**Appendix A - Banning policy - Kent Libraries, Registration and Archives**



**Banning Policy Statement**

Libraries, Registration and Archives (LRA) is dedicated to providing a safe, welcoming, and friendly environment for all Library visitors and staff alike. At times it may be necessary for the service to ban individuals if they are acting in a way that is unlawful, against Library rules and/or detrimental to other users. The LRA Banning Policy will outline the procedures, roles and responsibilities of LRA staff in implementing and upholding bans throughout the service.

**Regulations and Rules**

Library and Museum Byelaws

ICT Acceptable Use Policy

Kent County Council (KCC) D

Dignity and Respect at Work Policy

Anti-Social Behaviour and Policy Act 2014

Anti-Social Behaviour Act 2003

*This is not an exhaustive list of applicable legislation and others may apply.*

**Types of Ban**

Library and Archives Ban – An individual is banned from all KCC Library and Archive premises for the duration of the ban, there are some exceptions (see Statutory Rights). Access to online services such as e-books and e-magazines will remain in place. It is not expected that individuals will be banned from Register Offices.

ICT Ban – a borrower will have their in-Library ICT access revoked for a period of time, but will still be able to access other Library services. Access to online services such as e-books and e-magazines will remain in place.

Where a ban is not appropriate the Service Manager may issue a 3 week cooling off period (a period in which the individual is asked not to visit a specific Library, or Libraries, for a short period of time) locally for individual Libraries, or county wide if deemed appropriate. Access to online services such as e-books and e-magazines will remain in place.

**Roles and Responsibilities**

*See LRA Banning Policy Flowchart*

Local Staff

* Report breaches of ICT Acceptable Use Policy via ICT Self Service on Kent.
* Report any potential breach of Library rules/KCC expect respect to Assistant Service Manager or Service Manager. This can include breach agreed local ‘code of conduct’ where applicable.
* Complete HS157 incident forms where appropriate. [HS157 Incident Reporting](https://kentcc-self.achieveservice.com/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-e6a99e70-6315-489f-9ac6-4ee4886fcef6/AF-Stagec4d2c58f-628f-4fc6-8186-85339a2086cc/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen&consentMessage=yes)
* Follow guidance in LRA Incident Response Flowchart (link) if a banned member of the public breaches any ban.

Support Officer to the Senior Management Team

* Maintain the banning log and update as required.
* Maintain archive of banning records
* Post banning letters (recorded delivery)

Systems Support Officer

* Implement all restrictions relating to bans on individual accounts within the Library Management System (Spydus) and other systems where required.

Service Manager

* Liaise with Strategic Manager, Operations in relation to ban requests and initial response to incidents.
* Request ban from Head of Service where appropriate and provide all relevant information and available evidence.
* Issue cooling off period of ***up to*** 3 weeks.

Business Support Manager

* Review Websense Logs from ICT reports
* Request ICT ban from Head of Service where appropriate.

Strategic Manager – Operations

* Liaise with Service Managers in relation to ban requests and initial response to incidents.

LRA Head of Service

* Review ban requests and implement bans where appropriate.
* Conduct review of ban on request
* Escalate Appeal to Corporate Director
* Notify Systems Support Officer and Support Officer to the Senior Management Team of any bans to be implemented and overturned bans.

Growth, Environment and Transport - Corporate Director

* Conduct Appeal

**Length of Bans**

Bans to range from 1 month to 1 year. In exceptional circumstances an indefinite ban can be implemented, however this can be reviewed once per calendar year and will be on request of banned individual.

**Notification of a ban**

* Support Officer to the Senior Management Team will issue all Library bans recorded delivery where the address is known on instruction from Head of Service.
* Service Managers are able to issue cooling off periods of up to 3 weeks.
* Service Managers are to decide the best way to inform the recipient – they are encouraged to use all tools available to them locally, such as Police Community Support Officers (PCSO) and Community Wardens.
* All letters to include provision for alternative format if requested (this may include translation where applicable).
* Where the recipient of a letter is a minor – a copy of the banning letter will also be sent to the parent(s)/guardians of said minor where possible. In circumstances where the recipient is deemed a vulnerable adult then Head of Service will involve the relevant agencies and carers where appropriate.

**Appeals Process**

Following the banning letter from the Head of Service – the recipient may request a service level review of the ban from the Head of Service, they will be asked to provide further information and evidence as part of this process. The Head of Service will respond within 14 days (however in more complex cases this may take longer).

If a service level review upholds the ban, then the recipient may request a formal appeal via the Growth, Environment and Transport - Corporate Director. The Corporate Director will respond within 14 days (however in more complex cases this may take longer).

Review and appeals procedures will be outlined in the banning letters issued.

**Record Keeping and Internal Communication**

All records to be kept and archived after 1 year following the completion of a ban. Archived records will be kept for 6 years plus the current year.

A rolling record of current bans to be kept on ‘Banning Record’ document which will be maintained by Support Officer to the Senior Management Team and made available to LRA Management team plus Assistant Service Managers (and equivalents) who will share information locally as appropriate.

**Statutory Requirements**

The following will be included in all banning letters so that recipients are aware that LRA will still facilitate statutory duties where required.

*‘If you should need to enter a Library to comply with your statutory duties, eg.to register a birth or death, you should contact ……………., the local Service Manager to arrange for an appointment.  After that specific appointment the ban would remain in force for all other purposes for which you might wish to visit the Library.’*

Partners in shared work premises, such as gateways, should be informed of the ban and arrangements made if the individual needs to access any other services in our shared premises. If an individual is banned from a shared work premises by one of our partners, it should be expected that this ban extends to Library premises (aside from facilitating statutory duties where required). This should be decided in consultation with partners and agreement sought from LRA Head of Service.

**What to do when a ban has ended**

Support Officer to the Senior Management Team will update the Banning Record and after 1 year, archive the files electronically for 6 years plus current year.