

## **REGULATION 28: LIBRARY**

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### **1. Interpretation**

- (1) In this Regulation –
  - (a) “Code of Conduct” has the meaning given in regulation 5;
  - (b) “the Librarian” means the person employed by the University as Director of Library Services;
  - (c) “the Library” means: the University buildings that house the University’s library collections; its contents; all library collections and holdings (in whatever format); and “Library property” shall be construed accordingly;
  - (d) “Members of the Library” has the meaning given in regulation 2 and “member” and “membership” shall be construed accordingly;
  - (e) “Terms of Use of the Library” has the meaning given in regulation 3;
  - (f) “Visitor membership” has the meaning given in regulation 2 and “visitor” shall be construed accordingly;
  - (g) “Writing” includes email.

### **2. Membership**

- (1) The following persons are members of the Library –
  - (a) current employees of the University;
  - (b) students currently registered at the University;
  - (c) staff and students who are awarded affiliate membership by reason of the University’s relationship with a Partner and in accordance with the terms of the relevant Partnership Agreement.
- (2) Persons who are not members by virtue of paragraph (1) may apply for visitor membership.
- (3) Visitor membership may comprise –
  - (a) annual reference only; or
  - (b) annual reference with borrowing.
- (4) The Librarian may levy a fee for membership under paragraph (3)(b), the rate of which shall be determined by the Librarian at the beginning of the academic year in which the membership commences.

### **3. Terms of Use of the Library**

- (1) The Terms of Use of the Library are that all persons admitted to the Library agree –
  - (a) not to damage, mark or deface Library property;
  - (b) to comply with applicable copyright law and licences;
  - (c) to adhere to the terms of this Regulation; and
  - (d) to abide by the Code of Conduct established by Librarian pursuant to regulation 5.

- (2) Breach of the Terms of Use of the Library may result in the imposition of a sanction pursuant to regulation 4.
- (3) In the case of members of the Library, if the Librarian considers the breach of the Terms of Use to be sufficiently serious, the Librarian may refer the matter to the appropriate person for formal disciplinary action pursuant to -
  - (a) in the case of employees of the University, Regulation 31 (Disciplinary Procedure);
  - (b) in the case of students of the University, Regulation 2 (Student Discipline); and
  - (c) in the case of affiliate members, the terms expressed in the Partnership Agreement.
- (4) Anyone suspected of damaging or stealing Library property may be subject to criminal prosecution.
- (5) In paragraph (3) “the appropriate person” means in the case of –
  - (a) employees, the employee’s Line Manager;
  - (b) students, Executive Deans will identify an appropriate person to consider disciplinary action in relation to Library matters;
  - (c) affiliate members, the Partner’s lead relationship co-ordinator.
- (6) The Librarian may delegate the powers under paragraph (3) to a nominated member of the Library staff.

#### **4. Sanctions imposed by the Librarian and appeal**

- (1) Sanctions that the Librarian may impose for breach of the Terms of Use of the Library are -
  - (a) require a member or visitor to leave the Library immediately and not return before the expiration of up to 48 hours (the precise term to be decided by the Librarian);
  - (b) suspend a member’s or visitor’s membership for a period not longer than six months;
  - (c) withdraw a member’s or visitor’s membership;
  - (d) require payment to cover the cost of replacing damaged items (“replacement cost”);
  - (e) impose an administrative charge in addition to any replacement cost; or
  - (f) combine any of the sanctions in sub-paragraphs (b) to (e).
- (2) The Librarian may authorise any member of the Library staff to exercise the power described in paragraph (1)(a).
- (3) The Librarian may delegate the powers in paragraph (1)(b) to (f) to a nominated member of the Library staff
- (4) The Librarian must cause the member or visitor to be notified in writing of the sanction imposed under paragraph (1)(b) to (f), within five days of its imposition (“the notification”).
- (5) A member or visitor may appeal to the Chief Operating Officer against the imposition of a sanction in paragraph (1)(b) to (f) by the Librarian.

- (6) An appeal made pursuant to paragraph (5) must be in writing (“notice of appeal”), and received by the Chief Operating Officer within 14 days of the date of the notification.
- (7) The Chief Operating Officer may request information about the breach of Terms of Use by the member or visitor from –
  - (a) the Librarian
  - (b) the member or visitor;
  - (c) any other person whom the Chief Operating Officer reasonably believes will be able to provide relevant information about the breach.
- (8) The Chief Operating Officer will consider the appeal on the papers and decide on the balance of probabilities whether to –
  - (a) confirm or remove the sanction imposed by the Librarian; or
  - (b) substitute some other sanction that was available to the Librarian under this regulation.
- (9) The Chief Operating Officer must decide the appeal within 21 days of receiving the notice of appeal and that decision shall be final.

## **5. Code of Conduct**

- (1) The Librarian may issue a Code of Conduct that describes the appropriate use of, and required behaviour in, the Library.
- (2) The Code of Conduct may describe matters including but not limited to –
  - (a) proof of age and identity;
  - (b) required use of Library identification (ID) cards;
  - (c) member provision of contact information;
  - (d) use of mobile phones and other mobile devices;
  - (e) consumption of food and drink;
  - (f) expected behaviour;
  - (g) room booking systems;
  - (h) Health & Safety requirements;
  - (i) photography and recording;
  - (j) loan and renewal of Library property;
  - (k) applicable Library charges;
  - (l) use of audio-visual material;
  - (m) applicable copyright law, permissions and licences.