

REPORT SUMMARY

This report provides a summary of the updated Workplan as agreed by the Clarence Regional Library (CRL) Committee at the December 2011.

OFFICER'S RECOMMENDATION

That the Clarence Regional Library Committee adopts:

1. The amended CRL Workplan 2009-2012 December 2011 as agreed at the December 2011 meeting
2. The proposed actions to transition from the current Committee to the new Committee following Local Government elections in September 2012 in relation to the Strategic Plan, Action Plan and Workplan.

BACKGROUND

An annual review of progress against the Workplan is scheduled for the November meeting each year. At the last meeting the Workplan progress and contents were reviewed. At that meeting a number of amendments were recommended to the CRL Committee by the Executive Officer. In addition the Committee recommended that an updated Balance Sheet be provided each meeting so that the full financial situation of the CRL could be reviewed. That item has been added.

The minutes also record that a further Action Plan be provided for guidance. This referred to the process of transition from the current CRL Committee to the new Committee to be established as a consequence of the Local Government elections to be held in September 2012.

The current CRL Committee collaboratively undertook the User and Non-User Survey 2008 and the subsequent development of the Strategic Plan and Workplan with staff in order to provide strategic direction for the development and management of the CRL through to 2018. The termination of each Committee triggers the need for review of the Strategic Plan and its Action Plan with feedback from both internal and external stakeholders. The latter is achieved through the User and Non-User Survey which is the subject of Item 6.1 on this agenda. The new Action Plan will then guide the preparation of the Workplan for the Committee. The Workplan identified topics for discussion, reporting and investigation for each meeting during the life of the Committee.

ISSUES

The current Strategic Plan, Action Plan and Workplan was developed by the current Committee and staff. It is proposed that the current Committee, through the process of review and undertaking the next User and Non-User Survey, provide a draft updated Strategic Plan, Action Plan and Workplan for consideration by the new Committee. This will provide guidance gained by the experience from the existing Committee members and staff to the new Committee members, whilst still enabling their ability to amend the plan as they deem appropriate.

The following table captures the proposed actions and timeframe to facilitate that process:

ACTION	TIMING	NOTES
Review of User and Non-User Survey	February 2012	CRL Committee to review. Staff feedback sought by RL and Bellingin Librarian. Executive Officer to capture comments and determine inclusion with the survey consultant.
Engage firm to undertake survey	February / March 2012	Brief prepared by the RL. Suitable consultants invited to submit a quotation to implement the survey, gather and collate the data, analyse the data and report the outcomes. RL to appoint the consultant.
Survey implemented, results analysed and reported	End March 2012 / mid April 2012	Survey to be undertaken over a 2 week period. Timing dependant on availability of consultant and Easter.
Review the results	May 2012	Preliminary results available for May Committee meeting and made available to staff.
Staff to identify implications for the review of the Strategic Plan	June 2012	EO to convene a special Committee workshop be held to review the results as the same time as developing the amendments to the Strategic Plan.
Staff to identify implications for the review of the Strategic Plan	June 2012	RL to schedule a staff workshop to review the results as the same time as developing the amendments to the Strategic Plan.
Draft amendments to the Strategic plan, Action Plan and preparation of a new Draft Action Plan	August 2012	Adoption of draft updated Strategic Plan, Action Plan and Workplan by CRL Committee.
Adoption of amended Strategic Plan, Action Plan and Workplan by new CRL Committee.	November 2012	First meeting of the new CRL Committee to consider the draft amended documents of the current Committee for adoption to guide their work over the life of the new Committee.

The above timeframe will be dependent on the extent of amendments required to the existing survey and the availability of a suitably qualified consultant.

OPTIONS

That the Committee:

1. Adopt the amended CRL Workplan 2009-2012 December 2011 as agreed at the December 2011 meeting.
2. Provide further amendments to the amended CRL Workplan 2009-2012 December 2011 as agreed at the December 2011 meeting.
3. Adopt the proposed actions to transition from the current Committee to the new Committee following Local Government elections in September 2012 in relation to the Strategic Plan, Action Plan and Workplan.
4. Amend the proposed actions to transition from the current Committee to the new Committee following Local Government elections in September 2012 in relation to the Strategic Plan, Action Plan and Workplan.

Options 1 and 3 are the preferred options.

Anne D'Arcy
Executive Officer
Clarence Regional Library

REPORT SUMMARY

This report provides an estimate of the contribution by each member Council to the Clarence Regional Library budget for the 2012/13 financial year for consideration by member Councils in their future budget deliberations.

OFFICER'S RECOMMENDATION

That each member Council be advised of the estimated range in contributions equating an 8.8% increase in the per capita contribution to the Clarence Regional Library for inclusion in the preparation of their 2012/13 budgets with a final figure to be provided as soon as population data is made available from Libraries NSW.

BACKGROUND

In accordance with the Strategic Plan and Action Plan and given that Councils are / are about to prepare their 2012/13 budgets it is timely that members of the Clarence Regional Library (CRL) are advised of their approximate contribution.

The new Library Service Agreement sets the budget as follows.

10.3 An agreed formula shall be used to determine the budget Contribution for each Member Council which shall be based on a per capita rate contribution.

Contribution = Population x Per Capita Rate

10.3.1 Prior to Councils' budget preparations an estimated range for the Contribution will be provided to each Member Council. That estimate range will be based on the previous year's population, adjusted:

- 1) For the previous year's population growth; and*
- 2) The Average of the growth rate for the previous 5 years.*

Estimated Contribution Range =

Between: (Previous Year's population + Previous Year's Population Growth Rate) x Per Capita Rate

and: (Previous Year's population + Average of the 5 Previous Year's Population Growth Rate) x Per Capita Rate

10.3.2 A specified amount of Contribution from each Member will be provided when the actual population figures are released by the Australian Bureau of Statistics (ABS), generally in March of each year.

10.5 The annual level of increase in the Per Capita Rate for member Contributions is set at:

Rate peg + 6% with a minimum of 8%

ISSUES

The current rate peg is 2.8%. If this remains the same, the per capita rate of contribution for each member will be 8.8% for the 2012/13 financial year.

The 2011/12 per capita rate is \$10.04 per resident which represents an increase of \$0.81 per resident from 2010/11. The 2012/13 per capita rate is \$10.92 which represents an increase of \$0.88 per resident from 2011/12.

The potential contribution range is based on the two population growth levels:

- The previous year's growth only
- The average of the five previous year's growth

As indicated in the table below this would result in a contribution for:

- Clarence of between \$574,861 and \$581,195
- Bellingen of between \$147,900 and \$148,195

		2011/12 (ABS '10)	Growth Rate 2009/10	Est 2012/13 based on 2009/10 Growth Rate	Estimated Contribution @ \$10.92 per capita	Growth Rate 2005/10	Est 2012/13 based on 2005/10 Growth Rate	Estimated Contribution @ \$10.92 per capita
POPULATION	CVC	52592	1.1	52643	\$574,861	1.2	53223	\$581,195
	BSC	13450	0.7	13545	\$147,911	0.9	13571	\$148,195
	TOTAL	66042		66188	\$722,772		66794	\$729,390

The exact costs are estimates only at this stage and will be amended if necessary based on the final population figures to be issued by Libraries NSW in the first half of the year.

A reduction in the contribution made by Bellingen Shire Council needs to be included to reflect the change in the role of the Regional Librarian which will see a small portion of time being dedicated to CVC branch library operations. This is detailed in Item 6.2. This amounts to a reduction of approximately \$3,717.67 for the 2012/13 financial year.

Anne D'Arcy
Executive Officer
 Clarence Regional Library

Prepared by: Kathryn Breward
 Section: Regional Librarian

Item: 4.3 No. 1/12 – OPTIONS FOR POTENTIAL EXPENDITURE OF RESERVE FUNDSREPORT SUMMARY

This report provides information for consideration in expending the accumulated reserve as requested by the Clarence Regional Library (CRL) Committee at its December 2011 meeting.

OFFICER'S RECOMMENDATION

That the committee establishes principles and priorities to guide the expenditure of these funds into the future.

BACKGROUND

At its scheduled November 2011 CCRL Committee meeting a report identified the level of financial reserves accumulated since 2006/2007. These funds accumulated as a result of staff vacancies, supply of books not meeting demand for purchase and interest accrued from those unexpended amounts. The total amount identified as at 1 July 2011 was \$642,304.24 less \$120,860.59 already committed for stock purchases.

Any funds unexpended at the end of a financial year are automatically transferred into a Reserve Account regardless of whether they have been committed or not.

The stated withdrawal of Nambucca Shire Council (NSC) from the CRL will require the remaining Reserve funds less the committed expenditure to be returned to NSC less any further liabilities. This will occur following the end of the current financial year.

ISSUES

The Reserve fund less commitments at 1 July 2011 was \$521,443.65. Nambucca is entitled to a proportion of that relative to its proportional contribution to the CRL less liabilities. As discussed in Confidential Item 9.2 those liabilities will include financial payments associated with impacts on staff from a reduced workload. The amount of that impact is yet to be determined and is based on consideration of a number of factors. However, it highlights the need to ensure that funds are available to address similar situations in the future.

Items that the Committee has already decided to expend Reserve funds include: a contribution to the implementation of RFID should our funding submission be successful; the costs of agreed activities during the National Year of Reading; and the User and Non-User survey. These items total approximately \$102,000.

The Committee has also considered the recurrent costs associated with the implementation of RFID which amount to approximately \$25,000 per annum for two member Councils of the CRL. Three sources exist for funding these recurrent costs:

- (i) Each member making an additional commitment each year;
- (ii) A portion of the Book Vote being allocated for these costs each year; or
- (iii) The Reserve funds and interest earned being used to cover this cost.

The first option is not feasible under the current financial situation. The second option would impact on the progressive improvement of the collection which is a priority for members and has driven additional contributions by members over the past four years. The third option is

the most acceptable however, current and future interest rates are not expected to yield sufficient funds to cover annual fees and a portion of the capital will be required each year. Under that scenario, the amount of the reserve required each year will increase as the amount of interest declines based on the size of the Reserve fund.

Alternative uses for the Reserve funds include:

- An annual budget for promotional activities
- An annual budget for new technologies
- Start up funds for a book club

Each of these may be relatively small, but will impact on the interest earnings of the total amount of the Reserve. The Reserve is likely to grow marginally this year as vacant positions are progressively filled. It is unlikely that additional amounts will accumulate in future years particularly given the increase in operating costs apparent in the last 18 months.

OPTIONS

That the Committee:

1. Establishes principles and priorities to guide the expenditure of these funds into the future.
2. Determines priorities to guide the expenditure of these funds

Option 1 is the preferred option.

Anne D'Arcy
Executive Officer
Clarence Regional Library

Prepared by: Anne D'Arcy
Section: Executive Officer

REPORT SUMMARY

Committee members required an amendment to the Policy to make its intention clearer to the reader.

OFFICER'S RECOMMENDATION

That the committee endorse:

1. The 2008 User and Non-User Survey to be used again to gain feedback from the Clarence Valley and Bellingen Shires Councils about library services
2. The survey methodology being random and conducted via telephone.

BACKGROUND

The Clarence Regional Library (CRL) User and Non-User Survey 2008 was commissioned to help improve the quality and popularity of library services in the Clarence Valley, Bellingen and Nambucca Shires.

Specific objectives:

1. Determine reasons for non-use of library services and factors that would encourage use;
2. Determine levels of satisfaction for current library users;
3. Identify improvements in current library services that would enhance user satisfaction;
4. Determine potential services to incorporate within libraries that would raise the profile of library services, enhance levels of satisfaction and encourage increased penetration of library services across the communities served by CRL; and
5. Explore opportunities for integration of Council services that may result in greater access to and use of library services.

A random telephone survey of 400 residents aged 15-plus living within the three shires was conducted in late May/early June 2008. To reflect the population distribution across the three local government areas, 200 interviews were conducted in the Clarence Valley and 100 each in the Bellingen and Nambucca shires. Results across the total sample are accurate for the overall target population to within a +/- 4.9 per cent margin for error at the 95 per cent level of confidence.

A team of researchers telephoned residents on weekday evenings from 3.30 to 8pm. Where phones went unanswered or diverted to answering machines, researchers phoned on up to three occasions at different times of the afternoon or evening. The poll was conducted on a random basis. Survey time varied from 3 to 23 minutes, with an average of around 5 minutes for library non-users and 9 minutes for library users. The response rate was good, with approximately 55 per cent of those households reached agreeing to participate.

The survey had been used to inform the development of the library's Strategic Plan and Action Plan as well as being recognised in other Council strategic planning documents.

The library Service Agreement includes conducting this survey every four years as a means of reviewing the library's Strategic and Action Plans in accordance with Integrated Planning and reporting timeframes and the establishment of new committees following Council elections.

ISSUES

Purpose and process

The first User and Non-User was undertaken in April 2008. Council elections are due in September 2012 at which time a new CLR Committee will be established. The results of this survey will provide valuable external feedback for the existing committee in its review of the current Library Strategic and Actions Plans. Internal assessments of achievements are annually monitored and have identified considerable progress.

It is proposed that the current committee will utilise the results of the 2012 survey in collaboratively:

- reviewing the current Strategic and Action Plans with staff;
- identification of progress over the previous four years;
- proposing priorities for the coming four-year term which will ensure continuous development and improvement of library services for the populations served by the CRL.

This will result in the new committee members having a plan to work with during their terms and allow for them to similarly use their experience gathered over time to provide guidance for future committees.

Survey content

The 2008 survey is attached for consideration. It is proposed that the same questions be asked for the purpose of making direct comparisons over the time period. A small number of additional questions may be included, however the total length of time the survey is likely to take needs to be considered. Where possible, additional information sought should be embedded in existing questions. This may relate to new services that have been introduced or those which are under consideration for the future.

Survey methodology

It is proposed that the survey be delivered as a random telephone survey again.

Random surveys means that the results of the survey provide a reasonably accurate picture of the entire population rather than just the sample group. To ensure the same level of reliability in the results (95% accurate) a sample size of approximately 400 is again required. The respondents can be drawn proportionally from both LGAs and with larger numbers from each (as a result of not including NSC) the validity of responses when participants are broken down into smaller groups is greater and therefore more useful.

Telephone surveys enable immediate processing of results and therefore progressive reporting. They are generally well received if delivered professionally. The overall timeframe for delivery and reporting is contained.

OPTIONS

1. That the committee endorse the 2008 User and Non-User Survey to be used again to gain feedback from the Clarence Valley and Bellingen Shires Councils about library services.
2. That the committee endorse a modified 2008 User and Non-User Survey to be used again to gain feedback from the Clarence Valley and Bellingen Shires Councils about library services.
3. That the committee endorse the survey methodology being random and conducted via telephone.
4. That the committee endorse the survey methodology being random and conducted by mail.

Options 1 and 3 are the preferred options.

Anne D'Arcy
Executive Office
Clarence Regional Library

Prepared by: Anne D'Arcy
Section: Executive Officer

REPORT SUMMARY

This report provides a Draft new Clarence Regional Library (CRL) Service Agreement to address the withdrawal of Nambucca Shire Council from the CRL and associated matters for endorsement by the Committee.

OFFICER'S RECOMMENDATION

That the Draft new Clarence Regional Library (CRL) Service Agreement be endorsed by the CRL Committee for adoption by the Executive Council and subsequent signing by members.

BACKGROUND

The current Clarence Regional Library (CRL) Service Agreement was prepared with the expectation that both Bellingen Shire Council (BSC) and Nambucca Shire Council (NSC) would enter into a new agreement upon the expiration of the previous Agreement on the 1st November 2011.

At its meeting of October 2011 NSC took the decision not to enter into a new Agreement and formal written advice was received from the General Manager. This has necessitated amendments to the Agreement to reflect the withdrawal of NSC.

Operational changes to the CRL also need to be considered in the Agreement as they impact on financial contributions of members.

ISSUES

General reference to NSC has been removed as well as changes to sections which reflect more than two members.

As a consequence of the withdrawal of NSC other matters have been identified as not being addressed in the Agreement. These relate to the timing of NSC's withdrawal and liabilities which arise from that withdrawal.

The current Agreement allows for withdrawal of a member with 12 months written notice, however, it does not address a situation where a member does not sign a new agreement prior to its expiration date with the intent of withdrawing from the CRL which has been the case with NSC.

The Draft Agreement requires that: an agreed termination date is determined no less than six months from the expiration date; a Withdrawal Plan is developed to identify processes, tasks, timeframes and responsibilities; membership contribution will continue at the same level until the termination date; and clarifies a specific area of liability – impacts on staffing levels.

The Draft Agreement also makes provision for amendments to operational arrangements of the CRL where the Regional Librarian may also assume responsibility for overseeing the

Clarence Valley Council branch libraries. The main consequence of this is the reduced level of contribution of Bellingen Shire Council (BSC) towards the total costs of the CRL to reflect the proportion of time that will not be dedicated to the CRL by the Regional Librarian.

OPTIONS

The Committee

1. Endorse the Draft new Clarence Regional Library (CRL) Service Agreement for adoption by the Executive Council.
2. Amend the Draft new Clarence Regional Library (CRL) Service Agreement for adoption by the Executive Council.
3. Not endorse any changes to the current Clarence Regional Library (CRL) Service Agreement.

Option 1 is the preferred option.

Anne D'Arcy
Executive Office
Clarence Regional Library

Prepared by: Anne D'Arcy
Section: Executive Officer

Item: 7.1 No.1/12 – CHILDREN’S AND YOUNG ADULTS POLICY AMENDMENT

ATTACHMENT

Amended Children and Young Adults Policy

REPORT SUMMARY

This report provides an amended Children and Young Adults Policy to make its intention clearer to the reader.

OFFICER’S RECOMMENDATION

That the amended Policy for Children and Young Adults be endorsed by the CRL Committee for referral to Executive Council for adoption.

BACKGROUND

The Children and Young Adults Policy was due for review in February 2011. It was reviewed by the Committee and adopted by Executive Council in August 2011.

Subsequently Nambucca Shire Council’s Manager of Community and Cultural Services identified an error in the text. The Committee agreed and recommended it be amended.

ISSUES

The statement causing concern reads: “Resources classified **MA** or **R** may only be borrowed or viewed by persons under 15 with the permission of their parent/guardian.”

The amended policy reads: “Resources classified **MA** may only be borrowed or viewed by persons under 15 with the permission of their parent/guardian. Resources classified **R** may only be borrowed or viewed by persons over the age of 18 upon presentation of ID.”

OPTIONS

That the Committee:

1. Endorse the amended Children’s and Young Adult Policy for referral to Executive Council for adoption.
2. Not endorse any amendment to the currently approved Children’s and Young Adult Policy.

Option 1 is the preferred option.

Anne D’Arcy
Executive Office
Clarence Regional Library

Prepared by: Kathryn Breward
Section: Regional Librarian

**Item: 7.2 No.1/12 – VOLUNTEER POLICY AND FINES AND FEE WAIVING POLICY
UPDATE**

ATTACHMENT

REPORT SUMMARY

This report provides an update on the progress of the Volunteer Policy and the Fines and Fee Waiving Policy through the process of adoption by the Executive Council.

OFFICER'S RECOMMENDATION

That the progress for each policy be noted.

BACKGROUND

The Volunteer Policy is currently before the Executive Committee of Clarence Valley Council to be endorsed by full Council Meeting later in February.

The Fines and Fee Waiving Policy has been on 28 days public exhibition without receiving comment from the community and is now scheduled to go before the full Council meeting in February.

Anne D'Arcy
Executive Office
Clarence Regional Library

Prepared by: Kathryn Breward
Section: Regional Librarian

REPORT SUMMARY

This report provides feedback provided by library staff on the review of the DRAFT Local Studies/ Family History Strategy.

OFFICER'S RECOMMENDATION

That the Committee endorse the amended DRAFT Local Studies/ Family History Strategy and amended timeframe for consideration by the Executive Council for adoption.

BACKGROUND

At the request of the Committee references to Nambucca Shire Council have been removed. The Strategic Plan with its timeline for implementation was sent to all Libraries in the Regional Service for staff to comment and provide feedback.

ISSUES

Bellingen Shire Library reported con loads and the time required to engage with stakeholders and how to identify them and their resources.

Grafton Branch staff raised the following issues:

- Concern about the viability of establishing a Regional Local Studies Network and whether an MOU is needed.
- Suggestion of establishing “standing orders” with local groups to ensure publications are obtained.
- The use of volunteers for preservation activities requires training.
- CRL staff will need to visit local Historical groups to familiarize themselves with holdings.
- Local Tourist information centres may be able to advise on current fact sheets.

Amendments have been made in the timeline to address workload issues.

OPTIONS

That the Committee:

1. Endorse the amended DRAFT Local Studies/ Family History Strategy and amended timeframe for consideration by the Executive Council for adoption.
2. That the Committee defer the endorsement of the amended DRAFT Local Studies/ Family History Strategy and amended timeframe for consideration by the Executive Council for adoption.

Option 1 is the preferred option.

Anne D’Arcy

Executive Office
Clarence Regional Library

Prepared by: Kathryn Breward
Section: Regional Librarian
Clarence Regional Library

Item: 7.4 No.1/12– GRANTS SUBMITTEDREPORT SUMMARY

This report provides an update on the proposed Grants submitted for funding under the NSW State Library Development 2011/12 grants.

OFFICER'S RECOMMENDATION

That the Committee:

1. Note the deferment of the Aboriginal Resources Grant.
2. Endorse the expansion of hardware to be purchased if the grant application is successful.

BACKGROUND

The State Library Development Grants opened on the 4th November 2011 with a closure date of the 19th December 2011. The Committee previously endorsed submission of a grant for RFID implementation and another for Aboriginal Resources.

During January, Grafton and Bellingen staff visited Taree and Great Lakes libraries to view RFID in action.

ISSUES

After further consideration, a decision was taken by the Regional Librarian and Executive Officer to defer the Aboriginal Resources Grant application and concentrate on the RFID Grant submission. The focus of this round of grants was not on collections and therefore this application requires program development to be most successful. This is most effectively developed in partnership with local Aboriginal groups and therefore requires time to develop.

As a result, it was apparent that the number of Circulation Assists for each LGA needed to be increased so that Bellingen, Urunga, Maclean and Yamba have 2 Circulation Assists per branch instead of the original one. This means that both the existing works stations in those branches can be utilised during busy times.

The annual maintenance for a Circulation Assist is approximately \$189.00 per year, so an increase of 4 would add approximately \$756.00 to our annual maintenance budget of approximately \$25,000.00.

OPTIONS

That the Committee

3. Note the deferment of the Aboriginal Resources Grant.
4. Endorse the expansion of hardware to be purchased if the grant application is successful.
5. Not endorse the expansion of hardware to be purchased if the grant application is successful.

Options 1 and 2 are the preferred options.

Anne D'Arcy
Executive Office
Clarence Regional Library

Prepared by: Kathryn Breward
Section: Regional Librarian
Clarence Regional Library

Item: 7.5 No.1/12– QUARTERLY BALANCE SHEET

REPORT SUMMARY

This report provides information on the progress of the Budget for the year to date and an indication of unspent monies and the projected amount that will go into Reserve at the end of the Financial Year.

OFFICER'S RECOMMENDATION

That the report on the quarterly balance sheet is noted by the Committee.

BACKGROUND

Overall, given the reduced number of staff working at Regional Headquarters the expenditure of the budget is proceeding well. Some areas are still behind in expenditure though, for example the workforce related costs is down approximately 10% due to unfilled staff vacancies, and this will mean a further transfer to Reserve at the end of the financial year.

CLARENCE REGIONAL LIBRARY			
REVENUE & EXPENDITURE			
PROJECTIONS FOR 2011/12	Budget 2011-12 as at 11/10/2011	Expenditure as at 25/1/2012	% of budget
Revenue			
Contributions CVC	-738,709.00	-363,626.04	49.2
Contributions NSC	-259,499.56	-49,148.84	18.9
Contributions BSC	-187,982.02	-34,129.36	18.2
Revenues from users	-16,403.00	-6,694.06	40.8
Interest received	-1,632.00	0.00	0.0
Sundry Revenues	-3,142.00	-1,378.40	43.9
Local Studies Strategies Grant	-18,500.00	0.00	0.0
Visiting Authors/Illustrators Grant	-19,429.00	0.00	0.0
Adult Fiction			
Junior Non Fiction'			
Large Junior Fiction Grant	-28,294.00		0.0
Newspaper on Microfilm			
Transfer to/from Accumulated Surplus Reserve	-120,860.59		0.0
	-1,394,451.17	-454,976.70	32.6
Expenditure			
<u>Workforce related</u>			
Salaries & Employment	329,086.88	129,330.31	39.3
Public Holidays	14,277.07	5,270.02	36.9
Superannuation	40,783.11	14,596.43	35.8
Admin and Management support	65,657.00	32,729.52	49.8
Leave Accruals	41,556.20	3,747.97	9.0
Workers Compensation	13,054.52	11,648.81	89.2
Motor vehicle costs	9,504.00	4,750.02	50.0

Training & seminars	11,239	2,679	23.8
Travel costs	3,340	605	18.1
	528,497.78	205,356.46	38.9
<u>Site & Equipment costs</u>			
Computer system costs	78,657.00	55,152.71	70.1
Building maintenance	38,884.00	20,939.94	53.9
Insurance	4,396.39	0.00	0.0
	121,937.39	76,092.65	62.4
<u>Direct Collection costs</u>			
Book stock	517,705.00	258,860.03	50.0
Freight & cartage	28,770.00	17,149.35	59.6
Book Maintenance	50,550.00	40,682.21	80.5
Subscriptions and periodicals	25,344.00	8,926.10	35.2
	622,369.00	325,617.69	52.3
<u>Overhead costs</u>			
Telephone & Internet	22,605.00	19,107.54	84.5
Postage	14,385.00	3,636.69	25.3
Printing & Stationery	7,193.00	3,237.32	45.0
Photocopying	514	0	0.0
Furniture & Equipment Repairs & Capital	1,120.00	136.36	12.2
Sundry expenses	8,019.00	439.92	5.5
Advertising & Promotions	560	1156.18	206.5
Regional Committee Expenses	1,028.00	520.18	50.6
	55,424.00	28,234.19	50.9
Grant Expenditure	66,223	48,624	73.4
	1,394,451.17	683,925.30	49.0

Anne D'Arcy
Executive Office
Clarence Regional Library

Prepared by: Kathryn Breward
Section: Regional Librarian
Clarence Regional Library

**Item: 9.2 No.1/12 – CONFIDENTIAL REPORT
RESTRUCTURE PROGRESS AND CONSIDERATIONS**REPORT SUMMARY

This report provides an update on the restructure of the CRL staff and consideration of implications of the withdrawal of Nambucca Shire Council.

OFFICER'S RECOMMENDATION

That the update on the restructure of the CRL staff and further processes arising from the withdrawal of Nambucca Shire Council be noted.

BACKGROUND

At the Last CRL meeting a brief report was provided to the CRL Committee indicating that a restructure had been proposed as a result of the Integrated Planning and Reporting (IPR) requirements with the aim of enhancing delivery of CRL services, to better integrate collection development and processing with customer service delivery as well as greater to better integrate the CRL and the Clarence Valley Council (CVC) branch libraries pending their co-location in the new Grafton Library building in early 2014.

In relation to the CRL, the restructure includes:

- (i) Expanding the Regional Librarian's role to include overseeing the CVC branch libraries;
- (ii) Splitting the Cataloguer's position to enable a part-time Youth and Aged Librarian; and
- (iii) Re-arranging the responsibilities of four other positions to better meet processing needs and enable promotional activities to be addressed.

The first two changes have been adopted by the Executive Committee of the Executive Council while the third one will be reviewed in light of the withdrawal of Nambucca Shire Council (NSC) and not be affected until such time as NSC has formally withdrawn from the CRL.

Under the adopted structure, an estimated 80% of the Regional Librarian's time will still be dedicated the CRL operations with the remaining 20% to be focused on CVC matters. Therefore, the contribution of Bellingen Shire Council in future years towards this part of the total costs of the CRL needs to be reduced to reflect a fair and equitable distribution of costs. However, the amended contribution will not be put in place until the new arrangement comes into effect and members will be advised of its commencement.

The four positions referred to in the third part of the restructure are directly affected by the reduced stock processing resulting from NSC's withdrawal and therefore a full assessment needs to be completed as to the best means of addressing that change. Any changes that result in redundancies or redeployments have financial imposts in the form of severance pay or salary maintenance if the displaced employee is redeployed to and accepts a lower paid position.

Whether the deferred structure changes and/or NSC's withdrawal would trigger a number of redundancies or redeployment is still under consideration as an industrial relations matter. NSC's General Manager has been advised of this and given a range of potential cost implications depending on the potential outcomes of those changes. This information has been provided in response to his request for access to their portion of the accumulated financial reserves. A portion of the accumulated reserves should be allocated to this potential situation arising.

Preliminary considerations of NSC's withdrawal on operations suggests a reduction in work hours to reflect the reduction in processing of stock. This would ensure that all skills are retained across the staff and levels of remuneration are commensurate with the tasks performed as opposed to retaining higher graded positions that would undertake tasks normally undertaken by lower graded positions. NSC is expected to contribute to the costs of redundancies or redeployment.

Nonetheless, the full range of options needs to be considered and be subject to internal industrial relations and Council processes. It is anticipated that this will be finalised and the new structure in place at the start of the next financial year to ensure that the Withdrawal Plan can be delivered within minimal disruption.

Anne D'Arcy
Executive Office
Clarence Regional Library

Prepared by: Anne D'Arcy
Section: Executive Officer

CLARENCE REGIONAL LIBRARY SERVICE AGREEMENT

This Agreement made the first day of November 2011

BETWEEN

CLARENCE VALLEY COUNCIL of 2 Prince St, Grafton 2460

AND

BELLINGEN SHIRE COUNCIL of Hyde St, Bellingen 2712

AND

~~**NAMBUCCA SHIRE COUNCIL of 44 Princess St, Macksville 2447**~~

WHEREAS:

- A. The Councils who are parties to this agreement have adopted the Library Act 1939 ('the Act') pursuant to section 8 of the Act.
- B. Councils which have adopted the Act must comply with and observe the requirements of Part 3, Division 2 of the Act (attached as Schedule 1). In general terms, these requirements relate to the provision, control and management of library services to the community.
- C. Bellingen Shire Council ~~and Nambucca Shire Council both~~ seeks to delegate certain of ~~their~~ **its** powers and duties relating to the provision, control and management of libraries, library services and information services to Clarence Valley Council. This delegation is made pursuant to s.12 of the Act.
- D. Clarence Valley Council has agreed to accept the delegation and provide these library services to the Delegating Councils on the terms and conditions set out in this agreement.
- E. The parties have recorded the terms on which Clarence Valley Council will provide the Services to the Delegating Councils in this agreement.

NOW THIS AGREEMENT WITNESSES:

1. DEFINITIONS

'CRL' means Clarence Regional Library

'CRL Service' means Clarence Regional Library Service

'Delegating Councils' means Bellingen Shire Council ~~and Nambucca Shire Council~~

'Committee' means the CRL Committee

'Executive Council' means Clarence Valley Council

'Executive Officer' means the Executive Council's Manager of Social Planning and Cultural Development

'IPR' means local government integrated planning and reporting

'Member Councils' means Clarence Valley Council ~~and~~ Bellingen Shire Council ~~and~~ Nambucca Shire Council

'Regional Librarian' means the person appointed by the Executive Council as the senior staff member in the CRL

'Services' means the Library Services set out in Schedule 2.

2. CLARENCE REGIONAL LIBRARY SERVICE

2.1 The CLR Service aims to provide: a contemporary, welcoming, responsive and inclusive library service to the communities of Clarence Valley ~~and~~ Bellingen ~~and Nambucca~~; and services that are sustainable, equitable and accessible.

2.2 Our Vision:

The vision of the CRL is to be:

"A recognised and valued provider of services, collections and programs that help build community cohesion and capacity and provide opportunities to connect to the community and the world.

A regional library service that:

- Facilitates and provides targeted and relevant educational opportunities*
- Helps connect the community with the past, the present and the future*
- Is committed to the free flow of information and ideas to inform, inspire and feed the communities' imaginations*
- Is a trusted and valued source of information*
- Is considered an investment in the well-being and success of the community – not a cost"*

(Clarence Regional Library Strategic Plan 2008 -2018)

3. DELEGATIONS

3.1 For the purposes of s.12(1) of the Act, the Delegating Councils hereby delegates to the Executive Council such of their ~~its~~ powers and duties relating to the provision, control and management of libraries, library services and information services as are necessary for the Executive Council to perform the Services.

- 3.2 In consideration of these delegations and the terms of this Agreement, the Executive Council hereby agrees to provide the Services to the Delegating Councils.

4. RESPONSIBILITIES OF THE EXECUTIVE COUNCIL

- 4.1 The Executive Council hereby undertakes to:

- (a) provide, control and manage the Services pursuant to s.12 of the Act on the terms and conditions and to the extent set out in this Agreement;
- (b) engage professional librarians and support staff to undertake required duties;
- (c) appoint the CRL staff within an approved organisational structure and determine the desirable qualifications and grading of such staff;
- (d) provide all services associated with the employment of staff to run the CRL Services, including payroll, workers compensation, taxes, leave entitlements and superannuation, expenses for attendance at conferences and training;
- (e) insure, on behalf of the CRL Service, the property acquired on behalf of the CRL, including so much of the bookstock in each branch library that has been acquired by the CRL Service;
- (f) shall arrange public liability and workers compensation insurance for the CRL staff;
- (g) keep and audit all records and accounts in accordance with all relevant legislation;
- (h) constitute a library committee in accordance with s.11 of the Act, which shall be known as the Clarence Regional Library Committee;
- (i) prepare agendas and business papers for the Committee meetings, keep minutes of the meetings and consider all decisions of the Committee;
- (j) appoint its Manager of Social Planning and Cultural Development as the Executive Officer of the CRL;
- (k) lodge all relevant accountability documents and sign contracts relating to the CRL Services; and
- (l) set and manage the employment conditions of CRL staff.

5. RESPONSIBILITY OF MEMBER COUNCILS

- 5.1 Member Councils aim to conduct public library and public information services at a standard no less than that recommended from time to time by the Library Council of New South Wales.
- 5.2 The Member Councils shall provide the following facilities and services within their local government areas:
- The library buildings:
 - The management of those library buildings, including:
 - all maintenance costs
 - all service costs
 - all insurances
 - Branch library staff and volunteers, including all services associated with their employment including salaries, workers compensation, taxes, leave entitlements and superannuation, membership of professional associations, expenses for attendance at conferences and training.
 - All IT hardware, software and services relating to all computers located in branch libraries (other than the provision of an on-line catalogue).
- 5.3 The number of Branch Libraries to be serviced under the agreement shall be limited to those approved by the Committee from time to time.
- 5.4 Should any Member Council require an additional Branch facility that Member Council shall, at its own expense and after consultation with the Committee, provide a suitable Branch Library building within its council area complete with the necessary staff, fittings and furnishings, computer equipment and establishment collection at a standard agreed by the Committee. (Establishment stock is defined as a core collection of library material that is of a comparable quantity and standard to the collections held by other branch libraries in the region of a similar size.) Such buildings, fittings and furnishings and establishment stock remain the property of the individual Member Council.
- 5.5 In planning new buildings for branch libraries or the refurbishment of existing libraries, the Member Councils shall seek the advice of the Regional Librarian. The Regional Librarian is to be consulted on all library resourcing matters which relate to the service delivery responsibilities of the CRL.
- 5.6 Staff required at Branch Libraries shall be employed by the Member Council concerned. The Member Councils each agree to confer with the Regional Librarian on matters concerning employment.
- 5.7 The Member Councils shall determine the opening hours of the Branch Libraries in their areas in consultation with the Regional Librarian.

- 5.8 Mobile Libraries shall be provided and maintained by the Member Council in whose area the Mobile Library is located. Where a Mobile Library provides services to the communities of more than one Member Council, those Councils, in consultation with the Committee, shall provide, operate and maintain the Mobile Library Service. All costs for the mobile service shall be by those Member Councils receiving the service in proportion to the extent of service provided and agreed to for each Member Council as provided for in the funding formula. Mobile Library timetables will be established by negotiation.

6. RESPONSIBILITIES OF THE DELEGATING COUNCILS

- 6.1 To make the delegations set out in clause 3 above.
- 6.2 To pay contributions to the Executive Council in accordance with clause 10.
- 6.3 To appoint members to the Committee.
- 6.4 To arrange property, contents and public liability insurance for the library facilities and resources provided by each of them as well as all insurances applicable to volunteer staff engaged by them in their branch libraries.

7. RESPONSIBILITIES OF CLARENCE REGIONAL LIBRARY COMMITTEE

- 7.1 To conduct its meetings and business and to ensure its records and accounts are kept in accordance with the provisions of the Local Government Act and Regulations 1993, the Library Act and Regulations 1939 (as amended, the Library (Amendment) Act 1992) and of this Agreement.
- 7.2 To provide annually to member Councils the estimates of expenditure and income for the ensuing year [and to provide quarterly balance sheet updates](#).
- 7.3 To provide Committee members with copies of the minutes of each meeting of the Committee. Committee members are to provide their respective Councils with copies of those minutes.
- 7.4 To submit to the Councils an annual statistical review which shall include details of the activities of the Regional Library and its comparative performance against public library services statewide based on data collated and reported by Libraries NSW.
- 7.5 To make recommendations on matters pertaining to the provision of Library and Information Services.
- 7.6 To develop and, once adopted by the Executive Council, maintain and monitor the implementation and achievements of the Clarence Regional Library Strategic Plan.
- 7.7 To prepare policy statements on relevant aspects of service for adoption by all Member Councils and periodically review policies as recommended by the

Regional Librarian and determined by the Committee in order to improve the provision of library services for users of the Clarence Regional Library service.

- 7.8 To use its best endeavours to obtain the full benefit of grants and maximum subsidies made available by the Commonwealth, the State and other respective instrumentalities and agencies for Libraries and Library Services.

8. MEMBERSHIP OF THE CLARENCE REGIONAL LIBRARY COMMITTEE

- 8.1 The Committee shall be constituted as follows:

- (a) each of the Member Councils shall have the right to nominate two representatives for appointment to the Committee, at least one of whom should be a Councillor and the other may be a staff member, and
- (b) the Executive Officer shall be entitled to attend each meeting of the Committee but shall not be a member.

- 8.2 A Delegating Council which nominates a person for appointment to the Committee indemnifies and agrees to keep indemnified the Executive Council against all claims and liabilities of any description whatsoever which may be made at any time by the nominated person in connection with the performance of his/her role on the Committee. This indemnity shall include, but not be limited to:

- provision of transport or reimbursement for transport expenses; and
- claims arising from injury to or death of the nominated person or any injury or damage caused by the nominated person when acting in their capacity as a member of the Committee.

- 8.3 Members shall hold office until the next Local Government elections.

- 8.4 Each delegate may be removed from office at any time by the resolution of the appointing Council.

- 8.5 The office of a delegate automatically becomes vacant if he or she is absent from three consecutive meetings without leave of absence being granted by the Committee.

- 8.6 Any vacancy occurring on the Committee, by death, resignation, and disqualification or otherwise shall be filled by the appointment of a new representative by the relevant Council.

- 8.7 Once in each calendar year, the Committee shall recommend a Chairperson and a Deputy Chairperson from among its Councillor members to the Executive Council for formal appointment by the Executive Council under s.11(4) of the Library Act. Both shall hold office for the ensuing twelve months and both are eligible for renewal for a further period. The Chairperson shall be the Committee's delegate to the Country Public Libraries Association of NSW.

9 PROCEEDINGS OF THE CLARENCE REGIONAL LIBRARY COMMITTEE

- 9.1 The Committee will meet at intervals of not less than three months nor more than six months, with the venue of meetings to rotate among the parties, provided that the Chairperson or, in his/her absence, the Deputy Chair, is empowered to convene a Special Meeting at any time.
- 9.2 The meeting for the election of the Chairperson and Deputy Chair for the ensuing twelve months shall be known as the Annual General Meeting (AGM).
- 9.3 In addition to clause 9.1, the Executive Officer shall convene a Special Meeting of the Committee on receipt of a request for such a meeting by two of the ~~the~~ **Committee** Members ~~Councils~~.
- 9.4 The Committee is an advisory committee of the Executive Council and will operate in accordance with that Council's procedures for its advisory committees. It shall discuss matters of policy, strategic direction, achievements and outcomes concerning the CRL and may make recommendations to the Executive Council.
- 9.5 Each member of the Committee shall have one vote.
- 9.6 50% + 1 is the number of Committee members required for decisions to be made.
- 9.7 The Executive Council shall not implement any policy initiatives relating to the CRL Service without first consulting with the Committee.
- 9.8 A review of the Committee's operations and procedures will be undertaken annually.

10. FINANCES

- 10.1 The Executive Council shall prepare a draft budget for the CRL each year and submit that draft to the Committee for its consideration. The Committee may make recommendations to the Executive Council on changes it considers should be made to the draft and the Executive Council shall consider these recommendations when adopting that budget.
- 10.2 The Delegating Councils shall make a payment each year to the Executive Council for the CRL Service. The amount payable shall be determined in the annual budget for the CRL, and for each ~~the~~ Delegating Council shall be calculated on a per capita basis plus the subsidy receivable from the State Government. The Executive Council shall also contribute toward the budget on a per capita basis plus the subsidy receivable from the State Government.
- 10.3 An agreed formula shall be used to determine the budget Contribution for each Member Council which shall be based on a per capita rate contribution.

Contribution = Population x Per Capita Rate

10.3.1 Prior to Councils' budget preparations an estimated range for the Contribution will be provided to each Member Council. That estimate range will be based on the previous year's population, adjusted:

- 1) For the previous year's population growth; and
- 2) The Average of the growth rate for the previous 5 years.

Estimated Contribution Range =

Between: (Previous Year's population + Previous Year's Population Growth Rate) x Per Capita Rate

and: (Previous Year's population + Average of the 5 Previous Year's Population Growth Rate) x Per Capita Rate

10.3.2 A specified amount of Contribution from each Member will be provided when the actual population figures are released by the Australian Bureau of Statistics (ABS), generally in March of each year.

10.4 During the period when the Regional Librarian is also overseeing the operations of the Clarence Valley Council Libraries, the Delegating Council's contribution will be amended to reflect the estimated proportion of time the Regional Librarian dedicates to the management and operations of the CRL service.

10.4.1 The estimated proportion of time that the Regional Librarian will dedicate to the CRL operations is 80%. This will be monitored and reviewed to ensure equity and fairness in the contributions of Bellingen Shire Council.

10.4.2 In determining the amended contribution of Bellingen Shire Council the wages plus on-costs for the Regional Librarian will be used.

10.4.3 Bellingen Shire Council will contribute towards the 80% wages and on-costs of the Regional Librarian in proportion to its population's representation of the total population serviced by the CRL.

10.4.4 If Bellingen Shire Council's proportional population representation of the CRL is 20%, then the following formula will apply to determining its share of the Regional Librarian's wages and on-costs.

BSC share of Regional Librarian's wages and on-costs = 20% of (80% of Regional Librarian wages and on-costs)

10.4.5 If Bellingen Shire Council is only liable for its proportional population representation of the Regional Librarian's wages and on-costs then the following formula will apply to determining its share of the costs total contribution to the CRL:

BSC Total Contribution = BSC Per Capita Contribution less the difference between its 20% of the total Regional Librarian

wages and on-costs, and its 20% of the Regional Librarian wages and on-costs dedicated to the CRL.

BSC Total Contribution = BSC Per Capita Contribution – (20% of the Regional Librarian wages and on-costs – (20% of (80% of the Regional Librarian wages and on-costs))).

10.5 Determining the Per Capita Rate of each member's contributions to the CRL is underpinned by the notion of Continuous Improvement in the library collection development and delivery as required to satisfy grant funding criteria.

10.5.1 Targets for improvement include:

- Collection Development – improved age, size, format, sub-collections, genres
- Staff Training
- Online Resources
- 4 yearly User and Non-User Surveys
- Technical upgrades to the Library Management System
- CRL Website development
- Implementation of RFID (pending a successful Library Grant)
- Services to special interest groups: children, youth, aged, special needs etc.
- Efficiencies in workflow

10.6 The annual level of increase in the Per Capita Rate for member Contributions is set at:

Rate peg + 6% with a minimum of 8%

10.7 ~~Any of the A Member Councils~~ may contribute additional funding to that payable under clause 10.3 in consultation with the CRLC and in agreement with the Executive Council for specified services.

10.8 The Executive Council shall issue a tax invoice each quarter to the Delegating Councils for its proportion of that budget and the Delegating Councils agrees to pay that invoice within 28 days of receipt.

10.9 The CRL Service will reimburse the Executive Council for the cost of the insurance premiums incurred in providing insurance cover for the CRL and its staff. This cost will be captured in the members annual contributions.

10.10 The CRL Service will reimburse the Executive Council for the cost of the rent of premise incurred by headquarters staff and its functions. This cost will be captured in the members' annual contributions.

11. ASSETS

- 11.1 The Executive Council shall own the assets acquired by the CRL Services' budget subject to the 'reimbursement rights' held by each of the Delegating Councils as provided in this clause.
- 11.2 The Executive Council shall maintain an asset register which records the assets acquired from the CRL Services' budget.
- 11.3 Upon the termination of this Agreement, a proportion of the assets identified in the asset register shall be distributed to the Delegating Member Councils. The method for determining the asset distribution to each Delegating Member Council is specified in clause 15 of this Agreement.

12. CLARENCE REGIONAL LIBRARY MANAGEMENT AND ADMINISTRATION

- 12.1 A Regional Librarian shall be appointed by the Executive Council.
 - 12.2.1 The Regional Librarian shall be a qualified Librarian in accordance with provisions set by the Australian Library and Information Association.
 - 12.2.2 The Regional Librarian shall be responsible to the Executive Officer for the administration of the library services as well as supervision and control of CRL staff employed by the Executive Council.
 - 12.2.3 The Regional Librarian shall attend meetings of the Committee, but is not entitled to vote.

13. FUNCTIONS OF THE CLARENCE REGIONAL LIBRARIAN

- 13.1 Plan and manage all aspects of the CRL Service including:
 - (a) Consult with the Member Councils regarding their library service provided in partnership with the CRL.
 - (b) Provide advice about current and future trends in the delivery of contemporary public library services and operations.
 - (c) Report on the relative performance of the CRL against other library services and make recommendations for improving/maintaining performance in the future.
 - (d) Monitor and report progress in delivering the CRL's Strategic Plan and associated Action Plan to the Committee and the Member Councils
 - (e) Develop and manage the CRL Services including preparing and reviewing all relevant Policy and Procedures.
 - (f) Manage and develop the CRL Computer Library Management System.
 - (g) Provide an electronic catalogue of all CRL materials held by the Member Councils.
 - (h) Review, adopt and maintain service systems and technologies that ensure efficient cost-effective service delivery and enhance client satisfaction with CRL services.

- (i) Develop the collections for the CRL through effective and efficient purchasing and disposal of library materials.
- (j) Establish, develop and monitor systems and databases necessary for the daily and long-term management of the CRL Service.
- (k) Monitor trends in client usage and interests through loan data, client requests and engaging with clients to provide feedback and suggestions to determine modifications in service delivery.
- (l) Prepare the annual resource budget for the CRL, review and control commitments and expenditure.
- (m) Prepare long-term budget options for the Committee that identify the future outcomes for service delivery and clients for consideration of the Member Councils
- (n) Develop and grow the CRL website presence on the Internet
- (o) Provide professional advice on library development, local staffing, buildings, grant applications, library trends and other matters relating to CRL services,
- (p) Advise and source training of CRL and branch library staff in various areas of relevance to Member Councils and clients.
- (q) Provide resource exchange and delivery services of library materials to, and between, the CRL branch libraries as well as from libraries outside the CRL Service.
- (r) Provide a reference service to members of the public and CRL members.
- (s) Initiate and encourage regional and local library promotion in conjunction with the Member Councils.
- (t) Develop effective communication procedures between member branches.
- (u) Provide minutes of all meetings of the Committee and an Annual Report of the CRL Service including statistics relating to each branch library
- (v) Represent the CRL in professional networks.

14. STRATEGIC PLAN

- 14.1 The Committee recommended the adoption of a Strategic Plan, the review of which aligns with the Local Government Integrated Planning and Reporting (IPR) requirements.
- 14.2 Implementation of the Strategic Plan is achieved by the implementation of an Action Plan as adopted by the Committee and the Executive Council.
- 14.3 The Strategic Plan and Action Plan capture the entirety of the Library service and clearly identifies strategies which are the core responsibility of the Member Councils.
- 14.4 Progress of the Strategic Plan is monitored annually.
- 14.5 The Strategic Plan is to be reviewed in the last term of the incumbent Committee and confirmed by the new Committee.
- 14.6 A new Strategic Plan is prepared every 10 years in line with the Community Strategic Plan for the Executive Council.

15. ENTRY AND EXIT OF PARTIES

- 15.1 This Agreement shall remain in force in accordance with IPR requirements, until 30 June 2017 (at the latest) unless earlier terminated by the withdrawal of ~~two or more~~ **one** party from it in accordance with this clause.
- 15.2 Future Agreements will remain in force for a period of 4 years aligning generally with the Delivery Plans under the IPR and Local Government Elections.
- 15.3 This Agreement supersedes in all aspects all preceding agreements relating to the provision of library services between the Member Councils.
- 15.4 In the event of any **future Council** amalgamations the Executive Council, in consultation with the Committee, will review the Agreement and provide a report recommending necessary actions for the continuance **or otherwise** of the CRL.
- 15.5 A Council which is not a party to this Agreement may, by supplementary agreement with the Member Councils, be admitted as a party to this Agreement and subject to the provisions of the supplementary agreement, shall have the same rights, duties and obligations of the Member Councils. The amount payable by the new Council for admission to membership in the CRL shall be as recommended by the Committee and resolved by the Executive Council.
- 15.6 A Member Council may, by twelve months notice in writing, notify the Committee and the Executive Council that it intends to withdraw from the CRL Service and to terminate its obligations under this Agreement.
- 15.7 In such event, the Council so terminating shall be entitled to receive a distribution of the net assets, after payment of all liabilities, apportioned among the Member Councils in the ratio of the respective contributions paid by them over the current life of the Agreement, provided that the Executive Council shall have the right to acquire any of these assets by payment to the terminating Council of the current pro rata value thereof, in lieu of distributing that asset to the terminating Council.
- 15.8 **In the event that a Member Council fails to sign a new Agreement prior to its termination with the intent of withdrawing from the CRL, that Member Council will continue to participate in the CRL for a period of time to be negotiated with the Executive Council, but not less than 6 months. During that time the withdrawing Council will:**
- 15.8.1 **Work collaboratively with the Executive Council and the CRL Committee to develop an agreed Withdrawal Plan which includes**
- **a specified termination date**
 - **operational tasks to be addressed**

- timeframes for completion of each task
- responsibilities of each party

15.8.2 Be liable for the full contribution costs that would be paid if it continued its membership, for the period until the termination date

15.8.3 Be entitled to its share on any accumulated financial reserves, of which a proportion may be accessed in advance of its departure with consideration given to potential liabilities at the time of termination as determined by the Executive Council.

15.9 A Member Council that withdraws from this Agreement shall be liable for a portion of the liabilities including contingent liabilities, of the CRL as at the date of its withdrawal from the Agreement. These may include, but are not limited to: standing orders for stock, software licence fees, the financial costs arising from impacts on CRL staff such as redundancies or redeployments, memberships and subscriptions.

15.10 The decision of the Executive Council shall be final and binding in respect of the method of valuation and assessment of the net assets and liabilities of the Committee at any time and the books and /or other assets or cash to be apportioned or paid to a Member Council upon termination, withdrawal or expulsion pursuant to this Agreement.

15.11 Where book stock is to be redistributed as a result of a Member Council terminating the Agreement, the stock is to be distributed according to:

- % of financial contributions of the exiting member; and
- the age, genre and format of the collection.

15.12 The redistribution of the assets will exclude any bequests which are made to a specified member or library.

15.13 If the fund, authority or institution is wound up or if the endorsement (if any) of the organisation as a deductible gift recipient for the operation of the fund, authority or institution is revoked, any surplus assets of the fund remaining after the payment of liabilities attributable to it, shall be transferred to a fund, authority or institution associated with each CRL member Council to which income tax deductible gifts can be made.

16. STANDARDS OF SERVICE

16.1 The services that the CRL will provide are set out in Schedule 2 of the Agreement.

16.2 The standard of library service to be provided shall be reviewed annually, particularly with regard to expenditures on library resources and staff, with a view to raising the standard by stages as described in the approved Strategic Plan.

- 16.3 The CRL may progressively establish Service Level Agreements with Member Councils to ensure services are being provided to agreed standards and targets. These Agreements may include: Collection Development, provision of information services, technical services and systems development, training programs, the rotation and delivery of stock and the provision of library programs.

17 AMENDMENT OF THIS AGREEMENT

- 17.1 No amendment shall be considered to this Agreement unless the proposal for the amendment has the support of ~~all a majority of the~~ Member Councils and no amendment shall be made to it unless all Member Councils agree to such amendment in writing.

18. DISPUTE RESOLUTION

- 18.1 If a dispute between Member Councils arises out of or relates to this Agreement, or a breach, termination, validity or subject matter thereof, the parties to the dispute shall use their best endeavours to resolve the dispute between themselves.
- 18.2 In the event that the dispute cannot be resolved in this manner, the parties agree to submit the dispute to arbitration on the request of any of the parties.
- 18.3 The parties agree to submit the dispute to the Library Council of NSW for mediation and advice as prescribed under section 12(5) of the Library Act 1939 as amended.

12 (5) It shall be a term of every agreement made under this section, whether the agreement is made before or after the day appointed and notified under section 2 (2) of the Library (Amendment) Act 1977, that any dispute arising under the agreement shall, be settled by arbitration by an arbitrator appointed by the Council.

- 18.4 All costs associated with the arbitration (other than the costs that are personal to the parties), including the arbitrator's fees, shall be borne equally by the parties to the dispute.
- 18.5 The decision of the arbitrator shall be final and binding on all parties to this Agreement.

IN WITNESS WHEREOF the parties to this agreement have signed below

**SIGNED on behalf of
CLARENCE VALLEY COUNCIL**

by the

in the presence of:

Witness

**SIGNED on behalf of
NAMBUCCA SHIRE COUNCIL**

by the

in the presence of:

Witness

LIBRARY ACT 1939

9 Application of Division

This Division shall apply to and in respect of local authorities who have adopted this Act.

10 Requirements as to services to be provided by local libraries

(1) A [local authority](#) must comply with and observe the following requirements in relation to any [local library](#) that is provided, controlled or managed by the [local authority](#) (either directly or under an agreement or other arrangement to which it is a party):

- (a) Any person who is a resident of the [area](#) of the [local authority](#) or a ratepayer of the [local authority](#) is entitled to [membership](#) of the library free of [charge](#).
- (b) Any person (whether or not a [member](#) of the library) is entitled free of [charge](#) to access any [library material](#) of the library and any information forming part of the [information service](#) of the library (other than information excepted from free access by guidelines issued by the [Council](#)) for use on the library premises.
- (c) Any person who is a [member](#) of the library is entitled to borrow free of [charge](#) from the library for use away from the library premises any [library material](#) of the library which has been classified by the librarian of the library as being of literary, informative or educational value or as being fiction.
- (d) No [charge](#) is to be made for the delivery to a [member](#) of the library of any [library material](#) or information that the [member](#) is entitled to borrow free of [charge](#) if the [member](#) for reasons of ill health or disability cannot reasonably be expected to attend the library in person.
- (e) Any person who is a [member](#) of the library is entitled to be provided free of [charge](#) with basic reference services (being any service classified by guidelines issued by the [Council](#) as a basic reference service), including assistance in locating information and sources of information.
- (f) Any subsidy paid to the [local authority](#) under this Act must be expended in providing the services that are required by this section to be provided free of [charge](#).

(2) An entitlement under this section to borrow [library material](#) from a library for use away from the library premises does not apply to any [library material](#) that is classified by the librarian of the library as reference material.

(3) If two or more local authorities have entered into arrangements for conferring reciprocal library entitlements on the residents and ratepayers of their [areas](#), a resident or ratepayer of any of the [areas](#) concerned is for the purposes of this section to be considered to be a resident or ratepayer of each of the other [areas](#) concerned also.

(4) In this section

"charge" means any [charge](#) made directly or indirectly on a person but does not include a [prescribed](#) fee for the late return of [library material](#) or a [charge](#) made for the loss of or damage to [library material](#).

(5) The [Council](#) may issue guidelines to local authorities for the purposes of this section.

10A Restrictions on borrowing entitlements and other matters

(1) Section 10 does not affect the operation of any regulation or by-law relating to the library to the extent that it is not inconsistent with a requirement of section 10 that an entitlement be provided free of charge.

(2) Section 10 does not prevent a [local authority](#) from determining:

- (a) the maximum number of items of [library material](#) or the maximum number of items of [library material](#) of a particular class of [library material](#) that a person may borrow at any one time from the library for use on or away from the library premises, or
- (b) the limitations, restrictions and conditions which may apply to the availability of any particular item of [library material](#) or class of [library material](#) for use on or away from the library premises.

(3) A determination under subsection (2):

- (a) must be consistent with the requirements of section 10 that an entitlement be provided free of charge, and
- (b) must not differ, or have effect so as to differ, in its operation between [members](#) and non-members of the library (except as regards the payment of a charge by non-members).

11 Library committee

(1) A [local authority](#) may from time to time constitute a library committee and may delegate to the library committee all or any of the powers and duties of the [local authority](#) in relation to the provision, control and management of libraries, library services and [information services](#), except a power to borrow money, to make or levy a rate, to execute a deed or contract or an agreement under this Act, or to institute proceedings at law or in equity on behalf of the [local authority](#).

(2) The [members](#) of the library committee shall be appointed by the [local authority](#) but need not be [members](#) of the [local authority](#).

(3) A library committee shall exercise and perform its powers and duties subject to the control and direction of the [local authority](#).

(4) The [local authority](#) may appoint any [member](#) of the committee to be the chairperson thereof and may from time to time remove such [member](#) from the [member](#)'s office as chairperson and appoint another [member](#) in the [member](#)'s place.

(5) The [local authority](#) may at any time dissolve a library committee or may, from time to time, reconstitute the library committee or revoke, amend or vary any delegation to a library committee.

(6) The [local authority](#) shall from time to time determine the number of [members](#) of the library committee which shall constitute a quorum at meetings of the library committee.

(7) The procedure for the calling of meetings of a library committee and for the conduct of business at such meetings shall, subject to any regulation made in relation thereto, be as determined by the library committee.

12 Agreements relating to local libraries

(1)

- (a) Two or more local authorities may enter into an agreement whereby the [local authority](#) of one [area](#) undertakes the function of providing, controlling and managing libraries, library services or [information services](#) within the [area](#) or [areas](#) of the other [local authority](#) or local authorities.
- (b) Any such agreement shall specify the terms and conditions upon which the libraries, library services or [information services](#) shall be so provided, controlled and managed.
- (c) The [local authority](#) undertaking the function of providing, controlling and managing libraries, library services or [information services](#) pursuant to an agreement under this subsection shall have, in relation to the [area](#) or [areas](#) of the other contracting [local authority](#) or contracting local authorities, such of the powers and duties of a [local authority](#) relating to the provision, control and management of libraries, library services and [information services](#) as may be delegated to it by the agreement.

(2)

- (a) Two or more local authorities may enter into an agreement whereby the [local authority](#) of one [area](#) undertakes to exercise, for and on behalf of the [local authority](#) or local authorities of any other [area](#) or [areas](#), within such other [area](#) or [areas](#), any specified power or duty of a [local authority](#) in relation to the provision, control and management of libraries, library services and [information services](#).
- (b) Any such agreement shall specify the terms and conditions upon which such power or duty shall be so exercised.

(3) Any agreement made under this section shall be made to have effect for a period to be specified therein.

(4) An agreement made under this section may provide that on termination of the agreement an adjustment shall be made of the interests of the several local authorities which are parties thereto in any property to the provision of which they have contributed and as to the mode in which the adjustment shall be arrived at.

(5) It shall be a term of every agreement made under this section, whether the agreement is made before or after the day appointed and notified under section 2 (2) of the *Library (Amendment) Act 1977*, that any dispute arising under the agreement shall, on the application to the [Council](#) of a party to that agreement, be settled by arbitration by an arbitrator appointed by the [Council](#).

12A Other arrangements relating to local libraries

(1) Without limiting section 12, 2 or more local authorities may, with the approval of the Minister, enter into an arrangement for the provision, control and management of

any library, library service or [information service](#) in the [area](#) of any [local authority](#) that is a party to the arrangement.

(2) The Minister is not to approve such an arrangement without the agreement of the Minister for Local Government.

13 Subsidy

(1) A [local authority](#) within whose [area](#) a library, library service or [information service](#) is provided, controlled and managed in accordance with this Act shall, subject to this Act, be entitled to subsidy under this section.

(2) A [local authority](#) shall be eligible for subsidy under this section if during the year for which the subsidy is payable it expends out of rate income upon the provision, control and management of libraries, library services and [information services](#) in its [area](#), not less than the larger of the following amounts, namely:

(a) An amount equivalent to the product of a rate upon the unimproved capital value of all rateable land within its [area](#):

(i) in the case of an [area](#) that (immediately before the commencement of the [Local Government Act 1993](#)) was a municipality-of one-tenth of one cent in the dollar,

(ii) in the case of an [area](#) that (immediately before the commencement of the [Local Government Act 1993](#)) was a shire-of one twenty-fifth of one cent in the dollar.

(b) An amount equivalent to the sum of ten cents for each person resident within the [area](#) of the [local authority](#): Provided that in any case where the amount referred to in paragraph (a) is greater than an amount equivalent to the sum of fifteen cents for each person resident within the [area](#) of the [local authority](#), the [local authority](#) shall be eligible for subsidy if it so expends not less than the last-mentioned amount.

(3) A [local authority](#) shall not be eligible for subsidy under this section unless the library, library service or [information service](#) so provided, controlled and managed is in the opinion of the [Council](#) reasonably capable of meeting the requirements of the persons resident in its [area](#).

(3A) Where a [local authority](#) has failed to comply with the requirements of sections 10 and 10A during the year preceding the day on which it lodges an application for subsidy with the [Council](#) under section 14, the [local authority](#) shall not be eligible for subsidy for the year to which the application relates if the Minister so directs by order in writing served on the [local authority](#).

(4) Where a [local authority](#) is eligible for subsidy under this section the subsidy payable to the [local authority](#) in respect of any year shall be:

(a) an amount equal to one-half of the total amount expended by the [local authority](#) on libraries, library services and [information services](#) in that year from:

(i) rate income, and

(ii) any advance against subsidy made by the Minister to the [local authority](#) in respect of that year, or

(b) an amount equivalent to the [prescribed](#) amount for each person resident within the [area](#) of the [local authority](#),

whichever is the less.

(5) An advance against subsidy may be made by the Minister to a [local authority](#) in any year in respect of which the Minister considers the [local authority](#) would, on the basis of the [local authority](#)'s estimated expenditure on libraries, library services and [information services](#) in that year from rate income, be eligible for subsidy under this section.

(5A) An advance against subsidy is payable subject to such conditions and at such times as the Minister may determine.

(6) The [regulations](#) shall prescribe the manner in which the number of persons resident within the [area](#) of a [local authority](#) is to be ascertained for the purposes of this section.

14 Subsidy-how payable

(1) A [local authority](#) which claims to be entitled to subsidy under section 13 may lodge with the [Council](#) an application for payment of such subsidy.

(2) The [Council](#) shall consider such application and forward the same to the Minister together with its report and recommendation.

(3) Subsidy shall be payable out of moneys provided by Parliament.

Services of the CRL

COLLECTION DEVELOPMENT

- Selection and purchase of Resources:
- Process purchases and donations
- Catalogue – provision and management
- Repair Resources
- Regular stocktaking at all branches
- Undertake regular weeding of stock at all locations

OPERATIONS

- Stock movement between branches
- Website development and maintenance
- Management of the Library Management System
- Statistics and Reports
- Financial Management
- Policy and Procedure development and review
- Management of CRL Staff: employment, training and Professional Development, workplace and equipment.

SERVICES

- Reference support
- Readers Advisory
- Reciprocal support of Inter Library Loans Services
- Resource development for target groups and needs – children, Young Adults, older persons, disability, cultural diversity.
- Development and maintenance of a Local Studies and Family History/Genealogy collection
- Promotion and marketing of CRL
- Research and implementation of new initiatives for example Electronic Resources

Children and Young Adults Policy

Policy, procedure, protocol

Policy

Adoption date

16 August 2011

Amended date

Review due date

March 2013

Responsible officer

Regional Librarian



BELLINGEN SHIRE COUNCIL



Purpose

Young people are core clients of public libraries and are the future adult users and supporters of our library services. This policy outlines the responsibilities of the Library, Library staff and parents/carers of children and young adults who use the Library's facilities.

Definitions

Child: clients aged 0 – 12 years. This is in line with the Department of Local Government definition of children as aged 0 – 12 years for social planning purposes.

Young adult: clients aged 13 years up to and including 18 years. It is acknowledged that the Department of Local Government defines Youth more broadly as 12-24 years for social planning purposes.

Unattended child: A child using public library resources and facilities unsupervised by a parent or carer.

Policy Statement

Clarence Regional Library is committed to serving the information and recreation needs of young people. The Library strives to provide a welcoming environment, and provides targeted resources and programs to meet the needs of young people.

4. Service Statement

Public libraries are agencies that provide the public (including young people) with access to information and recreational materials through a variety of services and resources. Libraries also support young people through the provisions of programs that foster an appreciation of literature and promote the development of information literacy skills.

The Clarence Regional Library's services to young people include:

- Fiction and non-fiction (study and recreational books)
- Magazines
- Non- Print resources, eg: CD-ROMs, DVD's, online databases , eAudio
- Internet access
- Assistance from staff in accessing collections and information
- Public access computers, including Internet access
- Pre-school storytime
- *Space for activities and study.*

5. Parental Responsibility Statement

5.1 Access to resources

Library collections are available to all library users without restriction, except for items restricted by law. The Library exercises no limitation on access to publications classified *Unrestricted* under the *Classification (Publications, Films and Computer*

Games) Act 1995. The Library has no censorship role in its choice of the library resources that form the collection.

It is not the responsibility of the Clarence Regional Library or its staff to exercise a supervisory or restrictive role in determining which library resources young people may use or access. The Library encourages parents/carers to set their own family rules in consultation with their child. It is the responsibility of parents/carers to monitor young people's selection and use of library resources.

5.2 Items classified MA or R

Public libraries observe the *Classification (Publications, Films and Computer Games) Enforcement Act 1995 [NSW]* which provides for certain restrictions when making materials available to **young people (under the age of 18)**. **Resources classified MA may only be borrowed or viewed by persons under 15 with the permission of their parent/guardian. Resources classified R may only be borrowed or viewed by persons over the age of 18 upon presentation of ID.**

5.3 Access to electronic resources

5.3.1 Library staff are available to assist clients in the use of the Internet, and to recommend websites on particular subjects. A number of appropriate websites have been selected for inclusion in the Library's electronic collections and paper guides.

5.3.2 Parents/carers are responsible for their child's use of the Internet, in line with the Library's Internet Policy. (Please refer to Parents Guide to the Internet). The Library does not monitor or control the content of materials offered through the Internet.

5.3.3 Some exceptions to the parent/carer consent may be made for minors who are living independently.

5.4 Unattended children

5.4.1 Staff take care to ensure that the library is a safe and welcoming place for all patrons. Responsibility for a child's use of the library, however, lies with the parent/carer at all times. Libraries do not have the facilities or appropriate licences to attend to children who are left unsupervised. Young children left alone in a library can become distressed, bored or disruptive. Library users, including young people, who disturb other library users, may be removed from the library under the *Library Act 1939*.

5.4.2 Unsupervised children can be at risk in any public place, including public libraries. Library staff do not supervise children in the library, so there is a risk that unattended children may leave the library at any time, hurt themselves, or be approached by strangers. Libraries are busy public places, open to all, and staff cannot judge which members of the public present a possible danger to children. In addition, libraries do not have the facilities to attend to children who are sick, injured or hungry.

5.4.3 A child left unattended in a public library may be classed as a child or young person at risk of harm under the *Children and Young Persons (Care and Protection) Act 1998*, s23, and subsequently may be reported as such to the Department of Community Services under s24 or s27 of the Act.

5.4.4 There is no law that specifies a minimum age at which children may be left unattended in public. The *Children and Young Persons (Care and Protection) Act 1998* is concerned with individual circumstances rather than age. For example, a 7 year old child who uses the library constructively on his own for an hour every day after school while waiting for a parent is unlikely to be considered a problem, and is indeed a welcome client. On the other hand, a 10 year old child who is left at the library every day of the summer holidays from opening time until closing time is at risk and presents an unreasonable burden for the public library.

5.4.5 Parents who leave a child unattended in a public library are exposing their child to potential harm, and may themselves be committing an offence under the *Children and Young Persons (Care and Protection) Act 1998*, s228.

Young children left alone in a library can become distressed, bored or disruptive. Young people who disturb other library users may be removed from the Library under clause 17 of the *Library Regulation 2010*

Procedures

- 6.1 If a child is left unattended in the library for a long period of time, parents/carers will be contacted and informed of library policy.
- 6.2 If the parents/carers ignore this policy or are unable to be contacted, the situation may be reported to the Department of Community Services if library staff determine the child is at risk of harm.
- 6.3 If a child is left unattended at closing time staff should call the police.

Attachments

Internet Policy
Parent's Guide to the Internet