



NAMBUCCA VALLEY COUNCIL LIBRARY MANAGEMENT INTERNET POLICY POLICY No. G17

Our Vision

Nambucca Valley ~ Living at its best

Our Mission Statement

'The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

1.0 Policy objective

The policy has a number of aims and objectives:

- 1.1 To promote the Internet as a valuable and important research tool for information;
- 1.2 To promote freedom of information
- 1.3 To ensure fair and equitable access to the Internet as an information resource;
- 1.4 To ensure that the user understands their responsibilities when using electronic resources; and;
- 1.5 To safeguard library resources.

2.0 Related legislation

The Children and Young Persons (Care and Protection) Act 1998
The Classification (Publications, Films and Computer Games) Act 1995
NSW Library Act 1939
Library Regulation 2018

3.0 Definitions

Borrow	Use of a library item, with an obligation to return it by the due date without damage; includes use of public access computers
Charge Item	An amount applied for lost or damaged loan items Refers to any article regardless of physical form, that is part of the Library Collection; includes books, magazines, videotapes, CDs, DVDs, or any other recorded material; microfilm, microfiche, toolkits
Library	Refers to the Nambucca Valley Council branch libraries at Macksville or Nambucca Heads
Library Member	Shall mean a person who has been issued a library card and is entitled to borrow items from the library for which they may incur fines or charges

Specific terms and acronyms are described throughout the Policy.

4.0 Policy Content

4.1 Policy Statement – Overview

Nambucca Valley Council provides free Internet access to library members as part of its library information service to clients.

The Libraries also offer wireless (“Wi-Fi”) access to the Internet for individuals with their own laptops or Personal Digital Assistant (PDA). These access points are unsecured and accessible only during library hours via a username/password arrangement.

Due to the proliferation of Wi-Fi networks, library users may also be able to access other Wi-Fi networks, within a Nambucca Valley Council library, that is not provided by the Council. Use of any non-Nambucca Valley Council wireless network within a library’s facilities is also governed by the Library Internet Policy.

Individuals who do not comply with the Policy may have their session terminated or be denied future access to the service as outlined in the Library Regulation 2010.

A maximum of 2 users per computer terminal. Group bookings can be made on request.

4.2 *Users under 15 years of age*

Young people under the age of 15 years are welcome to access the Internet in the library, with their parent’s permission. Any material accessed by children when using the Internet is the sole responsibility of parents and guardians. It is suggested that parents and guardians read the Nambucca Valley Council Library Parent’s Guide to the Internet and note the opportunity to limit permission when completing/signing the application form to join the library.

4.3 *Ethical Use of the Internet*

Provision of access to the Internet is on the condition that it is used in an ethical manner. Any unethical behaviour such as using the workstation to gain unauthorised access to any network or computer system, undertaking any activities which are offensive or slanderous, performing illegal or criminal activities is unacceptable.

The library recognises an individual’s right to freedom of access to information. However, users must be sensitive to the beliefs and values of other users and staff when accessing material that is potentially controversial or offensive. Access to material deemed inappropriate for a public library environment, may be limited. Also refer to Appendix 1.

4.4 *Offensive and/or erroneous Material*

The Internet allows the user to access a wide range of information. The user must be aware that the Internet is an uncensored and unregulated resource tool, and as such, the type of material accessed is the sole responsibility of the user. Nambucca Valley Council accepts no responsibility for the accuracy and validity of information accessed via the Internet by the user. Also refer to Appendix 1.

4.5 Access Time – Library computers

Due to the demand for access to the Internet, members are limited in the time period they can spend using a library's facilities.

At Macksville Library, public access computer sessions are limited to one (1) per day per person and for a maximum period of one (1) hour. Booking time includes any time needed for printing and downloading. Where possible another booking can be made for that day, dependent on availability.

Due to the high turnover and demand for public access computers at Nambucca Heads Library. Sessions are limited to one (1) per day per person and for a maximum period of one (1) hour on Monday to Friday and for a maximum period of ½ hour on Saturday mornings. Where possible another booking can be made for that day, dependent on availability.

4.6 Access Time – Wireless

Clients require a username/password (obtained from library staff) to log in to the wireless connection.

Due to the demand on a library's connection, limitations may be placed on the duration and number of connections that are available at any one time.

4.7 Printing and Downloading

Due to Council's information technology security requirements users may experience limitations when attempting to save or download material from the Internet.

Printing is available at the library on a fee for service basis (Council sets printing charges). Clients undertaking printing are responsible for collection and payment of all printouts.

Any material saved to library computers is not the responsibility of the library and must be deleted by the client at the end of each session.

4.8 Copyright

Individuals accessing the Internet need to be aware that material on the Internet may be protected by copyright. Individuals are therefore personally responsible for complying with the appropriate laws (both international and federal) governing copyright material.

4.9 Consideration of Staff and Library Equipment

The Internet is a resource tool that provides access to an unmeasurable number of sites. As a result it cannot be expected that library staff are experts in the use of every site accessed by users. Individual problems experienced by the users when accessing particular sites are the responsibility of the user. Nambucca Valley Council will not tolerate any form of abuse directed at either the staff or the computers as a result of any problems, and individuals may be asked to leave the library as outlined in the Library Regulation 2010.

4.10 Security – Provision of Links

Nambucca Valley Council provides a selection of links to various Internet sites from its home page. These links are not monitored. As a result, any material that is accessed or downloaded by the user that is offensive or damaging e.g. Viruses, is not the responsibility of the Council.

4.11 Security – Wireless

As with most public Wi-Fi networks the Libraries' wireless connection is not secure. Library users should not transmit personal information (e.g.: credit card numbers, passwords or any other sensitive information) while using this service.

All wireless access users should have up-to-date virus protection on their laptop computers or wireless devices. Nambucca Valley Council will not be responsible for any information that is compromised, or for any damage caused to any individual's hardware or software due to electronic surges, security issues or the consequences of viruses or hacking.

4.12 Library Role and Responsibilities

To ensure that a copy of library policies are available through the Council's website (www.nambucca.nsw.gov.au).

Library staff may be able to provide users with basic assistance, recognising that the user is responsible for their own search and that staff are not experts with regards to particular user problems.

Library staff do not provide technical assistance to configure a client's equipment for wireless access.

To respect user privacy and maintain user confidentiality.

If requested by relevant authorities under State or Federal law, to provide records for criminal or investigatory purposes.

Library clients must be sensitive to the values and beliefs of others when displaying potentially controversial information or images on computer screens located in public areas. Where a client is found to be using library computers to access pornographic, offensive or objectionable material, or for any unlawful purpose, library staff reserve the right to direct the client to leave the library, to direct that the client not re-enter the library for a specified period and to report unlawful conduct to the relevant authorities. Appendix 1 contains a range of measures available to library staff in managing these issues.

5.0 Related Procedures or Documents

- Children's Policy Guidelines for NSW Public Libraries March 2005
- http://www.sl.nsw.gov.au/pls/policies/pdf/childrens_policy_2005.pdf
- ALIA Statement on Free Access to Information <http://alia.org.au/policies/free.access.html>
- ALIA Statement on Online Content Regulation <http://www.alia.org.au/policies/content.regulation.html>
- International Federation of Library Associations and Institutions (IFLA) Statement on Libraries and Intellectual Freedom <http://www.ifla.org/V/press/pr990326.htm>
- Library Council of NSW www.sl.nsw.gov.au/pls/policies

6.0 History

Department:	Corporate Services	Last Reviewed	Resolution Number
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Appendix 1

Library Council of New South Wales

Access to Information in New South Wales Public Libraries

Guideline and Introduction

This guideline is framed with reference to the *Library Act 1939* and the principles expressed in the Australian Library and Information Association Statements on Free Access to Information and Online Content Regulation and the International Federation of Library Associations and Institutions Statement on Libraries and Intellectual Freedom.

Policy Statement

The State Library of New South Wales and the state-wide network of public libraries provide free and equitable access to information for the people of New South Wales.

Collections

Public libraries develop and maintain collections of resources to meet the information needs and interests of their communities. Libraries have collection development policies and guidelines to assist in the selection of library material.

- 1 A public library has a role as an unbiased source of information and ideas, including online content. It must accept responsibility for providing free access to materials and information presenting, as far as possible, all points of view on current and historical issues, including controversial issues.
- 2 Libraries should endeavour to provide access to comprehensive and balanced collections that meet the needs of their communities as far as budget, space and availability of materials allow.
- 3 Library materials that have not been subject to Federal and State restriction or prohibition should not be excluded from a public library on moral, political, racial, religious, sexist, language, or other sensitive grounds alone. Nor should library materials be included on these grounds alone, whatever pressure may be brought to bear by individuals or groups.
- 4 The arrangement of the collection should facilitate access. Restricting access to certain titles or classes of materials, eg. by holding them in special collections available on request, can be an indirect form of censorship. No materials should be held in closed access except for the express purpose of protecting them from injury, theft or due to Office of Film and Literature Classification restrictions
- 5 Adult collections should not be limited because of the possibility that materials may fall into the hands of children. Monitoring the reading of children is the responsibility of their parents or guardians.

Library Use

- 6 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.
- 7 Library clients must be sensitive to the values and beliefs of others when displaying potentially controversial information or images on computer screens located in public areas (see explanatory note). Where a client is found to be using Library computers to access pornographic, offensive or objectionable material, or for any unlawful purpose, the Library reserves the right to direct the client to leave the Library, to direct that the client not re-enter the Library for a specified period and to report unlawful conduct to the relevant authorities.
- 8 The Library Council does not support the use of censoring software as it inhibits free access to information (see 3) and it does not provide adequate protection for children from all material that may be harmful on the Internet.

- 9 The Library Council supports the right and responsibility of parents and guardians to direct the use of the Internet by their children. Parents and guardians who wish to limit or restrict access by their children should personally oversee their use of the Internet and other forms of electronic information.

Role of Public Librarians

- 10 Librarians should not exercise censorship in the selection of materials by rejecting, solely on the grounds mentioned in (3), material which is otherwise relevant and which meets the standards of the library concerned.
- 11 Notwithstanding their opposition to censorship, librarians must strictly observe laws, which may ban or restrict access to certain material.
- 12 Librarians have a role in educating clients in the safe and informed use of the Internet, guided by acceptable use policies.

The continuous review of library materials is necessary as a means of maintaining a current and useful collection. This procedure should not be used as a means of removing materials presumed to be controversial or disapproved of by sections of the community.

Explanatory note:

The *Library Regulation 2010, Section 17(1)(b)* states that library users may be directed to leave if the person's conduct 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. This may include accessing websites that may reasonably be considered to offend. Examples may include displaying images of deceased persons which can cause offence to Aboriginal and Torres Strait Islander people, or displaying adult content.

Alternatively, there may be legitimate reasons for accessing such material requiring special arrangements to be made with the library staff.

Procedures

It is recommended that public libraries implement procedures to address certain situations or offences that may occur. These include:

- Under the Classification (Publications, Films and Computer Games) Act 1995 persons are taken to have publicly exhibited a film or computer game where they have "superintendence of management" of the public place where the exhibition or demonstration takes place. It is advisable that the Library develop appropriate procedures to be observed where clients are found to be accessing material on library computers or on library premises which would otherwise be restricted under this Act.

The suggested procedure is for staff to instruct the client to stop accessing the material. In some circumstances it may be appropriate for staff to contact the relevant authorities. In other circumstances it may be appropriate to suggest that the client accesses the material in a different part of the library not accessible to the general public.

- It is possible that the Library may, as a result of a client's unlawful internet use, inadvertently come to possess child pornography (if downloaded to a computer drive). Section 91H of the Crimes Act 1900 contains defences that should protect library staff from criminal liability in these circumstances. It is advisable that the Library develop a policy to address circumstances where clients are found to have accessed child pornography.

Such procedures would involve reporting the incident to the NSW Police Force, ensuring that the material is not able to be accessed by other clients using the computer(s), and once advised by the authorities that is appropriate to do so, deleting the material from the Library's system.