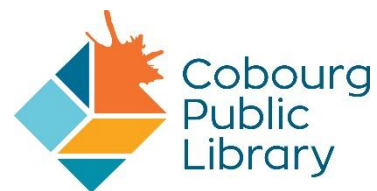


Policy Number	1.1
Title	Public Conduct Policy
Section	1: General
Effective Date	February 19, 2025
Review Date	



Purpose

The Cobourg Public Library is committed to providing excellent customer service to all members of the public and to address service requests and complaints equitably, comprehensively and in a timely manner, while promoting a respectful and harassment-free workplace between the public, employees of the Library, and Members of the Library Board.

To achieve these objectives, this policy outlines the expectations for appropriate behaviour by all individuals interacting with Library Staff, Library Board Trustees, and other patrons and users of Library facilities and services. Under this policy, unacceptable behaviour may result in restrictions against an individual or group of individuals. Any restrictions will be reasonable, consistent, and proportional to the unacceptable behaviour, and communicated clearly and understandably to the individual(s) affected.

Policy

1. Responsibilities

1.1. Library Board

It is the responsibility of all Trustees of the Board to support this policy and encourage all users of Library services and facilities to abide by the principles and provisions of this policy.

1.2. Library Staff

It is the responsibility of all Library staff to report any interactions they have with an individual that they believe constitutes unacceptable behaviour as described in this policy, and to collect and provide any supporting material or evidence of unacceptable behaviour when possible. Library staff shall report any illegal activity to their immediate supervisor and contact police services where appropriate.

1.3. Supervisors and Managers

It is the responsibility of all supervisors and managers to receive reports of unacceptable behaviour from Library staff and engage in the enforcement steps outlined in this policy where necessary.

1.4. CEO

It is the responsibility of the CEO to consider the appropriate response to severe or ongoing instances of unacceptable behaviour as defined in this policy.

2. Unacceptable Behaviour

The following activities and behaviours are considered unacceptable behaviour:

- Unpleasant, disrespectful, or demeaning comments made towards Library staff or other patrons.

- Treating other patrons, Library staff, or Trustees of the Board in a threatening, intimidating, abusive, or violent manner, or in a manner that is perceived to be threatening, intimidating, abusive, or violent.
- Engaging in a physical altercation with any other individual on Library property.
- Engaging in activities on Library property that are considered a crime under the Criminal Code of Canada
- Possessing a weapon or prohibited substance while on Library property.
- Engaging in sexual activity on Library property.
- Soliciting the sale of goods or services on Library property without permission.
- Violating other Library policies that establish rules for expected behaviour at specific Library facilities and spaces.
- Non-peaceful protest that is disruptive to the common good administration of Library services including, but not limited to, disrupting, harassing, threatening, or intimidating other patrons or Library staff.
- Submitting inquiries or requests for service that are frivolous or vexatious in nature.
- Deliberately making false statements or submitting falsified documents when addressing a matter with the Library.
- Continually refusing to accept or acknowledge the decision of staff with respect to a matter under the Library's jurisdiction.
- Knowingly violating the explicit or inferred privacy of other users, Library staff, Trustees of the Board, or the conduct of a meeting that is properly closed to the public.

This is not an exhaustive list. Other activities and behaviours may be considered unacceptable at the discretion of the CEO.

3. Response to Unacceptable Behaviour

3.1. Potential Restrictions

The following restrictions may be applied to an individual with respect to any level of response described in this policy:

- Prohibiting attendance or limiting activities, interactions, or access to Library services.
- Limiting the number of complaints, inquiries, or requests that the individual may submit to the Library.
- Limiting the number of responses Library staff shall provide with respect to further complaints or inquiries regarding one or more specific matters.
- Requiring any in-person interaction with Library staff in the presence of another member of Library staff, or other representative of the Library.
- Limiting correspondence to a particular format, time, or duration.
- Closing any active complaints, inquiries, or requests for service related to a specific matter.
- Requiring correspondence to be directed only to specific Library staff, solicitors, or third parties.

This is not an exhaustive list. Other restrictions may be considered unacceptable at the discretion of the CEO

3.2. Levels of Response

The potential restrictions described in this policy may be applied in accordance with the authorities and limitations granted under each level of response in this section.

3.2.1. Level 1 Response

Who May Issue:	Library Staff
Applies to:	Individuals what have engaged in unacceptable behaviour.
Method of Issuance:	Written Letter of Warning or Notice of Restrictions
Duration of Restrictions:	Up to 7 days

3.2.2. Level 2 Response

Who May Issue:	CEO
Applies to:	Individuals who have previously received a Level 1 response in the last six months and engage in further unacceptable behaviour, or in the opinion of the relevant Library Manager or CEO, the instance of unacceptable behaviour is severe enough to warrant a Level 2 response.
Method of Issuance:	Written Letter of Warning or Notice of Restrictions
Duration of Restrictions:	Up to 30 days

3.2.3. Level 3 Response

Who May Issue:	CEO
Applies to:	Individuals who have previously received a Level 2 response in the last twelve months and engage in further unacceptable behaviour, or in the opinion of the CEO, the instance of unacceptable behaviour is severe enough to warrant a Level 3 response.
Method of Issuance:	Written Letter of Warning or Notice of Restrictions
Duration of Restrictions:	Up to 90 Days

3.2.4. Level 4 Response

Who May Issue:	CEO
Applies to:	Individuals who have previously received a Level 3 response in the last twelve months and engage in further unacceptable behaviour, or in the opinion of the CEO, the instance of unacceptable behaviour is severe enough to warrant a Level 4 Response.
Method of Issuance:	Written Letter of Warning or Notice of Restrictions
Duration of Restrictions:	Up to 6 Months

3.2.4.1. Level 5 Response

Who May Issue:	CEO
Applies to:	Individuals who have previously received a Level 4 response in the last twelve months and engage in further unacceptable behaviour, or in the opinion of the CEO, the instance of unacceptable behaviour is severe enough to warrant a Level 5 response.
Method of Issuance:	Written Letter of Warning or Notice of Restrictions
Duration of Restrictions:	Up to 1 year

4. Enforcement

4.1. General Enforcement Guidelines

Library staff are expected to use non-physical, verbal only intervention methods to enforce this policy. Where instances of unacceptable behaviour are observed on Library property, Library staff may issue a verbal warning or apply restrictions immediately to the individual(s) involved. Following resolution of the unacceptable behaviour, Library staff shall advise the appropriate supervisor or manager and compile all documentation, information, and evidence related to the incident. The manager will then review the documentation provided by Library staff and has the discretion to confirm and adjust the restrictions applied by staff.

Should an individual refuse to cease unacceptable behavior or abide by any restrictions applied, police services may be requested to assist where appropriate.

After the unacceptable behaviour has ceased, Library staff shall review the incident with appropriate managers and/or CEO to determine whether a warning should be issued or further restrictions should be applied (and if so, the appropriate type and duration of restrictions), issue a Letter of Warning or Notice of Restrictions to the individual if necessary, and advise other Library staff as necessary.

Where a warning or restrictions are issued to a minor, Library staff may direct any Letter of Warning or Notice of Restrictions to the minor's parent or guardian (where known), and provision of such shall be deemed to satisfy the notice provisions of this policy.

4.2. Trespass

Where an individual is prohibited from entering one or more specific Library properties for a period, the Library may issue a Notice of Trespass to Property to the individual. Police services may be requested to assist where a Notice of Trespass to Property is contravened by an individual.

4.3. Notice

Where an individual receives a Level 2, 3, 4, or 5 response, the issuer shall attempt to provide the individual with written notice delivered by e-mail or letter mail, describing:

- The observed unacceptable behaviour.
- The date of issuance, restrictions applied, and duration of restrictions.
- The Library staff or representative that the individual may contact during the restriction period (if any), as well as the form of communication to be used.
- Instructions for submitting a letter to request a review of restrictions.

The issuer shall also attempt to provide the individual with a notice stating when restrictions are set to expire at least three (3) days prior to the lifting of restrictions.

Where the issuer is unable to deliver the required notice for whatever reason, the attempt to deliver the notice shall satisfy the notice requirements established herein.

Notice of this policy may be posted at any Library property, and this policy shall remain in effect for all Library properties regardless of whether notice of this policy is posted.

5. Review of Restrictions

5.1. Public Conduct Review Panel

The Library shall establish a Public Conduct Review Panel to review the application of restrictions that prohibit attendance at Library properties or at public meetings for a duration of time pursuant to the policy.

The Panel shall include the following individuals or their designate(s):

- CEO
- Manager of Public Services and/or Manager of Support Services
- Board Chair and/or Vice Chair
- The applicable Library Board municipal council representative.
- A member of the Library Leadership Team who was not involved in the incident or series of events or, in instances where a member of the Leadership Team is an inappropriate selection, an additional Board Trustee will be appointed by the Library Board.

Where it is determined that restrictions should be applied to limit a member of the public's access to Library properties or public meetings, the issuer shall notify the Public Conduct Review Panel prior to issuing a Notice of Restrictions. The Panel shall meet with the issuer to review the matter, and the panel may uphold the issuer's decision or alter the restrictions to be applied, including the application of any additional conditions deemed appropriate by the Panel. The decision of the Panel is final.

When conducting a review, the Panel shall consider whether the inappropriate behaviour:

- Disrupted the conduct of Library operations.
- Caused or threatened violence, or otherwise created an unsafe environment.
- Harmed the right or ability of other members of the public to participate fully.

- If the inappropriate behaviour is likely to continue or be repeated.

5.2. Request for Review

Individuals that have received a Level 1 or 2 response may request a review of their restrictions at any time during the restriction period. The request must be made in writing and submitted via e-mail or letter mail to the Library's administration department, including at minimum:

- Identification of the incident in question.
- An explanation of why the individual is requesting the review.
- What resolution is sought from the Library.

Where a request for review has been granted, individuals may submit written representations to the Public Conduct Review Panel. Individuals requiring accommodations may request a virtual or an in-person meeting with the Panel to review the restrictions applied. Requests for meetings shall be considered on a case-by-case basis by the Panel and may be accepted or denied at their discretion.

Following a review of the restrictions applied, the Panel may uphold, amend, or rescind the restrictions applied, and shall notify the individual of the Library's decision.

Individuals who believe that the provisions of this policy have been applied unfairly or are unsatisfied with the outcome of the review process may file a complaint with the Cobourg Public Library Board. Library staff shall supply contact information for the Library Board upon request.

Decisions of the Cobourg Public Library Board are final.

5.3. Review Prior to Lifting Restrictions

Before the expiration of any applied restrictions, Library staff may require that an individual participate in a mandatory meeting to review the unacceptable behaviour that occurred and discuss expected behaviour upon the expiration of the restrictions.

Following a review meeting or if the individual refuses to attend a review meeting, should Library staff not be satisfied that the unacceptable behaviour will not reoccur, the Library may extend the duration of any applied restrictions.

6. Privacy

Personal information collected and used under this policy may include an individual's general description and/or photographic image or likeness and shall not be used or disclosed for an inconsistent purpose.

To enforce any restrictions applied to an individual under this policy, Library staff may disclose to other Library staff or representatives of the Library the individual's personal information, a summary of the unacceptable behaviour, and any restrictions applied to the individual.

All Library staff shall have regard for the individual's privacy and shall not use or disclose the personal information in any way that may reveal to the public the individual's personal information, the

unacceptable behaviour that occurred, or the nature of any restrictions applied to them.

7. Training

All staff shall receive training on this policy as part of new employee orientation and shall be provided with a copy of this policy.

Scope

Application

This policy applies to the conduct of individuals with respect to all interactions with employees of the Library, Board Trustees, other Library representatives, and patrons and users of Library facilities, services, and property. Interactions can be in-person, written, over the phone, or electronic (e-mail) communications.

Exceptions

This policy does not apply to:

- Electronic Communications on official Cobourg Public Library social media platforms.

Nothing within this policy restricts or otherwise limits the Library's authority to engage in litigation or seek legal redress for actions by individuals that may also be governed by this policy.

Nothing within this policy restricts or otherwise limits the ability or obligation of the Library to comply with any requirements established by provincial or federal legislation.

Nothing within this policy restricts or otherwise limits Library staffs' right to refuse unsafe work under the Occupational Health and Safety Act or restricts or otherwise limits the rights and obligations of staff under the Library's Workplace Violence and Harassment Prevention Commitment.

Notwithstanding the provisions of this policy, individuals that have been restricted from attending Library properties are permitted to attend public meetings, subject to the rules of participation for such public meetings and any conditions or restrictions assigned to the individual when attending Library property.

8. Administration

The CEO shall implement and administer the terms of this policy and shall establish related operating procedures as required.

Appendix 1: Behaviours and consequences

The following behaviours have defined consequences, as determined by the CEO:

Serious violations include, but are not limited to:

- Possession of weapon, or a reasonable facsimile, while on Library property (*length of banning: permanent*)
- Theft, Assault, Arson (*length of banning: 12 months*)
- Vandalism, Harassment, Selling, use, or being under the influence of alcohol or illegal substances (*length of banning: 6 months*)

Less serious violations include, but are not limited to:

- Disruptive behaviour, including noise, purposefully leaving personal belongings at the Library (*length of banning: 2 weeks*)
- Unapproved petitioning, conducting unapproved business private business interactions, unapproved solicitation, unapproved photography or videography (*length of banning: 4 weeks*)
- Mis-use or defacing of Library materials, smoking or vaping, unapproved erection of a structure on Library property (*length of banning: 3 months*)
- Littering, whether inside or outside the building, removal of clothing or shoes, unapproved non-service animals, use of wheeled devices within the building, excepting mobility aids (*length of banning: 1 week*)

**Please note: Length of banning may be altered at the discretion of the CEO.*