



# Responsible Client Conduct Policy

<b>File number:</b>	<b>815/380/057</b>
<b>Maintained by:</b>	<b>Visitor and Information Services</b>
<b>Review date:</b>	<b>June 2023</b>
<b>Next review date:</b>	<b>June 2026</b>

## 1 Authority

---

State Librarian and Chief Executive Officer

## 2 Responsibilities

---

State Library of Queensland has a responsibility to put measures in place to ensure a safe and welcoming environment for clients and staff. State Library staff also 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.

## 3 Policy statement

---

This Responsible Client 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.

## 4 Purpose

---

The purpose of the policy is to define the reasonable standards of behaviour for clients who use State Library spaces or services. It also establishes how State Library staff respond when these standards are not observed.

The policy directly contributes 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.
  -

## 5 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.

## 6 Definitions

Term	Definition
<b>Client</b>	Any person, not including State Library staff, who uses State Library spaces or services, or any person who may visit or transit through State Library premises.
<b>Client Conduct Incident Report</b>	A report that is prepared by State Library staff following an incident relevant to unacceptable behaviour as defined in the Policy.
<b>Inconsiderate or offensive behaviour</b>	<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"> <li>• displaying material that is offensive or objectionable to other members of the public, such as pornography, expressions of racial hatred, and representations of violence</li> <li>• 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)</li> <li>• personal hygiene or dress contrary to minimum community norms</li> <li>• canvassing or hawking</li> <li>• interference with personal property</li> <li>• 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"> <li>○ misuse of or substantial rearrangement of furniture</li> <li>○ using State Library spaces and furniture specifically to facilitate sleeping</li> <li>○ eating or drinking in non-designated areas, as defined in the <a href="#">Bags and Belongings Policy</a></li> </ul> </li> </ul>
<b>Harm</b>	<p>Any detrimental effect of a significant nature on a person's physical, psychological or emotional wellbeing.</p> <p>May include psychosocial hazard defined as a hazard that arises from, or relates to the work environment or workplace interactions and behaviours and may cause psychological harm</p>
<b>Harassment</b>	Behaviour that is unwelcome or unsolicited, offensive, humiliating or intimidating, and (may) relate to someone's sex, race, age or other protected attribute (under the Anti-Discrimination Act 1991). It may be directed towards an individual or group, and may be a single act, or an ongoing pattern of behaviour

Term	Definition
<b>Infringement of security and safety</b>	Includes but is not limited to: <ul style="list-style-type: none"> <li>• physical assault</li> <li>• events, actions or behaviours that harm, or threaten or create risk of harm (including intimidation and harassment)</li> <li>• theft or malicious damage of property, including personal property and the property of State Library</li> <li>• trespass, including unauthorised entry to non-public areas and unauthorised access to State Library information systems</li> </ul>
<b>Protective Services Officers</b>	Queensland Government employees provided for under the <i>Police Service Administration Act 1990</i> . The function of Protective Services Officers is to ensure the security of State buildings.
<b>State Library premises</b>	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.  With respect to the South Bank site the limit of State Library premises is defined as 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.
<b>State Library staff</b>	All permanent, temporary and casual State Library staff (including volunteers) and contractors (including venue supervisors).

## 7 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 rights, needs, and interests of others.

Failure to observe these standards is considered unacceptable.

## 8 Unacceptable behaviour

- **Inconsiderate or offensive behaviour** is considered unacceptable. This includes but is not limited to the examples provided at **6. Definitions**.
- **Infringement of security and safety** is also considered unacceptable. This includes but is not limited to the examples provided at **6. 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, will act reasonably and give proper consideration to human rights under the *Human Rights Act 2019*.

## **9 Response to infringements of security and safety**

---

### **9.1 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 is determined that the unacceptable behaviour is an infringement of security and safety, immediately refer the matter to Protective Services and a State Library people leader.

### **9.2 Role of Protective Services Officers – Cultural Precinct**

- Protective Services is responsible for maintaining security at State Library South Bank premises.
- The function and powers of Protective Services Officers are defined in the [Police Powers and Responsibilities Act 2000](#)
- Protective Services Officers have power in respect of all State Library South Bank premises.
- Protective Services Officers are invested with certain powers including to inspect belongings, 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 Memorandum of Understanding: Provision of Security Services, Arts Queensland Work Instruction, State Library Protective 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 Queensland Cultural Centre. 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 in response to infringements of security, or after conciliatory approaches have failed.

### **9.3 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 actively 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 they experience difficulty in contacting Protective Services and this would increase the risk of harm to any person or prevent enforcement of the law.

## **10 Response to inconsiderate or offensive behaviour**

---

The initial response to inconsiderate or offensive behaviour is to encourage the client responsible to behave in a more considerate manner.

### 10.1 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 client in using State Library appropriately.

If State Library staff assess a high level of risk in seeking compliance from a client in relation to their behaviour, they may defer the initial response to a Protective Services Officer.

### 10.2 Subsequent responses and removal

A client 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 they 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 they are being removed, that the removal is occurring under the policy and that they will not be permitted to re-enter State Library premises until the following day.

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

### 10.3 Termination of communication with State Library staff conducted from outside State Library premises

All staff have the authority to terminate unacceptable communication with any person from outside State Library premises under the policy. This includes communication received via mail, telephone, email, other Internet service, or any other means.

A client 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.

### 10.4 Client Conduct Incident Report

A Client Conduct Incident Report is completed by State Library staff following incidents. Reports are reviewed initially by a State Library people leader, to determine what happened, why, what can be done to improve controls to eliminate or minimise reoccurrence, and to ensure staff well-being. The investigation and response will be proportional to the level of risk, the seriousness of the actual or potential harm and the staff affected.

## 11 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.

Under sections 554 and 557 of the *Police Powers and Responsibilities Act 2000* a Protective Service Officer may direct an entrant, or group of entrants, to a state building to not enter, or to leave the building immediately. A Protective Services Officer may also refuse entry to, or remove a person from a state building if they reasonably suspect the behaviour of an entrant

to a state building is, or has been disorderly, indecent, offensive or threatening to a person entering, at or leaving the building.

### **11.1 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
- if they exhibit a pattern of unacceptable behaviour having been the subject of Client Conduct Incident Reports describing unacceptable behaviour, or have 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 State Library Executive Directors, regarding the issuing of a ban.

### **11.2 Authority**

The State Librarian and Chief Executive Officer has the authority to approve bans for any period. State Library Executive Directors have authority to approve 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 the attending Protective Services Officer 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.

### **11.3 Consequences**

A person who has been banned may be issued with a letter either on the premises by a Protective Service Officer 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 a State Library 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 by Protective Services Officers. A banned person who is found 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 extension of the ban. Multiple attempts to enter State Library may lead to a charge of trespass.

## 11.4 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 a State Library Executive Director but not to the Executive Director who originally authorised 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 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.

## 11.5 Register of bans

A register of current bans is maintained by Visitor and Information Services staff and Protective Services Officers. 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.

# 12 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.

Under sections 550, 551, 552 of the *Police Powers and Responsibilities Act 2000*, Protective Services Officers have the power to inspect an entrant's belongings, use an electronic screening device and require a name, address and reason for entry, if the officer reasonably considers it necessary for the security of the building.

# 13 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 to security or a client's 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 a State Library 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 *Right to Information Act 2009* and 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.

## 14 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.

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 relevant to a decision as required by the Act.

## 15 Risk management and mitigation

Risk	Description of risk	Mitigation management
Risk 1	Failure to manage conduct of visitors resulting in State Library not seen as a safe and welcoming place	Staff receive regular training on the Responsible Client Conduct Policy and responding to Client Behaviour Incidents.  Protective Services Officers (PSO) are responsible for maintaining security on State Library South Bank premises and work closely with State Library staff to ensure a safe and welcoming place for visitors.



Risk	Description of risk	Mitigation management
Risk 2	Failure to manage conduct of visitors resulting in staff feeling unsafe or unsupported. This will impact State Library's ability to attract and retain staff.	<p>Staff receive regular training on the Responsible Client Conduct Policy and responding to Client Conduct Incidents.</p> <p>Client Conduct Incident Reports are managed in line with robust procedures. Staff participate in post-incident debriefs to support wellbeing and to inform the ongoing delivery of the policy.</p> <p>State Library's Health and Wellbeing Strategy and the Annual Health and Wellbeing Action Plan provides a framework to support staff.</p>

## 16 References

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

The Policy is supported by:

Queensland Government

- [Code of Conduct for the Queensland Public Service](#)
- [Workplace Health and Safety Act 2011](#)
- [Workplace Health and Safety Regulation 2011](#)
- [Work Health and Safety \(Psychosocial Risks\) Amendment Regulation 2022](#)
- [Managing the risk of psychosocial hazards at work. Code of Practice 2022](#)
- [Human Rights Act 2019](#)
- [Right to Information Act 2009](#)
- [Information Privacy Act 2009](#)
- [Libraries Act 1988](#)
- [State Buildings Protective Security Act 1983](#)
- [Police Powers and Responsibilities Act 2000](#)

State Library of Queensland

- [Bags and Belongings Policy](#)
- [Intellectual Freedom Policy](#)
- [Public Access Information and Communication Technology \(ICT\) Services Policy](#)
- [Risk Management Strategy for Child Related Duties](#)
- [Protective Security Policy](#)

Other

- Memorandum of Understanding: Provision of Security Services (Arts Queensland – Protective Services Group)

## **17      Approval**

---

Approved by State Librarian and Chief Executive Officer 6 July 2023.

## **18      Creative Commons licence**

---

© State Library of Queensland 2023

This policy is licensed under a Creative Commons Attribution 4.0 International (CC BY 4.0). You are free to copy, communicate and adapt this work, so long as you attribute State Library of Queensland.

For more information see <http://creativecommons.org/licenses/by/4.0>