during a funding freeze. If Council's access to Department Funding continues to be denied, fee increases would need to be passed on to users of the centre, therefore, increasing the burden on families and communities in accessing child care.

In the case Council will not be able to access grants or subsidies there is no alternative except to change the structure of service delivery. This means centres may eliminate or

reduce the number of child care places available for 0-2 year olds. As demonstrated previously in this submission, for Moverly this age group is the greatest need in this area and anecdotal evidence suggests that this is common area-wide. This too, could be an option for Moverly, through reduction in positions available for 0-2 year olds and/or not offering care for this age group until 8am (currently at 7.30am).

Whilst Council aims to provide the highest of quality care for children possible, there needs to be adequate resources provided by the Department of Community Services to centres, such as Moverly to assist in meeting these demands. Consequently, the change in ratio of staff to child will have a negative impact to the service, its delivery and families using the service, without the financial backing required to support the centre. Should the draft Regulations be proclaimed including the reduction in staff to child ratio, then Council has an expectation that the Department of Community Services will provide financial resources to enable service delivery to meet licensing requirements. Without a subsidy from the Department of Community Services would further disadvantage community based service providers and users of these facilities. There is already a financial burden on families and Council in the need and provision of child care.

The current funding status of Moverly with the Department leads to disadvantage of this service. Moverly was established in a funding freeze in 1994 and consequently is not in a position to gain access to funding (recurrent or slippage) from the Department. While Council understands that it can submit another Expression of Interest to the Department for funds through slippage, it is not guaranteed that Council will receive any funds nor will funds be available. A previous Expression of Interest submitted to the Department in 1999 resulted in Moverly categorised as ineligible by the Department.

Therefore, Moverly's status experiences a significant funding disadvantage with the Department, especially compared to other community based centres which are in receipt of DoCS funding. Council requests rationale on why a process relevant and implemented in 1994 still has impact almost 10 years later. This is especially significant given the changes in child care in force today. Decisions and practices made 10 years ago do not match service delivery requirements and needs in the community today. As a result from lack of financial support from larger government agencies with more significant budgets, such as Community Services, places Moverly in a vulnerable situation experiencing disadvantage. Families and Local Government should not be responsible for the impact in changes in the draft Regulation which is clearly the responsibility of the State Government through the Department of Community Services.

### **Group Sizes**

There needs to be clarification of the interpretations of the definition of groups and space within a child care centre. Whilst Council agrees that smaller groups are beneficial for children, it only supports this course of action if smaller sized groups can operate within the same room or space at a child care centre as well as receiving a level of subsidy from the Department of Community Services.

### **Relaxation of other Clauses**

Council supports the relaxation of some of the requirements as outlined in the draft Regulation, namely the change in vehicle travel and child restraint. The impact this would have on Moverly is increased excursions for children and reduction of costs associated with travel.

### **Alternative Options**

Council supports the Statutory Regulation option to the remaining four options as it provides a universal minimum standard required in the quality of care for all child care centres across NSW. Given that Statutory Regulation means it is enforceable by law ensures that all child care centres are taking a proactive approach to quality child care. Other models do not offer the same level of requirements of accountability and ensurance of enforceable minimum standards.

### **Summary**

Council encourages improved quality of care for children attending Child Care Centres. However, it is imperative that the Department of Community Services provide significant funding for child care centres as to alleviate the extra burden and pressures of families who will be the recipients of significant increase in fees. This is especially important for community based and not for profit services. Eligibility for funding needs to be opened to all not for profit services to allow Moverly equitable access to State and Commonwealth government funding and not be solely reliant on submission through an Expression of Interest to the Department . Moverly needs equal access to these funds as other community based orgs that currently are in receipt of DoCS funding.



## ***Director Governance, Management & Information Services' Report 08/2003***

<b>SUBJECT:</b>	LIBRARY INTERNET ACCESS POLICY
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<b>DATE:</b>	27 March, 2003	<b>FILE NO:</b>	98/S/3586
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**REPORT BY:** DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES

### **INTRODUCTION:**

Advice from the Public Libraries Branch of the State Library of NSW for Council to formerly endorse an *Internet Access Policy* based on the Public Access Guidelines for Public Libraries adopted by the Country Public Libraries Association and the Metropolitan Public Libraries Association has been received.

### **ISSUES:**

Provision of the Internet to library members and visitors to Randwick City Libraries has been available for some time. An Internet Access Policy document is on display beside all Internet PC's. The Policy has yet to be formally endorsed by Council.

Recently an unknown client of a NSW Public Library used one of the library's public access PC's to email a threat to a third party. A subsequent police investigation traced the email to the library PC. The library of course simply provided the PC, it did not make the threat. While it is highly unlikely in the above situation that any fault could possibly rest with the library or council it is important that the library can demonstrate that it has a clear policy on what constitutes acceptable use of the Internet in the library.

Section 4.2 of the Public Internet Access Guidelines for Public Libraries makes it clear that using the Internet for illegal activities is against library policy guidelines:

#### **“4.2 Illegal and Inappropriate Use**

Users of public libraries must not use Internet access and/or email to transmit material and statements which are:

- Illegal or fraudulent or part of an unlawful activity;
- Slanderous, libellous and/or defamatory;
- Offensive, obscene, pornography, or in bad taste;

- Abusive and/or threatening of violence;
- Incitement to break the law;
- Harassment based on sex, race, disability or other protected status;
- Anonymous or repeated messages designed to annoy, threaten, abuse or torment.

Email shall not be used to harass any other person. Harassment means to intentionally annoy, intimidate, demean or threaten another person or group or to contact them repeatedly in a way that annoys them.”

While it is acknowledged that a policy in itself will not stop a determined person from misusing the Internet, the presence of the policy makes it clear the library/council has adopted a responsible position on the matter and that the library/council does not condone or endorse illegal use.

The policy references the Library Regulation 2000, which makes it clear that anyone using the Internet at the library in contravention of the policy can be excluded from the Library under Section 17 of the Regulation (see attached)

#### **CONCLUSION:**

The Internet Access Policy, for endorsement by Council, makes it clear that using the Internet for illegal activities is against Library/Council Policy and that any Internet user contravening the policy can be excluded from the Library under Section 17 of the Library Regulation 2000.

#### **RECOMMENDATION:**

- (a) That Council formally endorse the Library Internet Access Policy;
- (b) That the Policy be prominently displayed in all library locations; and
- (c) That the Policy Register be updated accordingly.

#### **ATTACHMENT/S:**

1. Internet Access Policy.
2. Library Regulation 2000 – Sect 17.

.....  
 MARK HUMMERSTON  
 DIRECTOR GOVERNANCE,  
 MANAGEMENT & INFORMATION  
 SERVICES



**RANDWICK CITY COUNCIL  
POLICY REGISTER**

**LIBRARY & INFORMATION SERVICES**

**Policy Number:**

**POLICY TITLE:                LIBRARY INTERNET ACCESS**

**OBJECTIVE**

To assist library staff in the management and provision of services relating to public use and access of the Internet **in accordance with Library Regulation 2000 and the Public Internet Access guidelines for Public Libraries adopted by the Metropolitan Public Libraries Association and the Country Public Libraries Association.**

**POLICY STATEMENT**

**1.        OUTLINE**

The Randwick City Library and Information Service is committed to the development of resources that meet the varied information needs of its users, and to utilising the latest technology in providing access to these resources. The development of online resources using Internet technology allows the library to expand resources beyond library walls, providing library users with access to global sources and resources.

**2.        INTERNET SERVICES**

**2.1.     Access**

The Library Service will provide a range of levels of access to the Internet for library users:

- Free access for information and research purposes.  
Information resources can be in many formats – book, audio-visual, CDROM, electronic – free access to information resources is a legislative requirement for public libraries.
- Free access for children aged 5 - 14 on identified computers in the Children's Discovery Centre for homework, Internet research, word-processing applications, and educational games. [This centre was established with funds received from a Library Council of NSW grant]
- Fee-based access for non-information purposes, such as email, chat, music downloads, games, practice/demonstration tests including the RTA demonstration driver test, commercial transactions including share trading, online purchasing, online banking etc  
Fees are outlined in council's schedule of fees and charges.

**Access to, and appropriate use of the reference and information free internet service is at the discretion of library staff, and during periods of high demand users can be restricted to a maximum of 30 minutes use of the service.**

## **2.2. Censorship**

This policy affirms the role of the public library in not censoring the use of resources, regardless of format. Censorship issues are the domain of federal and state governments.

Filtering technologies cannot guarantee that all objectionable material can be blocked, and therefore may give a false sense of security to parents and legal guardians. In addition, filtering technologies can inappropriately block access to materials and as such are censoring use of the Internet.

## **2.3. Inappropriate Use**

Clients using the Internet at any Randwick City Library Internet PC are requested to be sensitive to others when displaying potentially controversial or offensive material on computer screens in public areas.

In addition, Internet users **who use the Internet at the library in contravention of this policy can be excluded from the library under Section 17 of Library Regulation 2000.** What constitutes “Inappropriate use” is at the discretion of the shift supervisor, and includes any of the following:

- The display/downloading of pornographic/offensive material
- Use of free information PCs for any purpose considered to be a non-information use
- Modification of library hardware, settings, or software
- Illegal, criminal or anti-social Internet use
- Damage/theft of library resources
- Use of the free Internet service for longer than 30 minutes during periods identified by library staff as being “high demand”

Further action as required will be taken for all illegal/inappropriate use of the Internet.

## **2.4. Parental Supervision**

Supervision of Internet use by library users under the age of 18 years is the responsibility of the parent/legal guardian.

## **2.5. Legal Responsibilities**

The user accepts full responsibility and sole liability for actions while using the Internet. The responsibility for online content rests primarily with the content provider and the Internet user.

Internet users are responsible for complying with all applicable international, federal and state laws, including Censorship, Copyright, and software licensing laws.

## **2.6. Information Services**

The Library has no control over information gathered on the Internet, and cannot be held responsible for accuracy, authoritiveness, timeliness etc of such information.

The Internet is a valuable information resource, and library staff will provide assistance to clients in locating information on the Internet. The provision of expert and professional assistance to users seeking information on the Internet distinguishes the library from other services providing Internet access.

To assist in the development of information and computer literacy skills and to promote the Internet as an information and research tool, the library will offer Internet classes to library users.

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## Library Regulation 2000

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### 17 Library users may be directed to leave

- (1) A library staff member may direct any person to leave the library, and not to re-enter the library for such period as the staff member directs, if the staff member is of the opinion that:
  - (a) the person has contravened any provision of this Part, or
  - (b) the person's condition, conduct, dress or manner is likely to give offence to any person in the library or to interfere with any other person's use of the library.
- (2) A person to whom such a direction is given must not fail to comply with the direction.

Maximum penalty: 2 penalty units.
- (3) The period for which a person may be excluded from the library by such a direction must not exceed the maximum period determined by the governing body of the library.

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