REPORT TO: STRATFORD PUBLIC LIBRARY
MEETING DATE: OCTOBER 16, 2023
FROM: KRISTA ROBINSON, CEO
SUBJECT: POLICY REVIEW OCTOBER 2023

It is part of the responsibility of the Library Board to periodically review the policies that governs it, the CEO, and the Library. The enclosed policies were last reviewed in 2018. All policies have been reformatted as necessary and the following changes have been made by the Policy Review Committee:

LB 06 – BOARD MEMBER'S CODE OF CONDUCT

A number of updates and additions have been recommended to reflect best practices.

- Added a number of new sections: Governing Style and Accountability, and Conduct at Meetings, Confidential Information, Gifts, Personal Issues, and Remuneration.
- Individual Authority and Formal Communication sections were renamed to Authority and Communication
- The section on Responsibility was renamed to be Loyalty and the content was condensed.

LB 07 – COMMITTEES OF THE BOARD

For this policy, minimal changes were made. Combined two sections on Accountability.

- Minor wordsmithing.
- Added that committees report to the board and have no authority other than to make recommendations and prepare alternatives for Board consideration.
- Added that the Board Chair is automatically a member and noted the CEO as the secretary.

OP 07 – COMPUTER AND INTERNET ACCESS

- This document was never formally turned into policy from our records when it was approved for use. It has been updated into policy format.
- One change of note is that we have removed the specific age limit regarding use on the public computers and the Internet. We still have included that it is the parents or guardians who are responsible for their child's use of library computers and Internet.
- The updated policy notes that SPL supports the Ontario Library Association's Statement on Intellectual Freedom and the Intellectual Rights of the Individual. This document was adopted by OLA in 2020 and most Public Library Boards support this statement.

BOARD ACTION

Submitted to the Board for review and approve the policies referenced above, and to adopt the OLA Statement on Intellectual Freedom and the Intellectual Rights of the Individual.

	POLICY: **Board Members' Code of Conduct**		POLICY NO: **LB 06**
Stratford PUBLIC LIBRARY	POLICY LEVEL: **Library Board**	LAST REVIEW / REVISION DATE: NOVEMBER 6, 2018	SCHEDULED REVIEW DATE: MAY 2027

Board Members' Code of Conduct

The Stratford Public Library Board members, including Board Committee members, commit to conducting business in a lawful, ethical, and businesslike manner. This commitment includes proper use of authority, appropriate decorum in group and individual behaviour and respect for others and their contributions to the library when acting as board members.

Governing Style and Accountability

The Stratford Public Library Board will govern with a style that ensures:

- its civic trusteeship obligation for the Stratford Public Library;
- encouragement of, and respect for, diversity of opinions;
- strategic leadership;
- a clear distinction between Board and CEO roles;
- and, collective, rather than individual decisions.

Furthermore, the Library Board will:

- speak with one voice once a decision has been reached and a resolution passed;
- prepare for meetings to make informed decisions and actively participate in carrying out the work of the Board, including committee involvement;
- support intellectual freedom in the selection of library resources.

Loyalty

Board members must be loyal to the interests of the Library. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staff. This accountability supersedes the personal interest of any board member acting as an individual user of the library's services.

Communication

The Board will communicate policy and strategy speaking with one voice, to ensure adherence to a consistent message. In situations requiring formal communication from the Board, the Chair or designate will be the spokesperson. This includes, but is not limited to, public presentations, presentations to private groups, making statements to the media and/or making statements on social media.

Authority

Board members will not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies:

- Board members' interaction with the CEO or with staff must recognize the lack of authority in any individual Board member or group of Board members except as noted above.
- Board members' interaction with the public, press or other entities must recognize the same limitation and the similar inability of any Board member or Board members to speak on behalf of the Board.

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- Board members will express no judgments of the CEO or staff performance except as that performance is assessed through the official process.

Conflict of Interest

Board members must avoid any conflict of interest or appearance of conflict of interest with respect to their fiduciary responsibility in compliance with the Municipal Conflict of Interest Act.

- There must be no personal business conducted by a member with the library. Members will disclose to the Board their involvement with other organizations, with vendors or any associations that might be or might reasonably be seen as being a conflict of interest.
- When the Board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member will withdraw without comment not only from the vote, but also from the deliberation/discussion.
- Board members must not use their positions to obtain employment in the organization for themselves, family members or close associates. Should a Board member be considered for employment with the library, they must temporarily withdraw from Board deliberation, voting and access to applicable Board information.

Conduct at Meetings

During Board meetings, committee meetings, or other special purpose meetings, members will conduct themselves with decorum and in accordance with the Library Board's Governance By-laws. Respect for delegations, staff, and Board members, requires that all Board members show courtesy and not distract from the business of the Board during presentations and during meetings.

Confidential Information

Board members will respect the privacy of others and will not disclose or release by any means, to any person or platform, either in oral or written form, any confidential information acquired by virtue of their office except when required by law to do so. Board members have a duty to hold in strict confidence all information concerning matters dealt with in meetings closed to the public in accordance with the Public Libraries Act, or any other legislation. All information, documentation or deliberation received, reviewed, or taken in closed session of the Board or its committees is confidential unless the matter ceases to be confidential as determined by the Board. Members will maintain this obligation even after leaving the Board.

Gifts

In their capacity as Board members, Board members will not accept gifts, favours or services from any individual, organization or corporation other than the usual exchange of hospitality between persons doing business together or token exchanges as part of protocol.

Personal Issues

Board members making public statements on personal issues that impact them as residents of Stratford must not identify themselves as members of the Library Board.

Remuneration

Board members serve without remuneration yet can be reimbursed for reasonable expenses incurred while acting in an official capacity.

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References:

- Public Libraries Act, RSO 1990
- Municipal Conflict of Interest Act, RSO 1990
- LB 02 Governance By-laws
- LB 03 Board Job Description

ORIGINAL DATE ADOPTED	November 6, 2018
APPROVAL HISTORY	June 6, 2018

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Board Members' Code of Conduct

Legal References: Public Libraries Act, R.S.O. 1990

Policy References: LB 02 Governance By-laws
LB 03 Board Job Description

The Board expects ethical and businesslike conduct of itself and its members. This commitment includes proper use of authority and appropriate decorum in group and individual behaviour when acting as board members.

1. Responsibility

1.1. Board members shall be loyal to the interests of the Stratford Public Library. In the broader community, Board members shall represent fairly the positions of the Board, and the interests of the Stratford Public Library. Board members must represent unconflicted loyalty to the interests of its ownership. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs. This accountability supersedes the personal interest of any board member acting as an individual consumer of the organization's services.

2. Conflict of Interest

2.1. Board members must comply with the Municipal Conflict of Interest Act and its regulations and avoid any conflict of interest or appearance of conflict of interest with respect to their fiduciary responsibility.

2.2. There must be no self-dealing or any conduct of private business or personal services between any Board member and the organization except as procedurally controlled to assure openness, competitive opportunity and equal access to "inside" information.

2.3. Board members must not use their positions to obtain employment in the organization for themselves, family members or close associates.

2.4. Should a Board member be considered for employment with the library, s/he must temporarily withdraw from Board deliberation, voting and access to applicable Board information.

3. Individual Authority

3.1. Board members may not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies.

3.2. Board members' interaction with the chief executive officer or with staff must recognize the lack of authority in any individual Board member or group of Board members except as noted above.

3.3. Board members' interaction with the public, press or other entities must recognize the same limitation and the similar inability of any Board member or Board members to speak for the Board.

3.4. Board members will express no judgments of the chief executive or staff performance except as that performance is assessed through the official process.

4. Formal Communication

4.1. The Board will communicate policy and strategy speaking with one voice, to ensure adherence to a consistent message. In situations requiring formal communication from the Board, the Chair or designate shall be the spokesperson.

	POLICY: **Committees of the Board**		POLICY NO: **LB 07**
Stratford PUBLIC LIBRARY	POLICY LEVEL: **Library Board**	LAST REVIEW / REVISION DATE: NOVEMBER 6, 2018	SCHEDULED REVIEW DATE: OCTOBER 2027

Committees of the Board

Ad Hoc committees will be created by Board motion as necessary to assist with the business of the Board. When used, they will be assigned so as to complement the Board's responsibilities and not interfere with delegation from Board to CEO.

Purpose

Board committees are created to help the Board do its job. Committees will assist the Board by preparing recommendations, policy alternatives and implications for Board deliberation. Board committees are not to be created by the Board to advise staff.

Committees report directly to the Board and have no authority other than to draft recommendations or prepare alternatives for the Board's consideration.

Structure

Committees will be created by Board motion, to include terms of reference, committee composition, reporting format and budget.

- The Board Chair will be an ex-officio member of all ad hoc committees.
- The CEO will be the Secretary of all ad hoc committees and will appoint a recording secretary as needed.

Authority

Board committees will not speak or act for the Board except when formally given authority for specific and time-limited purposes. Expectations and authority will be carefully stated in the terms of reference in order not to conflict with authority delegated to the CEO and/or the Board officers.

References:

- Public Libraries Act, RSO 1990
- LB 02 Governance By-laws

ORIGINAL DATE ADOPTED	March 20, 2007
APPROVAL HISTORY	December 9, 2014; November 6, 2018

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Committees of the Board

Legal References: Public Libraries Act, R.S.O. 1990

Policy References: LB 02 Governance By-laws

Ad Hoc committees will be created by Board motion as necessary to assist with the business of the Board. When used, they will be assigned so as to complement the Board's responsibilities and not interfere with delegation from Board to CEO.

1.0 Purpose of Committees

1.1 Board committees are to help the Board do its job. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberation. Board committees are not to be created by the Board to advise staff.

2.0 Structure of Committees

2.1 Committees shall be created by Board motion, to include terms of reference, committee composition, and reporting format.

3.0 Authority of Committees

3.1. Board committees may not speak or act for the Board except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in the terms of reference in order not to conflict with authority delegated to the CEO and/or the Board officers.

	POLICY: **Computer and Internet Access Policy**		POLICY NO: **OP 07**
	POLICY LEVEL: **Operational**	LAST REVIEW / REVISION DATE:	SCHEDULED REVIEW DATE:

Computer and Internet Access Policy

The Stratford Public Library provides public access to the Internet to foster an individual's education, cultural, recreational, literacy and information needs. The Library supports the Ontario Library Association's Statement on the Intellectual Rights of the Individual and maintains a commitment to providing free and safe access to the Internet. Stratford Public Library takes reasonable measures to ensure the privacy and confidentiality of Internet Users.

The Library's computers are located in public areas shared by Library users of all ages, backgrounds and sensibilities. The Library offers unfiltered access to the Internet.

Individuals are expected to respect other library users when using library computers or tablets, or their own devices in the Library, including appropriate volume, content of material and appropriate viewing and listening behavior.

Parents or guardians are responsible for guiding their child's use of a library computer and/or the Internet.

Customers use their own library card to access the adult computers. Visitors can obtain daily passes to access computers.

Prohibited Uses

The Library prohibits use of its computers and network for illegal purposes. Access to the Internet must not be used to post or transmit unlawful, threatening, abusive, libelous, defamatory, obscene, pornographic or similar material. The Stratford Public Library also prohibits damaging or modifying the Library's computer equipment, software, or network, and accessing confidential information.

Customers must agree to the library's conditions of use to access the Library's Internet service through public computers and/or its wireless network.

Customers assume total responsibility and risk for access to and use of the Library's equipment, network, and Internet service. The Library assumes no liability for claims of loss from use of Library computers or devices, the Library's Internet service, and/or the Library's network.

The Library reserves the right to:

- limit computer and Internet use in terms of the amount of time used and/or network load.
- terminate an Internet session at any time

Failure to comply with SPL's Public Internet Access Policy and the prohibited activities listed above will result in loss of computer and Internet access and possible banning from the Library. Unlawful activities may result in prosecution.

References:

- Public Libraries Act, RSO 1990
- Customer Code of Conduct, OP 04
- Ontario Library Association's Statement on the Intellectual Rights of the Individual

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ORIGINAL DATE ADOPTED	
APPROVAL HISTORY	

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Ontario Library Association

Statement on Intellectual Freedom and the Intellectual Rights of the Individual

Introduction

The Ontario Library Association and its divisions are committed to the fundamental rights of intellectual freedom, the freedom to read and freedom of the press, as embodied in the Canadian Charter of Rights and Freedoms.

Ontario Libraries have the important responsibility to facilitate expressions of knowledge, creativity, ideas, and opinion, even when viewed as unconventional or unpopular.

The Ontario Library Association declares its acceptance of the following principles for libraries:

1. Equitable access to library service to the public is based upon the right of the citizen, under the protection of the law, to judge individually on questions of politics, religion and morality.

2. Intellectual freedom requires freedom to critically examine and create other ideas, opinions, views, and philosophy of life, other than those currently approved by the local community or by society in general and including those ideas and interpretations which may be unconventional, uncommon or unpopular.

3. The free traffic in ideas and opinions is essential to the health and growth of a free society and that the freedom to read, listen, view, and create is fundamental to such free traffic.

4. Library governance ensures that the principles of intellectual freedom and expression of thought are upheld.

Library Service, Collections and Resources:

5. It is the responsibility of libraries to maintain the right of intellectual freedom and to implement it consistently in the selection of books, periodicals, films, recordings, and other materials including the provision of access to electronic sources of information and access to the internet. Materials are not excluded from library collections based on race, place of birth, origin, ethnic origin, ethnicity, citizenship, age, creed, disability, family structure, sex, and sexual orientation.

6. It is part of the library's service to its public to resist any attempt by any individual or group within the community it serves to abrogate, censor or curtail access to information, the freedom to read, view, listen or participate by demanding the removal of, or restrictions to library information sources in any format.

Library Programming, Events, and Space Bookings

7. It is the responsibility of libraries to maintain the right of intellectual freedom and expression by implementing it consistently when hosting programs and events within the public space of the library including rented public space by individuals and community organizations.

8. Libraries create welcoming community spaces where community members are free from discrimination and may engage in peaceful assembly. Libraries may cancel or deny permits to individuals or organizations when speech or displays are used in a way that is unlawful.

Applicable legislation:

Canadian Charter of Rights and Freedoms: Section 2(b) of the *Charter of Rights and Freedoms* protects "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication".

Criminal Code: Section 63 pertains to Unlawful Assemblies and Riots. Section 297 pertains to defamatory libel. Section 318 pertains to hate propaganda.

Ontario Human Rights Code: Sub-section 13 pertains to infringing on freedom from discrimination.

Revision approved at the OLA AGM, January 30, 2020

Internet Access & Acceptable Use Agreement

The Stratford Public Library provides Internet access to fulfill its mission of being "An equitable, safe and welcoming environment where anyone can explore, learn, create and connect." The Library also provides wireless access to the Internet through Library owned hardware and through customers' own wireless devices.

The Stratford Public Library does not use filters to restrict access to the Internet. The Library's computers are located in public areas. These computers and the wireless network are shared by Library users of all ages and backgrounds. Individuals are expected to respect other Library users when accessing the Internet within the Library.

Parents or guardians are responsible for guiding their child's use of a Library computer and / or the Internet. Children under the age of 13 must be accompanied by a supervisory adult in the Library while accessing the Internet.

Customers use their own library card to access the adult computers. Visitors can obtain daily internet passes to access computers.

Prohibited Uses

Library computers or wireless network may not be used to:

- Access sites or transmit materials which violate any Canadian Federal or Provincial law or City bylaw such as defamatory, discriminatory, or obscene materials
- Send fraudulent, harassing, or obscene communications
- Display overtly sexual or violent images
- Violate copyright law and licensing of programs and data

The Stratford Public Library also prohibits:

- Damaging or modifying the Library's computer equipment, software, or network

Failure to comply with SPL's Public Internet Access Policy and the prohibited activities listed above will result in loss of computer and Internet access and possible banning from all Library facilities. Unlawful activities may result in prosecution.

We Can Help

Stratford Public Library staff are available to assist customers with their questions. Staff at all service points can provide informal or formal guidance in learning how to use the Internet, email and how to access digital resources.

User's Responsibilities

Be cautious: The Internet provides access to many resources for different age levels and reflects various points of view. Customers should be aware that information might not be accurate, complete, age-appropriate, or current. Stratford Public Library's staff can assist in finding quality sites and evaluating the quality of an Internet site.

Be careful: The Internet is not a secure medium and third parties may be able to obtain information about users' activities. Please use caution before providing any personal information over the Internet. The Stratford Public Library assumes no responsibility for Internet content, losses or damages, directly or indirectly, arising from the use of its website or from its connections to other Internet services.

Be aware: The library's wireless internet service is not encrypted. Users should be aware that any information sent or received could potentially be intercepted by another wireless user. Users should avoid entering sensitive information such as credit card numbers, passwords or any other personally identifying information on any wireless network.