



Title:	Exclusion, Reinstatement and Appeals Policy	
Policy Type:	Operational	Policy Number: 300-07
Approval By:	Resolution Number RB	
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PURPOSE

The policy defines the parameters for the exclusion, reinstatement and appeals process for Library privileges.

SCOPE

This policy applies to all users of Sault Ste. Marie Public Library services and locations both on and off-site.

DEFINITIONS

Appeal - process of requesting a review of an exclusion.

Exclusion - a member of the public is not allowed to enter any Library location or to be on Library property at any time for any reason during a specified time period.

Expel - to remove a person from the Library property.

Library Property - all leased or owned property of the Sault Ste. Marie Public Library.

Library Privileges - includes all use of Library services for which a Library card is required or by contacting the Library in person, by phone, email or web service.

Mitigating Factors - factors that impact the severity of the exclusion or the culpability of the act and may influence the length of exclusion including but not limited to, the individual's age, mental and physical ability, or the circumstances of the incident.

Reinstatement - when an exclusion from the Library ends and Library privileges are restored.

POLICY STATEMENT:

The Library endeavours to provide a safe, welcoming and friendly environment for staff and patrons. The Library is committed to applying the Rules of Conduct Policy (policy 300-09) in a fair and equitable manner. This policy provides a guideline for excluding and reinstating people and the appeals process after a breach of Library rules and policies, or for criminal activity on Library property.

Breach of Rules of Conduct Policy and other Library policies

The severity of any misconduct, the circumstances involved and any mitigating factors will be considered in the decision to exclude a person.

Exclusions

Any staff and Library Security may issue a one (1) day exclusion for the disregard for Rules of Conduct Policy

- Staff and/or security will inform the person of how they violated the Library's Rules of Conduct;
- The person will be expelled from the Library location
- The incident and name of the person, if known, shall be recorded in an Incident Report.

Management may issue a three (3) month exclusion for repeated disregard or a serious incident.

- Staff and/or Library Security will inform the person of how they violated the Library's Rules of Conduct;
- The person will be expelled from the Library location;
- A written statement of exclusion will be issued to the person and recorded, It will include:
 - a) The period of exclusion;
 - b) The reason(s) for the exclusion;
 - c) A notification concerning the right to appeal and information on the appeals process (see Appendix A), and;
 - d) The date of reinstatement of Library privileges.
- A Trespass notice will be provided to the police.

Management may issue a six (6) month exclusion for a continued, blatant disregard for the Library's Code of Conduct or any serious incident.

- Staff and/or Library Security will inform the person of how they violated the Library's Rules of Conduct;
- The person will be expelled from the Library location;
- A written statement of exclusion will be issued to the person and recorded, It will include:
 - a) The period of exclusion;
 - b) The reason(s) for the exclusion;
 - c) A notification concerning the right to appeal and information on the appeals process (see Appendix A) and;
 - d) The date of reinstatement of Library privileges.
- A Trespass notice will be provided to the police.

Management may issue a twelve (12) month exclusion for a continued, blatant disregard for the Library's Code of Conduct or for a serious incident. These include but are not limited to violence, vandalism and theft.

- Staff and/or Library Security shall contact the police.
- A letter will be issued to the person informing of the exclusion and recorded. It will include:
 - a) The period of exclusion;
 - b) The reason(s) for the exclusion;
 - c) A notification concerning the right to appeal and information on the appeals process (see Appendix A) and;
 - d) The date of reinstatement of Library privileges.
- A Trespass notice will be provided to the police.

The CEO shall issue a permanent exclusion for a persistent, blatant disregard for the Library's Code of Conduct or for a serious incident. These include but are not limited to offences related to the Criminal Code of Canada.

- Staff and/or Library Security shall contact the police.
- A letter will be issued to the person informing of the exclusion and recorded. It will include:
 - a) The reason(s) for the exclusion;
 - b) A notification concerning the right to appeal and information on the appeals process;
- A Trespass notice will be provided to the police.

Parents or Guardians of minors will be required to be present at appeals and reinstatement meetings.

APPEALS

An appeal to lift the exclusion may be made by telephone or email directed to the CEO or designate. The CEO will consider mitigating factors in determining whether the exclusion is lifted.

REINSTATEMENT

Anyone banned from the Library for a period greater than one day must meet with the CEO after the ban period before having privileges reinstated. The CEO will inform Library staff whenever a banned patron has their library privileges reinstated.

RELATED POLICIES

300-05 Membership Policy
300-06 Social Media Policy
300-09 Rules of Conduct Policy
300-13 Sales and Soliciting on Library Property Policy
300-14 Unattended Children Policy



300-24 Use of Video Surveillance Policy

300-26 Computer & Internet Usage Policy

400-03 Health and Safety Commitment Policy

400-09 Human Rights Policy; Anti-Harassment/Discrimination/Violence



APPENDIX A: EXCLUSION APPEAL FORM

Name _____

Address _____

Contact Information: _____

Reason for Exclusion: _____

Date of Incident: _____

Mitigating Factors:

Final Determination:

Library Ban Stands

Library Privileges Reinstated

Date to return Library privileges (if applicable): _____

Signature of CEO

Date

APPENDIX B: TRESPASS BAN THRESHOLD CHART

TRESPASS BAN THRESHOLD CHART			
Level	Incident Types	Banning Period	Considerations
1	<ul style="list-style-type: none"> - Minor breaches of Library Rules of Conduct or Policy - Public Intoxication - Inappropriate use of the internet - Refusal to take direction from staff or security 	Day Ban	<p><i>Verbal Notice</i></p> <p>Issued by security or any staff member</p>
2	<ul style="list-style-type: none"> - Repeated minor breaches of Library Rules of Conduct or Policy - Damage, theft or vandalism under \$50 - A pattern of inappropriate behavior 	3 Month Ban	<p><i>Written Notice</i></p> <p>Issued by Management</p>
3	<ul style="list-style-type: none"> - Repeated breach of Library Rules of Conduct or Policy - A serious incident - Damage, theft or vandalism under \$250 - Consumption of drugs or alcohol resulting in public intoxication 	6 Month Ban	<p><i>Written Notice</i></p> <p>Issued by Management</p>
4	<ul style="list-style-type: none"> - Uttering threats - Damage, theft or vandalism under \$1,000 - A very serious incident - Violent acts not directed at others - Harassment of Staff, security, or volunteers 	12 Month Ban	<p><i>Written Notice</i></p> <p>Issued by Management</p>
5	<ul style="list-style-type: none"> - Uttering threats of violence - Violent acts against staff, security, volunteers or fellow patrons - Sexual Harassment of staff, security or volunteers - Damage, theft or vandalism in excess of \$1,000 - Other contraventions to the Criminal Code of Canada while at the Library 	Permanent Ban	<p><i>Written Notice</i></p> <p>Issued by the CEO</p>

Disclaimer: The Banning Threshold Chart is guideline. Extenuating circumstances may be taken into consideration when deciding whether or not to issue a ban, as well as for the duration of bans.