INTRODUCTION ..................................................................................................................................................... 3

POLICY DEVELOPMENT FRAMEWORK .................................................................................................................. 3

BOARD POLICY REVIEW SCHEDULE ....................................................................................................................... 8

1. GOVERNANCE ................................................................................................................................................... 10

   1.1 HAMILTON PUBLIC LIBRARY BOARD BY-LAWS FOR THE REGULATION OF THE BUSINESS OF THE BOARD .......................................................... 10

   APPENDIX 1: ONTARIO PUBLIC LIBRARIES ACT (R.S.O. 1990) CHAPTER 4 ................................................................................................................. 20

   APPENDIX 2: CITY OF HAMILTON BY-LAW NO. 04-019 ................................................................................................. 32

   1.2 CEO/CHIEF LIBRARIAN PERFORMANCE APPRAISAL .......................................................... 33

   1.2.1 CHIEF LIBRARIAN/CEO EXPENSES .................................................................................... 35

   1.3 ADVOCACY AND POLITICAL PARTICIPATION POLICY ................................................................................................. 35

   1.4 RULES FOR GOING IN-CAMERA .................................................................................................................. 38

2. CORE VALUES ................................................................................................................................................... 42

   2.0 HAMILTON PUBLIC LIBRARY STRATEGIC PLAN ................................................................................................. 42

   2.1 LIBRARY MISSION STATEMENT .................................................................................................................. 42

   2.2 CORE VALUES ........................................................................................................................................... 42

   2.3 BOARD STRATEGIC PRIORITIES 2018-2021 ................................................................................................. 42

   2.4 CORE POSITION STATEMENTS .................................................................................................................. 44

3. POLICIES REGARDING CUSTOMERS ................................................................................................................... 54

   3.1 CUSTOMER CODE OF CONDUCT .................................................................................................................. 54

   3.2 BORROWING POLICY ............................................................................................................................... 55

   3.3 FINES AND FEES POLICY .......................................................................................................................... 62

   3.4 LIBRARY SERVICE HOURS .......................................................................................................................... 68

   3.5 SAFETY OF CHILDREN IN THE LIBRARY POLICY ..................................................................................... 69

   3.6 TECHNOLOGY AND INTERNET USE POLICY – UNDER REVIEW .................................................................................. 71

   3.7 ACCESSIBILITY FOR INDIVIDUALS WITH A DISABILITY POLICY ............................................................. 72

   3.8 PRIVACY POLICY FOR LIBRARY CUSTOMERS ............................................................................................. 80

   3.9 SOCIAL MEDIA POLICY .............................................................................................................................. 83

4. LIBRARY MANAGEMENT POLICIES ................................................................................................................... 85

   4.1 COLLECTIONS POLICY ........................................................................................................................... 85

   4.2 LOCAL HISTORY AND ARCHIVES POLICY .............................................................................................. 90

   4.3 COPYRIGHT & INTELLECTUAL PROPERTY POLICY ....................................................................................... 95

   4.4 PARTNERSHIP POLICY ............................................................................................................................... 97

   4.5 PROGRAM POLICY .................................................................................................................................... 100

   4.6 DISPLAYS AND EXHIBITS POLICY ........................................................................................................... 102
INTRODUCTION

The Hamilton Public Library Board oversees the purpose, plans and policies of the Hamilton Public Library. It is the responsibility of the Library Board to ensure that the funding it receives provides the best possible library service to Hamilton residents. In addition, it is committed to providing effective governance for the Hamilton Public Library to ensure services and programs offered by HPL remain relevant to the changing needs of the communities we serve. The Library Board has four main functions:

1) To establish the mission and strategic directions.
2) To hire and evaluate the Chief Executive Officer/Chief Librarian.
3) To ensure resources are in place to achieve the mission.
4) To monitor and audit results of programs and resources.

The Hamilton Public Library Board crafts the vision and mission statement of the library and through policy sets the strategic direction of the library to better align it with the communities it serves. Board level policies provide strategic direction for the library while Administrative policies are consistent with Board level policies but are concerned with regulatory requirements or govern procedures, providing operational direction and not strategic direction.

The Board Policy Manual is provided to clarify the board policies, their reach and goals and enable the board to provide the best strategic oversight and direction. In this document a review schedule along with the purpose, definition and framework are provided along with a copy of all policies.

Policy Development Framework

Policy Level: Library Board
Author: Chief Librarian/CEO
Review Period: 4 Years
Approval Date: November 2016

Policy Purpose
To specify a formal mechanism to create, approve, publish, rescind and periodically revise Library policies and procedures.

Key Points Summary
• HPL’s body of policy/procedures will be as simple as possible and clearly communicated
• There are clear responsibilities and steps to follow in getting policies/procedures approved and published
• Board policies provide the overall direction for the organization
• Administrative policies ensure regulatory compliance and effective operations
• Administrative policies and procedures are developed to be consistent with the direction provided by the Library Board in the strategic plan, Board policies and other directions provided.
Definitions

Policy: A policy is a governing set of principles that guide Library practice. It helps to ensure compliance with applicable laws and regulations, promotes operational efficiencies, enhances the Library’s mission and values, and reduces institutional risks. It has broad application, provides a basis for consistent decision making and resource allocation.

Procedure: The operational processes or practices required to implement library policy. Operating procedures can be specific to a department or applicable across the entire library. Policy generally defines "what" the institution does operationally, while procedures define "how" the library intends to carry out those policies.

Differences between Policies and Procedures
The distinctions between policy and procedures can be subtle and vary depending on the level of operations being described. Nevertheless, there are common characteristics that can help discern policy from procedures. (Source: http://policy.calpoly.edu/cappolicy.htm)

<table>
<thead>
<tr>
<th>Policy</th>
<th>Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widespread application</td>
<td>Narrow application</td>
</tr>
<tr>
<td>Changes less frequently</td>
<td>Prone to change</td>
</tr>
<tr>
<td>Usually expressed in broad terms</td>
<td>Often stated in detail</td>
</tr>
<tr>
<td>Statements of &quot;what&quot; and/or &quot;why&quot;</td>
<td>Statements of &quot;how,&quot; &quot;when&quot; and/or and sometimes &quot;who&quot;</td>
</tr>
<tr>
<td>Answers major operational issue(s)</td>
<td>Describes process</td>
</tr>
</tbody>
</table>

Guiding Principles and Commitments
The Hamilton Public Library is committed to having clearly written and understandable policies and procedures. Core principles and rules that shape HPL’s policy and procedure body of work include:

1. **Simplicity**: We live in a time of rapid change with the need for HPL to continually evolve and change and to respond to changing individual and community needs. In this environment, complex rules and processes are less likely to be consistently followed and effectively communicated than simple ones. Our goal therefore in developing policies and procedures will be to aim for as much simplicity as practical.

2. **Clear Language & Presentation**: Policies and procedures will be written in clear language. Wherever possible formatting tools such as lists, tables, graphs, and other visual aids will be used to assist with communicating the information.

3. **Accessibility**: Policies and procedures will be available in accessible formats. Policies and procedures will be published using different channels to ensure they are readily available for staff and customers as needed.
4. **Consolidation**: Wherever practical, related information will be contained in the same policy/procedure. When new circumstances require additional policy development, the goal will be to update existing policies without adding new ones.

5. **Schedule of Review**: A schedule will determine the minimum frequency of review. Where policy/regulatory changes or other special circumstances arise, priority will be given to addressing those over the normal schedule. The standard review cycle will be developed to ensure these goals are met:
   - All policies/procedures get reviewed at a minimum every 4 years (term of the Library Board)
   - The frequency of review does not create unnecessary work that does not advance our mission or service.
   - We meet all regulatory requirements.

6. **General Rules**: Policies and procedures are meant to provide guidance to ensure we approach similar situations consistently and appropriately. In developing them the goal is to address most but not all situations (80/20 rule). Policies/procedures that try to capture rules that address every possible situation often become counterproductive because the core-important rules get lost in too much detail and complexity.

7. **Incremental Changes**: Occasionally legislative changes or other external influences require major changes to our policy/procedures; however, when not facing such pressures the priority will be to adjust and improve rather than radical changes.

**Responsibility for Maintaining Policies/Procedures**
Different levels of policy/procedures have different rules around where they need to be published and when they need to be reviewed. While work may be delegated, the responsibility for ensuring policies/procedures are up-to-date, follow at least the minimum review cycle and are published in the appropriate places lies with the CEO/Chief Librarian or Senior Director responsible for the policy/procedure.

**Policy Levels**
1. **Library Board Policies** – Core policies that set the broad direction for the organization. They articulate priorities for service development, define core service levels and specify fee structures.
2. **Administration Policies** – Policies that are required for administrative or regulatory purposes. These policies are developed consistent with the intention of Board policies and other direction provided by the Library Board.
3. **System Procedures** – Organization procedures developed to ensure effective and efficient operation of the Hamilton Public Library.
4. **Departmental Procedures** – Departments develop internal procedures to ensure effective and efficient operations of their department.
Standard Schedule for Review Guidelines
Note: This schedule is intended as a broad guideline for review.

<table>
<thead>
<tr>
<th>Library Board Tenure</th>
<th>Sections to be Reviewed</th>
</tr>
</thead>
</table>
| **1st Year of Term** | **Board Orientation – overview of the entire policy manual**  
Section 1: Governance  
Section 2: Core-values  
Section 3: Policies Regarding Customers (selected)  
Section 4: Library Management Policies (selected) |
| **2nd Year of Term** | Section 3: Policies Regarding Customers (Continued)  
Section 4: Library Management Policies (Continued) |
| **3rd Year of Term** | Section 5: Policies Relating to Staff  
❖ *Update Strategic Plan & Core Values* |
| **4th Year of Term** | Targeted policy reviews to update for the next Board, review any outstanding items not yet covered. |
Publishing Rules for Policies

<table>
<thead>
<tr>
<th>Policy Level</th>
<th>Approval</th>
<th>Published</th>
<th>Staff Intranet (HPLNET)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library Board</td>
<td>Library Board</td>
<td>Required</td>
<td>Required</td>
</tr>
<tr>
<td>Senior Leadership Team</td>
<td>Senior Leadership Team</td>
<td>Listed in manual</td>
<td>When needed</td>
</tr>
</tbody>
</table>

Policy Template

Policies will be developed consistent with principles and commitments outlined in the Policy Development Framework. The following fields will provide the standard template for the structure of policies.

*Note: Information from policies will be extracted and incorporated in online and print communications. This structure only applies to policies as they appear in the official policy manuals.*

- **Policy Number**: Number of policy.
- **Title**: Use a descriptive title that makes sense on its own. HPL or Hamilton Public Library should not be included in the standard title.
- **Policy Level**: Board, Administration or Procedure.
- **Author**: Title of the director responsible for maintaining policy, not personal name.
- **Review Period**: Standard review period in years. The maximum is 4 years.
- **Approval Date**: Date of approval.
- **Policy Purpose**: A brief description of the purpose of the policy.
- **Key Points Summary**: A summary of the most important information contained in the policy or procedure. This should be in the form of a list of items or table. Recommended not to exceed 7 points.
- **Definitions**: An alphabetical listing of definitions that are important to understanding the context of the policy or procedure. Generally simple or well understood concepts do not require a definition.
- **Policy Details**: Details of the policy. Remember to keep as simple as possible and format in ways that make it easy to scan for key information.
- **Approval History**: Date(s) of past reviews and approvals.
# BOARD POLICY REVIEW SCHEDULE

**Colour Code:**
- Scheduled to be updated in 2019
- Updated in 2018
- Updated in 2017
- Updated in 2016
- Updated in 2015 or before

<table>
<thead>
<tr>
<th>Policy Name</th>
<th>Last Revised</th>
<th>Next Scheduled Review</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 Governance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1 Board By-Laws</td>
<td>December 2016</td>
<td>2nd quarter 2019</td>
</tr>
<tr>
<td>1.2 CEO/Chief Librarian Performance Appraisal</td>
<td>May 2016</td>
<td>2nd quarter 2019</td>
</tr>
<tr>
<td>1.3 Advocacy &amp; Political Participation</td>
<td>December 2016</td>
<td>3rd quarter 2019</td>
</tr>
<tr>
<td>1.4 Policy Development Framework</td>
<td>November 2016</td>
<td>3rd quarter 2019</td>
</tr>
<tr>
<td><strong>2. Core Values</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1 Mission</td>
<td>February 2018</td>
<td>January 2022</td>
</tr>
<tr>
<td>2.2 Values</td>
<td>February 2018</td>
<td>January 2022</td>
</tr>
<tr>
<td>2.3 Strategic Priorities</td>
<td>February 2018</td>
<td>January 2022</td>
</tr>
<tr>
<td>2.4 Core Position Statements</td>
<td>March 2017</td>
<td>2nd quarter 2019</td>
</tr>
<tr>
<td><strong>3. Policies Regarding Customers</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1 Customer Code of Conduct</td>
<td>April 2015</td>
<td>2nd quarter 2019</td>
</tr>
<tr>
<td>3.2 Borrowing Policy</td>
<td>February 2017</td>
<td>1st quarter 2021</td>
</tr>
<tr>
<td>3.3 Fines &amp; Fees Policy</td>
<td>March 2017</td>
<td>1st quarter 2021</td>
</tr>
<tr>
<td>3.4 Library Service Hours</td>
<td>December 2018</td>
<td>2nd quarter 2019</td>
</tr>
<tr>
<td>3.5 Safety of Children in the Library Policy</td>
<td>September 2015</td>
<td>3rd quarter 2019</td>
</tr>
<tr>
<td>3.6 Technology &amp; Internet Use</td>
<td>May 2014</td>
<td>1st quarter 2019</td>
</tr>
<tr>
<td>3.7 Accessibility for Customers with a Disability</td>
<td>February 2017</td>
<td>1st quarter 2021</td>
</tr>
<tr>
<td>3.8 Privacy Policy for Library Customers</td>
<td>December 2016</td>
<td>4th quarter 2020</td>
</tr>
<tr>
<td>3.9 Social Media Policy</td>
<td>April 2012</td>
<td>1st quarter 2019</td>
</tr>
<tr>
<td><strong>4. Library Management Policies</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1 Collections Policy</td>
<td>May 2017</td>
<td>2nd quarter 2021</td>
</tr>
<tr>
<td>4.2 Local History &amp; Archives Collection Policy</td>
<td>November 2017</td>
<td>2nd quarter 2021</td>
</tr>
<tr>
<td>4.3 Copyright &amp; Intellectual Proper Policy</td>
<td>October 2017</td>
<td>2nd quarter 2021</td>
</tr>
<tr>
<td>4.4 Partnership Policy</td>
<td>February 2018</td>
<td>1st quarter 2022</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------</td>
<td>------------------</td>
</tr>
<tr>
<td>4.5 Program Policy</td>
<td>November 2015</td>
<td>4th quarter 2019</td>
</tr>
<tr>
<td>4.6 Displays &amp; Exhibits Policy</td>
<td>April 2014</td>
<td>2nd quarter 2019</td>
</tr>
<tr>
<td>4.7 Naming Opportunities Policy</td>
<td>March 2018</td>
<td>1st quarter 2022</td>
</tr>
<tr>
<td>4.8 Program Room &amp; Rentable Spaces Policy</td>
<td>February 2018</td>
<td>January 2022</td>
</tr>
<tr>
<td>4.9 Donations &amp; Sponsorship Policy</td>
<td>December 2016</td>
<td>4th quarter 2020</td>
</tr>
<tr>
<td>4.10 Purchasing Policy</td>
<td>September 2018</td>
<td>3rd quarter 2022</td>
</tr>
<tr>
<td>4.11 Disposal of Surplus Goods</td>
<td>September 2018</td>
<td>2nd quarter 2022</td>
</tr>
<tr>
<td>4.12 Records Management Policy</td>
<td>January 2018</td>
<td>1st quarter 2022</td>
</tr>
<tr>
<td>4.13 Security Camera Policy</td>
<td>October 2017</td>
<td>3rd quarter 2021</td>
</tr>
<tr>
<td>4.14 Cash Handling Policy</td>
<td>October 2017</td>
<td>3rd quarter 2021</td>
</tr>
<tr>
<td>4.15 Health &amp; Safety</td>
<td>March 2018</td>
<td>1st quarter 2022</td>
</tr>
</tbody>
</table>

### 5. Policies Related to Staff

<table>
<thead>
<tr>
<th>5.1 Code of Conduct &amp; Conflict of Interest Policy</th>
<th>November 2015</th>
<th>4th quarter 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.2 Hiring Policy</td>
<td>June 2018</td>
<td>2nd quarter 2022</td>
</tr>
<tr>
<td>5.3 Rehiring Retirees Policy</td>
<td>June 2018</td>
<td>2nd quarter 2022</td>
</tr>
<tr>
<td>5.4 Staff Development &amp; Training Policy</td>
<td>February 2017</td>
<td>1st quarter 2021</td>
</tr>
<tr>
<td>5.5 Employee Assistance Program</td>
<td>February 2017</td>
<td>1st quarter 2021</td>
</tr>
</tbody>
</table>
1. **GOVERNANCE**

1.1 *Hamilton Public Library Board By-Laws for the Regulation of the Business of the Board*

**Policy Level:** Library Board  
**Author:** Library Board  
**Review Period:** 4 Years  
**Approval Date:** December 2016

The Hamilton Public Library Board is duly constituted as a corporation and governed by the provisions of the Public Libraries Act, Statutes of Ontario, 1990, Chapter P. 44 and is established by the provisions of City of Hamilton By-Law 04-019. The Hamilton Public Library Board, hereinafter called “the Board”, enacts the following by-laws for regulation of the business of the Board.

**Table of Contents**

- Section 1 - Governance Vision of the Hamilton Public Library Board  
- Section 2 - Corporation  
- Section 3 - Officers  
- Section 4 - Board Members Code of Conduct  
- Section 5 – Inaugural Meetings and Elections  
- Section 6 - Meetings and Notice of Meetings; Special Meetings; Attendance; Quorum; Voting; Agenda Procedure; Meeting Procedural Rules; Order of Business; Delegations; In Camera Sessions; Committees; Standing Committees – Nominating Committee, Audit Committee  
- Section 7 - Payment of Board Expenses  
- Section 8 - Amendment of the By-Laws  
- Section 9 - Board Self-Assessment  
- Section 10 - Effective Date  
- Appendix 1 - Audit Committee Terms of Reference

1.0 **Governance Vision of the Hamilton Public Library Board**

The Hamilton Public Library Board oversees the purpose, plans and policies of the Hamilton Public Library. It is the responsibility of the Library Board to ensure that the funding it receives provides the best possible library service to Hamilton residents. In addition, it is committed to providing effective governance for the Hamilton Public Library to ensure services and programs offered by HPL remain relevant to the changing needs of the communities we serve. The Library Board has four main functions:

5) To establish the mission and strategic directions.  
6) To hire and evaluate the Chief Executive Officer/Chief Librarian.  
7) To ensure resources are in place to achieve the mission.  
8) To monitor and audit results of programs and resources.
2.0 Corporation
In accordance with the Corporations Act, the Board shall have a corporate seal, which shall be under the control and responsibility of the Chief Executive Officer. This seal shall be affixed under the direction of the Board to all deeds, contracts, or documents requiring the seal, which seal shall be attested to by the signatures of the Chair and the Secretary, or by such other member and/or other officer as the Board shall direct.
The Head Office of the Board shall be at the Central Library, 55 York Boulevard, Hamilton, Ontario L8R 3K1.

3.0 Officers
The Board shall have the following officers:
• Chair
• Vice Chair
• Secretary
• Treasurer
• Chief Executive Officer

3.1 Chair
In the first year of a new Board’s term the Chair shall be elected at the inaugural meeting of the Board and serve until January, when there will be the election of the Chair for that year. In each subsequent year of a Board’s term, the election of the Chair shall take place in January. The Chair shall hold office for one year and may be re-elected for a maximum of one additional consecutive year (See Elections Section 5.0).
The primary role of the Chair of the Board is to ensure the proper functioning of the Board and the proper conduct of Board business, in accordance with all relevant legislation and with the rules of procedure adopted by the Board.
The Chair’s responsibilities include:
  1) Presiding at regular and special meetings of the Board in the manner and extent prescribed by the Board.
  2) Committing the Board to no course of action unless specifically authorized by the Board to do so.
  3) Serving as an ex officio member of all Board committees.
  4) Only the Chair may represent and speak for the Board in an official capacity to outside parties in announcing Board-stated positions and in stating Chair decisions.
  5) Acting as one of the authorized signing officers of all documents pertaining to Board business.
  6) Representing the Board, alone or with other members of the Board, at any public or private meetings for the purpose of conducting, promoting or completing the business of the Board.
  7) Notifying the Vice-Chair and the Secretary, if for any reason, the Chair is unable to perform these functions.


3.2 Vice-Chair
The Vice-Chair shall be elected at the first meeting of the Board in each year, shall hold office for one year and may be re-elected for a maximum of one additional consecutive year. The Vice-Chair, in the absence or illness of the Chair, shall act in the place and stead of the Chair and while so acting has all the powers of the Chair. If both the Chair and Vice Chair are unavailable, the Secretary will assume the duties of the Chair.

3.3 Secretary
The Secretary of the Board shall be the Chief Executive Officer.

3.4 Treasurer
The Treasurer of the Board shall be the Chief Executive Officer.

3.5 Chief Executive Officer
The Board shall appoint the Chief Executive Officer, who shall be its Chief Librarian, and who shall hold office until the Board rescinds the appointment or a new appointment is made. The Chief Executive Officer shall be responsible, under the supervision of the Board, for the general conduct and management of the Hamilton Public Library. Only decisions of the Board are binding on the CEO.

   1. Decisions or instructions of individual Board Members, officers or committees are not binding on the CEO except in rare circumstances when the Board has specifically authorized or delegated such exercise of authority.

   2. In the case of Board Members or committees requesting information or assistance without Board authorization, the CEO can refuse such requests.

Operational achievement and conduct of library staff are the responsibility of the CEO, to whom the Board has delegated authority over and accountability for staff performance.

   1. The Board will never give instructions to persons who report directly or indirectly to the CEO.

   2. The Board will refrain from evaluating, either formally or informally, any staff other than the CEO.

Systematic and rigorous monitoring of the CEO’s job performance will be conducted in accordance with the Chief Librarian/ CEO Performance Appraisal document.

(\url{http://www.hpl.ca/articles/chief-librarian-ceo-performance-appraisal-policy})

4.0 Board Members’ Code of Conduct
Board Members must avoid any conflict of interest with respect to their fiduciary responsibility by adhering to the regulations of the Municipal Conflict of Interest Act (R.S.O. 1990, Chapter M.50 (\url{https://www.ontario.ca/laws/statute/90m50})
There will be no self-dealing or any conduct of private business or personal services between any Board Member and the organization except as procedurally controlled to assure openness, competitive opportunity and equal access to inside information.
Board Members will not use their positions to obtain employment in the organization for themselves, family members or close associates. In the event that a Board Member accepts
employment with either the City of Hamilton or the Hamilton Public Library during their term, they shall resign immediately upon acceptance of said employment. Any Board Member who declares their candidacy for public office, whether at the municipal, provincial or federal level, shall resign from the Board upon public declaration of their candidacy. This provision does not apply, however, to the Councillors of the City of Hamilton who are appointed to serve on the Hamilton Public Library Board.

Members will annually disclose their involvements with other organizations, with vendors, or any other associations that might produce a conflict. Members will respect the confidentiality appropriate to issues of a sensitive nature and understand that it is the Chair’s role to represent and speak on behalf of the Board.

4.1 Vacancies
In the event of a vacancy occurring on the Board, the Secretary, upon instructions from the Board in session, shall advise the Clerk of the City of Hamilton and request that a new member be appointed to fill the vacancy under the conditions contained in the Public Libraries Act. In the event of a vacancy occurring during the year in the office of Chair or Vice-Chair, the Board at its first regular meeting thereafter shall elect a new Chair or Vice-Chair to serve for the remainder of the elected time in that office.

4.2 Resignation
Members of the Board who must resign before the end of their term of appointment on the Board shall inform both the Clerk of the City of Hamilton and the Secretary of the Board in writing, specifying the effective date of their resignation.

5.0 Inaugural Meeting and Elections

5.1 Inaugural Meeting
In the first year of its term, the Board shall hold its inaugural meeting at a place and time to be determined by the Chief Executive Officer, provided that such meeting shall be held within 30 days of the appointment of a majority of its members.

5.2 Elections
In the subsequent years of its term, the Board shall hold its nomination meeting at the place and time of its regular January meeting and the regular meeting shall take place immediately following.

The Secretary of the Board shall take the chair and shall call for the Nominating Committee Report with the full slate of nominations for the Chair, Vice-Chair and members of the standing committees. The Chief Executive Officer shall introduce the nominee for each position individually and then ask if there are any nominations from the floor for the same position. Any member of the Board has the right to make nominations from the floor. This can either be a self-nomination for any position - Chair, Vice-Chair or member of a standing committee – or the nomination of someone else.

1. Nominations shall be made with no seconder required.
2. Nominations shall be closed by a motion made and seconded.
3. Voting shall be by secret ballot.
4. The nominee receiving a clear majority of the votes cast shall be declared elected by the Chief Executive Officer.
5. Should no member receive a clear majority, balloting shall proceed with the nominee’s name receiving the smallest number of votes being dropped.

6.0 Meetings and Notice of Meetings
A regular meeting of the Board shall be held on the third Wednesday of the month (except July and August) at 6:00 p.m. in the Board Room at the Central Library, 55 York Boulevard, Hamilton or at such other day or time or such other place as may be agreed upon by the Board. The dates of Board and committee meetings will be listed on the Library’s website. The upcoming meeting dates will be posted as they get scheduled; however, a minimum of three days’ advance notice on the website is required. Written notice of all regular meetings together with the proposed agenda and the minutes of the immediately preceding regular meeting and of any special meetings shall be communicated to each member of the Board at least three days in advance of such meetings.

6.1 Special Meetings
The Chair may, or upon the written request of any two members of the Board, call a Special Meeting by giving, through the Secretary or designate, at least three days written notice to each member, specifying the purpose for which the meeting is called. The purpose of a Special Meeting shall be specific. No business shall be transacted or considered at such a meeting other than that specified in the notice.
Electronic Voting: In cases where a prompt decision is required and scheduling a meeting may not be practical, or expeditious for the issue at hand, the Chair may opt to seek a vote electronically, by open and transparent electronic communication means. Instructions for public participation in the electronic meeting will be included in the website notice. In such cases, motions will be carried by a simple majority of the entire Board. Items decided by electronic voting will be reported as part of the next scheduled Board meeting.

6.2 Attendance
Board Members are expected to attend all scheduled monthly meetings of the Board. Any member who must be absent from a meeting must advise the Secretary in advance. In any event, absence from three consecutive scheduled meetings (according to the Public Libraries Act, section 13 (c)) will result in the member’s disqualification from the Board unless the member is ‘excused for cause’ by a motion of the Board.
The Secretary shall record the names of members in attendance in each meeting of the Board and of its committees.

6.3 Quorum
A quorum, which shall be a majority of the Board, must be present for the transaction of business at a meeting. If a quorum is not present within fifteen minutes after the hour for which any Board meeting has been called, the Secretary shall record the names of such members present
and the Board shall stand adjourned. Any member declaring a conflict of interest in a matter to be discussed during the meeting will not be counted in establishing the quorum for that matter. Nothing in the foregoing shall prohibit the members in attendance for a regular meeting, when no quorum is present, from constituting themselves as a committee dealing with such agenda items as they see fit. However, no decisions taken at such a meeting may be executed until ratified by motion at a regular meeting of the Board or, when time is of the essence, written approval of such decisions may be obtained from a majority of the members of the Board.

6.4 Voting
All members of the Board (including the Chair) - unless they have declared a conflict of interest on a matter and are therefore ineligible to vote on that matter - shall vote on all questions. Any motion on which there is an equality of votes shall be deemed to be lost. Abstentions are counted as a negative or no vote. Motions shall be carried by a simple majority (more than one half the total members present eligible to vote), except as otherwise provided for in this By-Law. Notice of motion given at the previous meeting and two-thirds majority vote is required for:

1. A motion to reconsider a lost motion.
2. A motion to amend the by-laws.

6.5 Agenda Procedure
The Secretary will work with the Chair and Vice Chair to determine the Agenda for any meeting of the Board. The standard process for getting items added to the agenda is for Board Members to communicate with the Chair and Secretary, preferably with a ten (10) day notice prior to a meeting. The Secretary and Chair will then develop draft motions, presentations and reports as needed. Other than routine business or those arising out of reports from committees, the Chair may rule items out of order. Board Members, in extraordinary circumstances where they deem the standard process unsatisfactory, may submit a formal notice of motion to the Chair and Secretary who will ensure their motion is attached to the Board package unedited. Notice of such a motion will be sent to the Chair and Secretary with at least ten (10) days’ notice before the meeting.

6.6 Meeting Procedural Rules
The rules and practice set out in Robert’s Rules of Order shall govern wherever applicable in all cases not specifically provided for in these by-laws.

6.7 Order of Business
The order of business at regular meetings of the Board shall be as follows, subject to the discretion of the Chair:

1. Discussion
2. Acceptance of the Agenda
3. Minutes
4. Declarations of Conflict of Interest
5. Presentations
6. Consent Items
7. Business Arising from the Minutes
8. Correspondence
9. Reports
10. New Business
11. Private and Confidential
12. Date of Next Meeting
13. Adjournment

6.8 Delegations
Members of the public may make verbal presentations to the Board as a delegation with the permission of the Chair or upon written notification to the Secretary, received seven (7) days in advance of the meeting.

6.9 Minutes
The Secretary or designate shall keep Minutes of every meeting of the Board. The Minutes shall be confirmed by motion at the next following Board meeting.

6.10 In Camera Sessions
An in camera session of the Board shall be held when it is expedient to consider all or part of an agenda in camera because “intimate financial or personal matters” may be disclosed in debate and the desirability of protecting against the consequences of such disclosure outweighs the desirability of holding the meeting in public.

The decision must be confirmed by the Board or Board Committee in the form of a motion “THAT item(s) #___ be considered during an in camera session”. Such a motion shall be non-debatable and, if it is carried, the Chair shall designate a time for the session to be held. An in camera session shall be ended by a motion that the regular session be resumed.

Any actions determined during an in camera session must be authorized by a Board motion passed during the regular open session and recorded in public minutes. However, the Board’s Secretary may designate the minutes of in camera sessions as confidential if Section 28(2) of the Public Libraries Act applies.

6.11 Committees
The Board has two standing Committees: The Nominating Committee and the Audit Committee, but may also appoint Ad Hoc Committees
1. Ad Hoc Committees may be appointed by the Board to deal with special issues assigned by the Board. Such committees report to the Board and shall be dissolved immediately upon making their final report to the Board.
2. A committee may have any number of members. The Board shall name a chair for each Ad Hoc committee.
A quorum for all committees shall be the majority of members. Committees meet when required at the call of the committee chair.
The Chair of the Board shall be a member of all Committees of the Board *ex officio*.
The Secretary of the Board (or designate) shall attend all committee meetings and shall be the Secretary of all committees.

**6.12 Standing Committees**

**6.12.1 Nominating Committee**
The Nominating Committee will be composed of four (4) members, - the Secretary of the Board plus three (3) elected Board Members. It shall be established annually by the Board at its November meeting to present the slate of officers for the ensuing year at the January Meeting.
In a municipal election year, the outgoing Chair of the Board shall appoint the Nominating Committee from among the members of the new Board immediately following the appointment of the new Board by City Council.
In each year, the Nominating Committee shall meet before and report to the January Meeting following its appointment.
Duties of the Nominating Committee:
1. To select from the nominations received for each position or standing committees, the most appropriate candidate. In their selection across the whole slate, the Committee will endeavour to balance candidates with expertise and new Board Members with a view to succession planning over the term of the Board.
2. To recruit candidates for those positions where no nominations have been received.
3. If any member of the Nominating Committee intends to stand for election as Chair or Vice Chair, they shall inform the Nominating Committee and withdraw from it.
4. To ensure that their report indicating the full slate of candidates is ready to be included with the January Board meeting package.
5. To ensure that the right of any member to either self-nominate or nominate someone else for any of the positions from the floor during elections in January is clearly outlined in their report.

**6.12.2 Audit Committee**
The Audit Committee oversees the financial reporting process, monitors the choice of accounting policies and procedures and monitors internal control procedures to ensure the effective development and maintenance of adequate financial controls and reporting.
The Committee is independent of the auditing function and ensures appropriate actions are taken with audit findings. The Committee has no direct responsibility for the operations and functions of audit areas. It does, however, make recommendations to the Board regarding both factors.
The Audit Committee will be composed of four members of the Hamilton Public Library Board, one of whom shall be the Chair of the Hamilton Public Library Board. Preference will be given to Library Board Members who are financially literate with relevant background in financial matters.
(i.e. prior experience as a business person, recognized accounting designation, work in the accounting profession, or in the financial accounting department of a current or past organization). Committee members will have no current business relationship or financial interests with the Library or its management. Members will be appointed at the first meeting in each year of the Board’s term and will serve until the end of the year. The members of the Audit Committee will appoint one of the members as Chair who will chair the meeting of the Audit Committee and perform such other duties as required to ensure the proper functioning of the Committee. (See Audit Committee Terms of Reference, Appendix 1, for further information about the duties and responsibilities of this committee).

7.0 Payment of Board Expenses
Citizen appointees shall be paid no salary, fees or honorarium for their services. However, any member of the Board may be reimbursed for their actual, out of pocket expenses and travel costs, incurred as a result of their acting either within or outside the municipality in their capacity as members of the Board. Such payments must be allowed for in the budget that is approved by the Board and Council and the expenses must have been incurred with the prior approval of the Board.

8.0 Amendment of the By-Laws
Amendments to these by-laws may only be made at a regular meeting provided that Notice of Motion in writing shall have been given at the previous meeting. Such amendments shall require a two-thirds majority vote of the Board.

9.0 Board Self-Assessment
A Board self-assessment demonstrates that it believes in the values of accountability, learning and development and establishes its credibility not only with the funding agencies, but also with the public being served. In order to monitor how well it is fulfilling its responsibilities, there will be periodic self-assessments carried out by the Board according to the procedures/processes and timing agreed upon by the Board.

10.0 Effective Date
These By-Laws shall come into effect on December 21, 2016 and all former By-Laws and Rules of Procedure of predecessor Boards are hereby repealed.

Appendix 1: Audit Committee Terms of Reference

Purpose
The Committee is to oversee the financial reporting process, to monitor the choice of accounting policies and procedures and to monitor internal control procedures to ensure the effective development and maintenance of adequate financial controls and reporting. The Committee is to be independent of the auditing function and ensure appropriate actions are taken with audit findings. The Committee has no direct responsibility for the operations and functions of audit areas. It does, however, make recommendations to the Board regarding both factors.
**Appointment of External Auditors**

Under the authority of the Municipal Act, the City of Hamilton shall appoint the external auditor for the Hamilton Public Library.

**Membership**

The Audit Committee will be composed of four members of the Hamilton Public Library Board one of whom shall be the Chair of the Hamilton Public Library Board. A quorum shall be two members.

Preference will be given to Library Board Members who are financially literate with relevant background in financial matters (i.e. prior experience as a business person, recognized accounting designation, work in the accounting profession, or in the financial accounting department of a current or past organization). Committee members will have no current business relationship or financial interests with the Library or its management.

Members will be appointed at the first meeting in each year of the Board’s term and will serve until the end of the year. The members of the Audit Committee will appoint one of the members as Chair who will chair the meetings of the Audit Committee and perform such other duties as required to ensure the proper functioning of the Committee.

**Meetings**

The Committee will meet at least twice in each year – to meet the external auditors to review the scope of the audit and, after the audit has been done, to review the results.

Additional meetings may be held at the Call of the Chair of the Audit Committee, request by a Committee member or by the external auditors. Notice of each meeting confirming the venue, time and date of the meeting together with an agenda of items to be discussed shall be forwarded to each member of the Committee prior to the date of the meeting in a timely manner.

The external auditors, Chief Librarian and the Director, Finance and Facilities will be invited to attend meetings and, at least once a year, the Committee will meet with the external auditors without Library staff present. The Audit Committee may invite such other persons to its meetings as it deems necessary.

**Duties**

The duties of the Committee will be:

1. To meet with the external auditors before the audit commences and to discuss and approve the nature and scope of the audit
2. To discuss with external auditors issues such as compliance with accounting standards and proposals by external auditors
3. To monitor the integrity of the financial statements of the Library and to review, and challenge where necessary, the actions and judgements of management in relation to financial statements before submission to the Board, focusing particularly on:
   1. Significant accounting policies and practices and any changes in them
   2. Major judgemental areas
3. The extent to which the financial statements are affected by any unusual transactions in the year and how they are disclosed
4. The clarity of disclosures
5. Significant adjustments resulting from the audit
4. To meet with the external auditors post-audit, at the reporting stage, to discuss the audit, including problems and reservations arising from the audit, and any matters the auditor may wish to discuss;
5. To review the management representation letter, the external auditors’ management letter and management’s response.
6. To monitor and review the internal audit programme (if any) and its effectiveness;
7. To monitor and review the Library’s systems for internal financial control, financial reporting and risk management;
8. To consider any major audit recommendations and to consider the major findings of internal investigations and management’s response.

**Reporting**
The Chair of the Committee shall report to the Board on all meetings of the Committee.
The Committee shall make whatever recommendations to the Board it deems appropriate on any area within its responsibility where action or improvement is needed.
The Committee members shall conduct an annual review of their work and these Terms of Reference and make recommendations to the Board.

**Approval History:** March 2005; November 2007; December 2016;

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**Appendix 1: Ontario Public Libraries Act (R.S.O. 1990) Chapter 4**

**Consolidation Period:** From April 1, 2010 to the e-Laws currency date.

Last amendment: 2009, c. 33, Sched. 11, s. 7.

**CONTENTS**

1. Definitions

**PART I**

**PUBLIC LIBRARY SERVICE**

Public libraries continued
Establishment of public library

**UNION BOARDS**

Union libraries continued
Establishment of union public library

**COUNTY LIBRARY BOARDS**

County libraries continued
County library establishment

**COUNTY LIBRARY CO-OPERATIVE BOARDS**

County library co-operative boards continued

**GENERAL**

Composition of public library board
Board members
Definitions

1. In this Act,

“board” in Part I means a public library board, a union board, a county library board or a county library co-operative board; (“conseil”)

“lower-tier municipality”, in relation to a county, means a municipality that forms part of the county for municipal purposes; (“municipalité de palier inférieur”)

“Minister” means the Minister of Culture or such other member of the Executive Council to whom the administration of this Act may be assigned under the Executive Council Act; (“ministre”)

“municipality” means a local municipality; (“municipalité”)

“prescribed” means prescribed by the regulations; (“prescrit”)

“regulations” means the regulations made under this Act; (“règlements”)

“single-tier municipality”, in relation to a county, means a municipality that is geographically located within the county but does not form part of the county for municipal purposes. (“municipalité à palier unique”) R.S.O. 1990, c. P.44, s. 1; 2002, c. 17, Sched. C, s. 24 (1); 2002, c. 18, Sched. F, s. 3 (1-3); 2009, c. 33, Sched. 11, s. 7 (1).

PART I
PUBLIC LIBRARY SERVICE

Public libraries continued

2. Every public library established under a predecessor of this Part that was being operated immediately before the 29th day of March, 1985, is continued subject to this Part. R.S.O. 1990, c. P.44, s. 2.
Establishment of public library

3. (1) The council of a municipality may by by-law establish a public library. R.S.O. 1990, c. P.44, s. 3 (1); 2002, c. 18, Sched. F, s. 3 (4).

Copy of by-law to be sent to Minister

(2) When a by-law is passed under subsection (1), the clerk shall promptly mail or deliver a copy of the by-law to the Minister. R.S.O. 1990, c. P.44, s. 3 (2).

Board

(3) A public library shall be under the management and control of a board, which is a corporation known in English as The (insert name of municipality) Public Library Board and in French as Conseil de la bibliothèque publique de (insert name of municipality). R.S.O. 1990, c. P.44, s. 3 (3).

Union boards

4. Every union public library established under a predecessor of this Part that was being operated immediately before the 29th day of March, 1985, is continued subject to this Part. R.S.O. 1990, c. P.44, s. 4.

Establishment of union public library

5. (1) The councils of two or more municipalities may make an agreement for the establishment of a union public library. R.S.O. 1990, c. P.44, s. 5 (1).

Agreement

(2) An agreement under subsection (1) shall specify what proportion of the cost of the establishment, operation and maintenance of the union public library, including the cost of existing libraries, shall be paid by each municipality. R.S.O. 1990, c. P.44, s. 5 (2).

Union board

(3) A union public library shall be under the management and control of a union board, which is a corporation known in English as The (insert appropriate name) Union Public Library Board and in French as Conseil de la bibliothèque publique unie de (insert appropriate name). R.S.O. 1990, c. P.44, s. 5 (3).

Dissolution of public library boards

(4) When an agreement is made under subsection (1),

(a) the public library boards established for the municipalities for which the union board is established are dissolved; and

(b) the assets and liabilities of those public library boards are vested in and assumed by the union board unless the agreement provides otherwise. 2002, c. 18, Sched. F, s. 3 (5).

Copy of agreement to be sent to Minister

(5) When an agreement is made under subsection (1), the clerk of the municipality that has the greatest population shall promptly mail or deliver a copy of the agreement to the Minister. R.S.O. 1990, c. P.44, s. 5 (5).

County libraries continued

6. Every county library established under a predecessor of this Part that was being operated immediately before the 29th day of March, 1985, is continued subject to this Part. R.S.O. 1990, c. P.44, s. 6.

County library establishment

7. (1) Where resolutions of the councils of at least two-thirds of the municipalities forming part of a county for municipal purposes request that the county establish a county library, the council of the county may by by-law establish a county library for those municipalities. R.S.O. 1990, c. P.44, s. 7 (1).

Copy of by-law to be sent to Minister
When a by-law is passed under subsection (1), the clerk shall promptly mail or deliver a copy of the by-law to the Minister. R.S.O. 1990, c. P.44, s. 7 (2).

Additional members: agreements

At any time after a county library is established, the council of a non-participating lower-tier municipality or single-tier municipality and the county council may make an agreement bringing the non-participating lower-tier municipality or single-tier municipality into the county library, and the county council shall amend the establishing by-law accordingly. 2002, c. 17, Sched. C, s. 24 (2).

Contents of agreement

An agreement under subsection (3) shall specify what proportion of the cost of the establishment, operation and maintenance of the county library shall be paid by the county and the single-tier municipality, respectively. 2002, c. 17, Sched. C, s. 24 (2).

Dissolution of public library boards, etc.

When a county library is established,

(a) every public library board and county library co-operative board established for a municipality or any part thereof that is included in the area for which the county library is established is dissolved; and

(b) the assets and liabilities of those boards are vested in and assumed by the county library board unless the by-law establishing the county library provides otherwise. 2002, c. 18, Sched. F, s. 3 (6).

Idem

When a municipality joins a county library, subsection (5) applies with necessary modifications. R.S.O. 1990, c. P.44, s. 7 (6).

County library board

A county library shall be under the management and control of a board, which is a corporation known in English as The (insert name of county) County Library Board and in French as Conseil de la bibliothèque du comté de (insert name of county). R.S.O. 1990, c. P.44, s. 7 (7).

COUNTY LIBRARY CO-OPERATIVE BOARDS

County library co-operative boards continued

Every county library co-operative board established under a predecessor of this Act that was in existence immediately before the 29th day of March, 1985, is continued subject to this Part. R.S.O. 1990, c. P.44, s. 8 (1).

When dissolved

If a county library co-operative board has jurisdiction in an area for which a county library is established, the county library co-operative board is dissolved, and its assets and liabilities are vested in and assumed by the county library board. 2002, c. 18, Sched. F, s. 3 (7).

GENERAL

Composition of public library board

A public library board shall be composed of at least five members appointed by the municipal council. 2002, c. 18, Sched. F, s. 3 (8).

Composition of union board

A union board shall be composed of at least five members appointed by the councils of the affected municipalities in the proportions and in the manner specified in the agreement made under subsection 5 (1). 2002, c. 18, Sched. F, s. 3 (8).

Composition of county library board

A county library board shall be composed of at least five members appointed by the county council. 2002, c. 18, Sched. F, s. 3 (8).
When a single-tier municipality joins a county library, the members of the county library board shall be appointed by the county council and the council of the single-tier municipality in the proportions agreed upon by the county council and the council of the single-tier municipality. 2002, c. 18, Sched. F, s. 3 (8).

Composition of county library co-operative board

A county library co-operative board shall be composed of at least five members appointed by the county council. 2002, c. 18, Sched. F, s. 3 (8).

Board members

10. (1) A person is qualified to be appointed as a member of a board who is a member of the appointing council or,
(a) is at least eighteen years old;
(b) is a Canadian citizen;
(c) is,
(i) a resident of the municipality for which the board is established in the case of a public library board, a resident of one of the municipalities for which the board is established in the case of a union board, a resident of one of the participating municipalities in the case of a county library board, or a resident of the area served by the board in the case of a county library co-operative board,
(ii) a resident of a municipality that has a contract with the board under section 29,
(iii) a resident of the board area of a local service board that has a contract with the board under section 29,
(iv) a member of an Indian band that has a contract with the board under section 29, or
(v) a member of a second board that has entered into a contract with the board to purchase from it library services for the residents of the second board; and
(d) is not employed by the board or by the municipality or county or, in the case of a union board, by any of the affected municipalities. R.S.O. 1990, c. P.44, s. 10 (1); 2002, c. 18, Sched. F, s. 3 (9).

Number of council members on board limited

2. The appointing council shall not appoint more of its own members to a board than the number that is,
(a) in the case of a public library board or union board, one less than a majority of the board; and
(b) in the case of a county library or a county co-operative library, a bare majority of the board. R.S.O. 1990, c. P.44, s. 10 (2).

Term

3. A board member shall hold office for a term concurrent with the term of the appointing council, or until a successor is appointed, and may be reappointed for one or more further terms. R.S.O. 1990, c. P.44, s. 10 (3).

Time for making appointments

4. The first appointments of members of a new board shall be made at a regular meeting of council and the member shall take office as soon as possible thereafter, and thereafter appointments shall be made at the first meeting of council in each term, but if the council fails to make the appointments at its first meeting, it shall do so at any regular or special meeting held within 60 days after its first meeting. R.S.O. 1990, c. P.44, s. 10 (4); 2002, c. 18, Sched. F, s. 3 (10).

Notice of vacancies

11. (1) The clerk of the appointing municipality or county or, in the case of a union board, the clerks of the affected municipalities shall give public notice of vacancies on the board by publishing a notice of them, inviting applications, in a newspaper of general circulation in the municipality. R.S.O. 1990, c. P.44, s. 11 (1).

Idem

(2) The notice referred to in subsection (1) shall be in English or in both English and French, as may be appropriate. R.S.O. 1990, c. P.44, s. 11 (2).

(3) REPEALED: 2002, c. 18, Sched. F, s. 3 (11).
Vacancies

12. Where a vacancy arises in the membership of a board, the appointing council shall promptly appoint a person to fill the vacancy and to hold office for the unexpired term, except where the unexpired term is less than forty-five days. R.S.O. 1990, c. P.44, s. 12.

Disqualification of board member

13. If a board member,
   (a) is convicted of an indictable offence;
   (b) becomes incapacitated;
   (c) is absent from the meetings of the board for three consecutive months without being authorized by a board resolution;
   (d) ceases to be qualified for membership under clause 10 (1) (c); or
   (e) otherwise forfeits his or her seat,
the member’s seat becomes vacant and the remaining members shall forthwith declare the seat vacant and notify the appointing council accordingly. R.S.O. 1990, c. P.44, s. 13.

First meeting

14. (1) The first meeting of a board in a new term shall be called,
   (a) if a by-law has been passed under subsection (2), by the chief executive officer appointed under subsection 15 (2); and
   (b) if no by-law has been passed under subsection (2), by the clerk of the appointing council or, in the case of a union board, the clerk of the municipality having the greatest population. R.S.O. 1990, c. P.44, s. 14 (1).

By-law re calling first meeting

(2) A municipal council or, in the case of a union board, a majority of the municipal councils affected may by by-law authorize the chief executive officer appointed under subsection 15 (2) to call the first meeting of the board in each new term. R.S.O. 1990, c. P.44, s. 14 (2).

Chair

(3) A board shall elect one of its members as chair at its first meeting in a new term. R.S.O. 1990, c. P.44, s. 14 (3).

Acting chair

(4) In the absence of the chair, the board may appoint one of its members as acting chair. R.S.O. 1990, c. P.44, s. 14 (4).

Staff

15. (1) A board may appoint and remove such employees as it considers necessary, determine the terms of their employment, fix their remuneration and prescribe their duties. R.S.O. 1990, c. P.44, s. 15 (1); 1993, c. 27, Sched.

Chief executive officer

(2) A board shall appoint a chief executive officer who shall have general supervision over and direction of the operations of the public library and its staff, shall attend all board meetings and shall have the other powers and duties that the board assigns to him or her from time to time. R.S.O. 1990, c. P.44, s. 15 (2).

Secretary

(3) A board shall appoint a secretary who shall,
   (a) conduct the board’s official correspondence; and
   (b) keep minutes of every meeting of the board. R.S.O. 1990, c. P.44, s. 15 (3).

Treasurer

(4) A board shall appoint a treasurer who shall,
(a) receive and account for all the board’s money;
(b) open an account or accounts in the name of the board in a chartered bank, trust company or credit union approved by the board;
(c) deposit all money received on the board’s behalf to the credit of that account or accounts; and
(d) disburse the money as the board directs. R.S.O. 1990, c. P.44, s. 15 (4).

Idem

(5) The same person may be both the secretary and the treasurer, and the chief executive officer appointed under subsection (2) may be the secretary and may be the treasurer. R.S.O. 1990, c. P.44, s. 15 (5).

Meetings

16. (1) A board shall hold regular meetings once a month for at least 10 months each year and at such other times as it considers necessary. 2009, c. 33, Sched. 11, s. 7 (2).

Special meetings

(2) The chair or any two members of a board may summon a special meeting of the board by giving each member reasonable notice in writing, specifying the purpose for which the meeting is called. R.S.O. 1990, c. P.44, s. 16 (2).


Quorum

(5) The presence of a majority of the board is necessary for the transaction of business at a meeting. R.S.O. 1990, c. P.44, s. 16 (5).

Voting

(6) The chair or acting chair of a board may vote with the other members of the board upon all questions, and any question on which there is an equality of votes shall be deemed to be negative. R.S.O. 1990, c. P.44, s. 16 (6).

Open and closed meetings

16.1 (1) In this section,
“committee” means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of the board; (“comité”)
“meeting” means any regular, special, committee or other meeting of the board. (“réunion”) 2002, c. 17, Sched. C, s. 24 (5).

Open meetings

(2) Except as provided in this section, all meetings shall be open to the public. 2002, c. 17, Sched. C, s. 24 (5).

Improper conduct

(3) The board chair may expel any person for improper conduct at a meeting. 2002, c. 17, Sched. C, s. 24 (5).

Closed meetings

(4) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,
(a) the security of the property of the board;
(b) personal matters about an identifiable individual;
(c) a proposed or pending acquisition or disposition of land by the board;
(d) labour relations or employee negotiations;
(e) litigation or potential litigation, including matters before administrative tribunals, affecting the board;
(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
(g) a matter in respect of which a board or committee of a board may hold a closed meeting under another Act. 2002, c. 17, Sched. C, s. 24 (5).
Other criteria

[5] A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the board or committee of the board is the head of an institution for the purposes of that Act. 2002, c. 17, Sched. C, s. 24 (5).

Resolution

[6] Before holding a meeting or part of a meeting that is to be closed to the public, a board or committee of the board shall state by resolution,

(a) the fact of the holding of the closed meeting; and

(b) the general nature of the matter to be considered at the closed meeting. 2002, c. 17, Sched. C, s. 24 (5).

Open meeting

[7] Subject to subsection (8), a meeting shall not be closed to the public during the taking of a vote. 2002, c. 17, Sched. C, s. 24 (5).

Exception

[8] A meeting may be closed to the public during a vote if,

(a) subsection (4) or (5) permits or requires the meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the board or committee of the board or persons retained by or under contract with the board. 2002, c. 17, Sched. C, s. 24 (5).

Language

17. A board may conduct its meetings in English or French or in both English and French and subsections 247 (1), (4), (5) and (6) of the Municipal Act, 2001 or subsections 195 (1), (4), (5) and (6) of the City of Toronto Act, 2006, as the case may be, apply with necessary modifications. 2002, c. 17, Sched. C, s. 24 (6); 2006, c. 32, Sched. C, s. 53 (1).

Expenses

18. A board may reimburse its members for proper travelling and other expenses incurred in carrying out their duties as members. R.S.O. 1990, c. P.44, s. 18.

Real property

19. (1) A board may, with the consent of the appointing council or, where it is a union board, the consent of a majority of the councils of the municipalities for which it was established,

(a) acquire land required for its purposes by purchase, lease, expropriation or otherwise;

(b) erect, add to or alter buildings;

(c) acquire or erect a building larger than is required for library purposes, and lease any surplus part of the building; and

(d) sell, lease or otherwise dispose of any land or building that is no longer required for the board’s purposes. R.S.O. 1990, c. P.44, s. 19 (1).

Application of Expropriations Act


Powers and duties of board

20. A board,

(a) shall seek to provide, in co-operation with other boards, a comprehensive and efficient public library service that reflects the community’s unique needs;

(b) shall seek to provide library services in the French language, where appropriate;

(c) shall operate one or more libraries and ensure that they are conducted in accordance with this Act and the regulations;
(d) may operate special services in connection with a library as it considers necessary;
(e) shall fix the times and places for board meetings and the mode of calling and conducting them, and ensure that full and correct minutes are kept;
(f) shall make an annual report to the Minister and make any other reports or provide any other information required by this Act and the regulations or requested by the Minister from time to time;
(g) shall make provision for insuring the board’s real and personal property;
(h) shall take proper security for the treasurer; and
(i) may appoint such committees as it considers expedient. R.S.O. 1990, c. P.44, s. 20; 2009, c. 33, Sched. 11, s. 7 (3).

Operation of branch libraries by county library board

21. A county library board shall operate a branch library in each local municipality that operated a public library before that municipality became part of the county library system, unless the county council and the council of the municipality concerned agree otherwise. R.S.O. 1990, c. P.44, s. 21.

Employee benefits

Pensions

22. (1) A board may, by resolution, provide pensions for employees or any class of them and their surviving spouses and children. 2006, c. 32, Sched. C, s. 53 (2).

Sick leave credits

(2) A board may, by resolution, establish a system of sick leave credit gratuities for employees or any class of them in the manner and subject to the conditions set out in section 281 of the Municipal Act, 2001 or section 220 of the City of Toronto Act, 2006, as the case may be, and those sections apply with necessary modifications. 2006, c. 32, Sched. C, s. 53 (2).

Libraries to be open to public

23. (1) A board shall not make a charge for admission to a public library or for use in the library of the library’s materials. R.S.O. 1990, c. P.44, s. 23 (1).

Certain library services free

(2) Every board shall allow the public to,
(a) reserve and borrow circulating materials that are prescribed or belong to a prescribed class; and
(b) use reference and information services as the board considers practicable,
without making any charge. R.S.O. 1990, c. P.44, s. 23 (2).

Fees

(3) A board may impose such fees as it considers proper for,
(a) services not referred to in subsections (1) and (2);
(b) the use of the parts of a building that are not being used for public library purposes; and
(c) the use of library services by persons who do not reside in the area of the board’s jurisdiction. R.S.O. 1990, c. P.44, s. 23 (3).

Rules

(4) Subject to the regulations, a board may make rules,
(a) for the use of library services;
(b) for the admission of the public to the library;
(c) for the exclusion from the library of persons who behave in a disruptive manner or cause damage to library property;
(d) imposing fines for breaches of the rules;
(e) suspending library privileges for breaches of the rules; and
(f) regulating all other matters connected with the management of the library and library property. R.S.O. 1990, c. P.44, s. 23 (4).

Estimates

24. (1) A public library board, county library board or county library co-operative board shall submit to the appointing council, annually on or before the date and in the form specified by the council, estimates of all sums required during the year for the purposes of the board. R.S.O. 1990, c. P.44, s. 24 (1).

Approval of estimates

(2) The amount of the board’s estimates that is approved or amended and approved by the council shall be adopted by the board and shall be paid to the board out of the money appropriated for it. R.S.O. 1990, c. P.44, s. 24 (2).

Idem

(3) The board shall apply the money paid to it under subsection (2) in accordance with the estimates as approved, subject to subsection (4). R.S.O. 1990, c. P.44, s. 24 (3).

Council may authorize variation

(4) The council may, in its approval of the board’s estimates or at any time at the board’s request, authorize the board to apply a specified amount or percentage of the money paid to it under subsection (2) otherwise than in accordance with the items of the estimates as approved. R.S.O. 1990, c. P.44, s. 24 (4).

Idem: union board

(5) A union board shall submit its estimates to each of the councils of the municipalities for which the board was established, and subsections (1), (2), (3) and (4) apply to the union board with necessary modifications. R.S.O. 1990, c. P.44, s. 24 (5).

Where two or more municipalities concerned

(6) A union board shall submit with its estimates a statement as to the proportion of the estimates that is to be charged to each of the municipalities, and if the estimates of the board are approved or amended and approved by the councils of the municipalities representing more than one-half of the population of the area for which the board was established, they are binding on all the municipalities. R.S.O. 1990, c. P.44, s. 24 (6).

(7), (8) Repealed: 2009, c. 33, Sched. 11, s. 7 (4).

Debentures for library purposes

25. (1) The sums required by a public library board or union board for the purposes of acquiring land, for building, erecting or altering a building or for acquiring books and other things required for a newly established library may, on the application of the board, be raised by the issue of municipal debentures. R.S.O. 1990, c. P.44, s. 25 (1); 1996, c. 32, s. 83 (1).

Application to council

(2) The board’s application shall be made to the council or councils of the municipality or municipalities for which the board was established. R.S.O. 1990, c. P.44, s. 25 (2).

Council to deal with application

(3) The council or, if more than one, each of the councils, at the first meeting after receiving the application or as soon thereafter as possible, shall consider and approve or disapprove it, and if a vote in any council results in a tie, the application shall be deemed to be disapproved by the council. R.S.O. 1990, c. P.44, s. 25 (3).

Issue of debentures

(4) If the council, or a majority of the councils where there are more than one, approves the application, the council of the municipality or, if more than one, the council of the municipality that has the greatest population shall raise the sum required by the issue of debentures in the manner provided under the Municipal Act, 2001 or the City of Toronto Act, 2006, as the case may be, or, if it so desires, the council of any municipality may raise its proportion of the sum
required by the issue of its own debentures. R.S.O. 1990, c. P.44, s. 25 (4); 1996, c. 32, s. 83 (2); 2002, c. 17, Sched. C, s. 24 (11); 2006, c. 32, Sched. C, s. 53 (4).

County estimates: accommodation by municipality

Operating costs

26. (1) The amount estimated by a county library board to meet its operating costs, as approved by the council of a county, shall be included in the amounts to be provided by the county under clause 289 (1) (d) of the Municipal Act, 2001. 2002, c. 17, Sched. C, s. 24 (12).

Part of levy

(1.1) The amount mentioned in subsection (1) shall form part of the general upper-tier levy of the county, unless not all of the municipalities forming part of the county for municipal purposes participate in the county library, in which case the amount shall form part of a special upper-tier levy of the county that shall be levied in accordance with section 311 of the Municipal Act, 2001 on all the assessment rateable for upper-tier purposes in the municipalities forming part of the county for municipal purposes and that participate in the county library system. 2002, c. 17, Sched. C, s. 24 (12).

Accommodation may be provided by local municipality

(2) The council of one or more participating municipalities may, at the request of the county library board, rent accommodation to the board and may issue municipal debentures for the cost of constructing a building for the board’s purposes, but the ownership of the building shall remain with the municipality unless the board and the council of the municipality agree otherwise. R.S.O. 1990, c. P.44, s. 26 (2); 1996, c. 32, s. 83 (3).

Grant from council

27. The council of any municipality or county may make a grant in money, lands or buildings to a board. R.S.O. 1990, c. P.44, s. 27.

Inspection of records

28. (1) Subject to subsection (2), a person may, during ordinary business hours, inspect any records, books, accounts and documents in the possession or control of a board’s secretary. 2002, c. 18, Sched. F, s. 3 (12).

Exception

(2) The secretary shall refuse to allow an inspection under subsection (1) in circumstances in which a head must refuse disclosure under any of sections 6 to 16 of the Municipal Freedom of Information and Protection of Privacy Act, and the secretary may refuse to allow an inspection under subsection (1) in circumstances in which a head may refuse disclosure under any of those sections of that Act. 2002, c. 18, Sched. F, s. 3 (12).

Contract for library services

29. (1) The council of a municipality, a local service board or the council of an Indian band may, instead of establishing or maintaining a public library, enter into a contract with a public library board, union board or county library board for the purpose of providing the residents of the municipality or local service board area or the members of the band, as the case may be, with library services, on the terms and conditions set out in the agreement. 2002, c. 17, Sched. C, s. 24 (13); 2009, c. 33, Sched. 11, s. 7 (5).

Reports

(2) The municipal council, local service board or band council entering into a contract under subsection (1) shall make any report required by this Act or the regulations or requested by the Minister. 2009, c. 33, Sched. 11, s. 7 (6).

Payments to boards

30. (1) The Minister shall make a grant to every board for library purposes, on the prescribed conditions. R.S.O. 1990, c. P.44, s. 30 (1).

Idem: where municipality, etc., has contract for library services

(2) The Minister shall make a grant for library purposes to every municipality, local service board or Indian band that has a contract for library services under subsection 29 (1), on the prescribed conditions. R.S.O. 1990, c. P.44, s. 30 (2); 2002, c. 18, Sched. F, s. 3 (14).
Idem: library of regional municipality

(3) Where a regional municipality has established a public library board, the Minister shall make a grant to the board for library purposes as if it were a board under this Part. R.S.O. 1990, c. P.44, s. 30 (3).

Idem: library of Indian band or local service board

(4) Where the council of an Indian band or a local service board has established a public library, the Minister shall make a grant to the Indian band or local service board for library purposes as if it were a board under this Part. R.S.O. 1990, c. P.44, s. 30 (4).

PART II (ss. 31-38) REPEALED: 2009, c. 33, Sched. 11, s. 7 (7).

PART III
GENERAL

Regulations

39. The Lieutenant Governor in Council may make regulations,
(a) providing for the distribution of all money appropriated by the Legislature for library purposes;
(b) prescribing the conditions governing the payments of grants;
(c) respecting the establishment, organization, management, premises and rules of public libraries;
(d) prescribing circulating materials or classes of circulating materials for the purpose of clause 23 (2) (a). R.S.O. 1990, c. P.44, s. 39.

Special library service boards

40. (1) The Minister may establish special library service boards to provide the resources and services that the Minister specifies and may make grants to special library service boards out of legislative appropriations for library purposes. R.S.O. 1990, c. P.44, s. 40 (1).

Information to Minister

(2) A special library service board established under subsection (1) shall submit to the Minister any information requested by the Minister. 2009, c. 33, Sched. 11, s. 7 (8).

Toronto Public Library Board

(3) The Toronto Public Library Board shall be deemed to be a special library service board and may provide library resources and services to the Ontario library community. R.S.O. 1990, c. P.44, s. 40 (3); 1997, c. 26, Sched.

Withholding grant on default of board

41. Where a board in any fiscal year fails to comply with this Act or the regulations, the Minister may withhold the whole or any part of the legislative grant that would otherwise be payable to the board for that year. R.S.O. 1990, c. P.44, s. 41.

Dissolution by Minister

42. (1) The Minister may dissolve a public library board, a union board, a county library board or a county library co-operative board where the board has not, during the two-year period immediately preceding the dissolution, maintained and operated a library. R.S.O. 1990, c. P.44, s. 42 (1).

Idem

(2) The Minister may dissolve an Ontario library service board where the Ontario library service area under its jurisdiction has been dissolved. R.S.O. 1990, c. P.44, s. 42 (2).

Assets and liabilities of dissolved board

(3) Where a board is dissolved under subsection (1), its assets and liabilities are vested in and assumed by the municipality or county or, in the case of a union board, are distributed as the Minister directs among the municipalities for which the union board was established. R.S.O. 1990, c. P.44, s. 42 (3); 2002, c. 18, Sched. F, s. 3 (16).

Idem
(4) Where a board is dissolved under subsection (2), its assets and liabilities are vested in and assumed by the Crown in right of Ontario. R.S.O. 1990, c. P.44, s. 42 (4); 2002, c. 18, Sched. F, s. 3 (17).

Appendix 2: City of Hamilton By-Law NO. 04-019
A BY-LAW FOR THE ESTABLISHMENT OF A PUBLIC LIBRARY BOARD FOR THE CITY OF HAMILTON

WHEREAS the Public Libraries Act, R.S.O.1990, chapter P44, hereinafter called “the Act” provides that public libraries shall be under the management and control of a board, which is a corporation, AND WHEREAS, the City Hamilton Act, 1999 established a library board for the City of Hamilton, effective January 1, 2001, under the name “Hamilton Public Library Board”, AND WHEREAS, the regulations of the Act that outline the size and composition of a library board have changed since the establishment of the Hamilton Public Library Board under City Hamilton By-Law No. 01-038;
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That a public library board to be known as the Hamilton Public Library Board be established which shall manage and direct the Hamilton Public Library in accordance with the Public Libraries Act, R.S.O. 1990, chapter P44.
2. That the Hamilton Public Library Board shall be composed of eleven (11) persons appointed by the Council of the City of Hamilton of who two (2) shall be members of Council and nine (9) shall be citizen appointees.
3. That Council shall attempt to balance the citizen appointments to the Board, reflecting the City’s multicultural, generational, geographic and vocational diversity.
4. That the term of a Library Board member shall, in compliance with the Act, be concurrent with the term of Council, with citizen appointees staying in place after a new Council has been elected until such time as the new Council names its appointees.
5. That the Hamilton Public Library Board shall have all responsibilities given to it by the Act.
6. That By-law No. 01-038 is hereby repealed.
7. In the event of a conflict between the provisions of this by-law and the Public Libraries Act, R.O. 1990, chapter P44 and its revisions, the provisions of the Act prevail.

This by-law shall come into force and take effect on the date of its passing and enactment.
PASSED AND ENACTED this 1 day of February 2004.
1.2 CEO/Chief Librarian Performance Appraisal

**Policy Level:** Library Board  
**Author:** HR Director  
**Review Period:** 4 Years  
**Approval Date:** May 2016

**Introduction**

One of the responsibilities of the Library Board is to employ a competent CEO/Chief Librarian (henceforth CEO). This Policy has been developed to ensure that the process is fair, is transparent to Board members, protects confidentiality and is focused on improving the CEO’s performance and adherence to Hamilton Public Library’s strategic priorities, the basis for the CEO’s goals.

**Principles**

- The Library Board is responsible for the CEO’s Performance Appraisal (PA) process.
- The CEO Performance Appraisal will be conducted consistent with Library Board mission, values and strategic priorities.
- The Board will seek written self-assessment from the CEO on their previous year’s performance. This self-assessment will then be discussed at a meeting of the Library Board and will remain confidential. The Director of Human Resources assists with the process.
- The Library Board aspires to make decisions based on consensus. Where consensus is not achievable, a vote may be taken on specific goals or sections of the PA under question. In such cases a simple majority (number that is greater than half of a total) of Board members present will be required to approve.

**Criteria for Evaluation**

- The purpose of evaluation is to ensure alignment between the Library Board and the CEO and to ensure feedback systems are in place to support ongoing improvement.
- The Library Board will monitor the degree to which Board policies and strategic priorities are met. Monitoring of the CEO’s job performance will be solely against expected job outputs. Data that do not do this will not be considered to be monitoring data.
- The Board may acquire monitoring data by one or more of three methods:
  - Internal reports, in which the CEO discloses performance and compliance information to the Board
  - External reports, in which a disinterested, external third party selected by the Board, assesses compliance with Board policies.
  - Direct Board inspection, in which a designated member or members of the Board assess compliance with the appropriate policy criteria
- The standard for performance/compliance shall be a reasonable interpretation of the Board policy or priority being monitored
Frequency of Appraisals
The standard period for evaluation will be annually, unless a consensus is reached with the Library Board and the CEO that a longer period is more appropriate. In such a case the schedule will be adjusted accordingly.

Schedule and Process
The schedule provides a checklist for the steps of the process

- **Establishing Goals: November** in discussion with Board in December
  - The organizational goals are the CEO’s goals and the CEO is to draft goals for the coming year based on these discussions.
  - Draft sent to Board for comment, comments sent to the Chair/CEO in writing. All comments will be viewed by the entire Board and if approved by the majority of the members they will be incorporated into the performance document for the given year.
  - Once finalized, goals will be approved by the Library Board.

- **Mid-Year Progress Report: June**
  - CEO presents to the Board a mid-year progress report that includes any needed adjustments to the goals for 2nd half of the year.
  - Draft sent to Board for comment, comments sent to the Chair in writing. All comments will be viewed by the entire Board and if approved by the majority of the members they will be incorporated into the performance document for the given year.
  - Once finalized, goals will be approved by the Library Board.

- **Final Report for the year: December**
  - CEO works with the Board to complete report for the year
  - Draft sent to Board for comment, comments sent to the Chair/CEO in writing. All comments will be viewed by the entire Board and if approved by the majority of the members it will be incorporated into the performance document for the given year.
  - Once finalized, goals will be approved by Library Board.
  - Final versions of the Goals and Reports will be signed by the Board Chair, CEO and Director of Human Resources and added to the CEO’s personnel file.

Board Discussions
- During the process there may be questions or the need for a Board discussion at any point during the year. Board members wishing such discussion should request that through the Board Chair.
- The item will appear under Private and Confidential as “HR Matter”
- The CEO may remain for the 1st part of the *in camera* discussion to make a statement or answer questions; however, the main Board discussion will happen with the CEO not present. The Director of Human Resources will remain in attendance to take notes and advise on process.
• The discussion with the CEO related to their performance appraisal will be done by the Chair and Vice-Chair.

Approval History: March 2015, May 2016.

1.2.1 Chief Librarian/CEO Expenses
Policy Level: Library Board
Author: Director Finance & Facilities
Review Period: 4 Years
Approval Date: October 2012

Policy Details
• All travel expenses greater than $2,000 be approved in advance by the Board Chair or Vice Chair.
• All monthly P-card (Visa) expenditure reports be signed off by the Board Chair or Vice Chair.

Background
The Hamilton Public Library Audit Committee gave direction at the annual general meeting to standardize the approval process for expenses incurred by the Chief Librarian. An initial survey of similar institutions has resulted in this recommendation.

Approval History: October 2012

1.3 Advocacy and Political Participation Policy
Policy Level: Library Board
Author: Chief Librarian/CEO
Review Period: 4 Years
Approval Date: December 2016

Policy Purpose
This policy provides guidance for Hamilton Public Library (HPL) staff and the Library Board in respect to advocacy and participation in elections and political parties.

Key Points Summary
• A core HPL value is intellectual freedom and our role is to facilitate the expression of a wide range of ideas.
• Public libraries play an important role in encouraging democratic participation and awareness.
• HPL needs to ensure we preserve the public’s trust in us as an independent organization by being careful to avoid the perception of bias or partisanship.
Policy Details

Guidance for Staff

Promoting Democratic Awareness and Participation
The Library Board encourages staff to support non-partisan activities that encourage political participation and voter awareness. Approved activities include things like the following:

- Using library space to serve as polling stations
- Using library space for non-partisan voter registration tables
- Using library space to host all candidates meetings
- Using library space to host programs and discussions about relevant current issues

Approval for using the library space or website for non-partisan actives requires approval of the Chief Librarian or designate.

Maintaining Public Trust and Independence
The Library Board requires staff to refrain from activities that could erode our position of trust and independence. The Library will not support, endorse, or advocate the viewpoints or beliefs of any one candidate, political party, partisan organization or group. The following activities are not permitted:

- The posting or distribution of partisan election or campaign material in or around library facilities or on the website
- Renting library space for partisan events, election or campaign activities
- While at work staff will not wear anything that promotes a specific issue, candidate or party. They will not post, distribute or promote any election candidate, issue or party while on library property

Guidance for Library Board Members

Advocating on Behalf of Libraries
Public Libraries, like the Hamilton Public Library, provide tremendous value and play an essential role in promoting literacy and the love of reading. Libraries help individuals overcome barriers that limit their ability to participate in the economy and in society. Advocating and promoting public libraries and HPL is an important role for all staff and Board members. While advocacy is important, it is also critical that these efforts are done in a thoughtful way that strengthens the depth and breadth of support for libraries over the long term. Some key points around advocacy:

- The goal of advocacy is to promote awareness of the impact and value of public libraries. Our efforts in Hamilton are naturally focused on the impact and value HPL has on our community
- HPL has a long history of nurturing as wide a support as possible. In the process of advocating for HPL, we will focus on the positive merits of our value and avoid criticism of individuals not sharing our perspective
- Where appropriate, HPL will participate in advocacy efforts with provincial and national library organizations. We will partner with the library community to support independent research that improves and deepens our understanding about the impact of libraries and the best practices to achieve that impact
• The timing and nature of our advocacy will be careful to avoid the appearance that we are endorsing a specific candidate or political party.
• In general, HPL’s formal advocacy efforts will focus on issues that are related to our mission as a public library. For example, efforts to influence the Ontario and Canadian governments will focus on funding or legislation that impact public libraries or libraries in general. This, however, does not in any way preclude HPL from participating in or supporting awareness campaigns on issues consistent with our values of respect and inclusion, or, in general, support of issues related to health and wellness and democratic participation.

The **Chair** is the official spokesperson for the Library Board.

- Only the Chair may represent and speak for the Board in an official capacity to outside parties in announcing Board-stated positions and in stating Chair decisions. (from Board By-Laws)

The **Chief Librarian** speaks on behalf of the HPL in matters relating to the operation and procedures of the HPL and may speak on behalf of the Board in cooperation with the chair of the Board.

- The Chief Librarian identifies and maintains effective relationships with appropriate stakeholders such as other libraries, universities, research organizations, governments, agencies, businesses, media, non-governmental organizations, community leaders and related institutions on a provincial, national and international scale. (from Chief Librarian role description)
- The Chief Librarian is responsible for ensuring procedures are in place to support effective coordination with media

All **Board members** are encouraged to promote the value of the Hamilton Public Library and its impact on the community. This is done by:

- Sharing stories and relevant information about library programs, services and impact
- Sharing information about the Board’s values, vision and strategic plans
- Being an excellent ambassador for HPL and advocating consistent with this policy
- When requested, assisting the Board Chair in officially representing HPL at meetings or other events
- Respecting the confidentiality appropriate to issues of a sensitive nature and understand that it is the Chair’s role to represent and speak on behalf of the Board
- If contacted by the media, coordinate with the Board Chair and Chief Librarian to ensure appropriate information is shared. Because of their roles the Board Chair and Chief Librarian are responsible for responding to media inquiries. This role is often delegated to others, but the delegation requires the approval of the Board Chair or Chief Librarian

**Approval History:** October 2014; December 2016
1.4 Rules for Going In-Camera

Policy Level: Board Background Document
Author: Chief Librarian/CEO
Review Period:
Approval Date: October 2016

Introduction
Both the Library Board and the Ad Hoc Policy Review Committee have had discussions about the rules for going in camera. This document has been prepared to provide a background briefing for the Library Board. The intention is to have a discussion at an upcoming Board meeting to ensure there is clarity on the issue moving forward.

This document contains several appendices that provide relevant background information about HPL’s history, policies, legislation and rulings from the Information and Privacy Commissioner (IPC) of Ontario.

Summary
The Hamilton Public Library Board is governed under provincial legislation, namely the Public Libraries Act. The legislation outlines specific reasons the Library Board may go in camera. The Board has followed the practice of using the right to go in camera as sparingly as possible. As a Public Library, with intellectual freedom and accountability as core organizational values, ensuring only legitimately allowed in camera discussions is important. The Board also has fiduciary responsibilities and there are legitimate reasons the Board may go in camera to protect the Library’s interests and legal responsibilities.

The Public Library Act identifies specific reasons why the Library Board may go in camera. The Public Library Act also allows the Board or a committee of the Board to “hold a closed meeting under another Act”. Reasons for going in camera in the Public Library Act are:

- the security of the property of the board;
- personal matters about an identifiable individual;
- a proposed or pending acquisition or disposition of land by the board;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the board;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act

Before holding a meeting or part of a meeting that is to be closed to the public, a board or committee of the board shall state by resolution,

- the fact of the holding of the closed meeting; and the general nature of the matter to be considered at the closed meeting.
According to the Public Library Act a meeting shall not be closed to the public during the taking of a vote except if: *the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the board or committee of the board or persons retained by or under contract with the board.* The Library Board has not generally passed motions related to verbal updates, discussions, or instructions, however, when a formal decision is required the motion is recorded after the Board leaves *in camera.* The Board Bylaws state: *Any actions determined during an in camera session must be authorized by Board motion passed during regular open session and recorded in public minutes. However, the Board’s Secretary may designate the minutes of in camera sessions as confidential if Section 28(2) of the Public Libraries Act applies.*

The City Clerk was consulted in the preparation of this briefing. The City Clerk indicated that the City of Hamilton’s Procedural By-Law has been developed consistent with the Municipal Act and other relevant legislation (see Appendix IV). Council tries to limit the number of times it goes *in camera*; however, there are legal reasons mainly covered in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) that at times compel *in camera* discussions. The City minutes the general nature of the reason for going *in camera.* Wherever possible, they provide some specificity in the reason for going *in camera* in the agenda without revealing confidential information.

**HPL Board History of Going In camera 2002-2015**

The table below shows the number of times the Library Board has gone *in camera* between 2002-2015. *Appendix I: Board History of in camera Motions* shows the actual motions that were approved by the Library Board and how the items appeared on the agenda. During this period the range of *in camera* motions has been from a low of 4 (occurred in 3 different years) to a high of 9 (occurred in 2002). CEO recruitment and performance assessment have been highlighted as they show why in 2011 and 2012 there was an increase of *in camera* discussions. Historically, the most common reason listed for going *in-camera* was Labour Issues or Labour Relations. In general, the Library Board has provided the general reason for going *in-camera* although there are several examples where the reasons listed are more specific.
Moving Forward

Consistent with our organizational values, the Library Board has a long history of using *in camera* sparingly. Moving to provide more specificity in the reason for going *in camera* is a sound approach that would be consistent with the City of Hamilton’s direction and with the broader societal trend towards more transparency.

Given that the Library Board is currently considering recording and broadcasting the meetings, it would be a good time now to ensure there is clarity regarding what can appropriately be discussed *in camera*. While we have a consistent history of going *in camera* to discuss issues like labour relations, the current wording in the Board By-Laws states:

*An* in camera session of the Board shall be held when it is expedient to consider all or part of an agenda in camera because “intimate financial or personal matters” may be disclosed in debate and the desirability of protecting against the consequences of such disclosure outweighs the desirability of holding the meeting in public.

The Library’s management team works hard to have open and honest dialogue with the union and to ensure we avoid major changes coming as a surprise. In public reports and open meetings, staff frequently raise issues that could impact labour relations. While that is the case, the Library Board also has a history of discussing some labour relations’ issues *in camera*. The *in camera* discussions have also included personnel issues affecting individuals, although those have happened less frequently. Labour relations’ *in camera* discussions are allowed under the Public Library Act and other legislation. A departure from this practice would limit the ability of staff to seek advice from the Board in some circumstances. Clarifying this issue is important and may require the Board to amend the wording of the By-Laws to ensure that what is allowed under legislation and has traditionally been discussed *in camera* is not prohibited by the By-Laws when there is a compelling reason to do so.
The Library Board should be aware that the CEO may be informed about 3rd party confidential information. If such information has a potential serious financial, labour relations or legal impact it is the CEO’s responsibility to disclose this to the Library Board, as soon as is reasonable, so that the Board can be informed in order to provide direction and advice. If the Board directs that the confidential matters brought forward by the staff cannot be discussed *in camera*, then such information may have to be disclosed to the Board at a later time when it is made public by the 3rd party.

In conclusion, we have a long history of using *in camera* discussions only when necessary to protect the organization as allowed for in the legislation. The Board’s history shows that our tradition and approach have remained consistent. Moving forward we will need to continue to carefully look at each situation on a case by case basis.
2. CORE VALUES

2.0 Hamilton Public Library Strategic Plan

Policy Level: Library Board
Author: Chief Librarian/CEO
Review Period: 4 Years
Approved: February 2018

2.1 Library Mission Statement

“Freedom to Discover”

2.2 Core Values

- **Intellectual Freedom** – Provide equitable access to and support for knowledge and creativity.
- **Inclusiveness** – Support inclusion by creating trusted services and spaces that welcome everyone.
- **Innovation** – Anticipate and respond to changing needs and technology.
- **Respect** – Support the value and dignity of all individuals.
- **Accountability** – Ensure that library services remain relevant and vital and that resources are managed effectively and ethically.

2.3 Board Strategic Priorities 2018-2021

**Community Beacon**

The Hamilton Public Library will be a source of pride in the community. The library system will act as a unifying force by welcoming everyone. Our physical and digital spaces will be inviting and accommodating. We will be a leader in fostering community engagement and participation.

**Relevant and Responsive**

The Hamilton Public Library will continue to advance core library values as we embrace our evolving role in supporting access and literacy. We will support people in their lifelong learning journey by helping them thrive today as they prepare for tomorrow. We will maintain strong physical collections as we grow digital services. We will be a national library leader, working collaboratively to create policies and agreements that ensure access to intellectual property in all formats.

**Learning and Innovative Organization**

The Hamilton Public Library will continuously seek new ways to assist the learning and growth of all individuals. The library will support staff to be engaged in their roles and in the library profession. We will provide staff with opportunities to continually enhance their skills and develop new competencies so they can meet changing technology and information needs. We will focus on ensuring we reduce barriers to using our services as we promote awareness of the Library in the communities we serve.
2018 Letter from the Board

In preparation for developing the 2018-2021 Strategic Plan the Library Board sought to understand broad trends impacting society and public libraries, as well as, specific challenges and aspirations of the communities we serve. The Board looked at the *Our Future Hamilton Community Vision* and conducted a community survey that received over 7,000 responses. That process has informed the new Strategic Plan and the annual business plans that will follow. The community has told us that there is a high level of satisfaction with HPL and that there is strong alignment with the values we are committed to as a public library. We also learned that we could do a better job of informing people about our services and that there are groups that we could better serve. As we continue to improve our service hours, programs and spaces we will focus on breaking down barriers to use. We will also focus on improving access to collections, in particular our selection of eBooks.

As we strive toward increasing our positive impact, the Library Board expects that we will continually work towards measuring our value and basing service decisions on research and collective impact. We will meet new priorities by shifting current resources and using technology and process changes to improve how we do our work. Staff will use the annual business planning process as a way to identify new opportunities to meet the Board’s priorities. The Board is proud that HPL is an internationally recognized innovative leader. HPL will continue to adopt new technologies and seek out new services and partnerships to more effectively serve our communities. Through these priorities we will continue to be forward-looking, responsive, and accountable.

**Approval History:** November 2003, February 2008, May 2012, February 2018
2.4 Core Position Statements

Policy Level: Library Board
Author: Chief Librarian/CEO
Review Period: 4 Years
Approval Date: March 2017

Policy Statement: In keeping with the Hamilton Public Library’s mission as a public library, the Library Board endorses the following position statements. These position statements, along with the Library’s mission, values and strategic priorities are to guide the development of library policy and services.

2.4.1 Intellectual Freedom Policy

Policy Level: Library Board
Author: Chief Librarian/CEO
Review Period: 4 Years
Approval: May 2017

The Hamilton Public Library Board endorses the Statement on Intellectual Freedom as set out by the Canadian Federation of Library Associations (CFLA) and the Ontario Library Association (OLA) statement on the Intellectual Rights of the Individual.

- **Canadian Federation of Library Associations Statement on Intellectual Freedom and Libraries**

  The Canadian Federation of Library Associations recognizes and values the Canadian Charter of Rights and Freedoms as the guarantor of the fundamental freedoms in Canada of conscience and religion; of thought, belief, opinion, and expression; of peaceful assembly; and of association.

  The Canadian Federation of Library Associations supports and promotes the universal principles of intellectual freedom as defined in the Universal Declaration of Human Rights, which include the interlocking freedoms to hold opinions and to seek, receive and impart information and ideas through any media and regardless of frontiers.

  In accordance with these principles, the Canadian Federation of Library Associations affirms that all persons in Canada have a fundamental right, subject only to the Constitution and the law, to have access to the full range of knowledge, imagination, ideas, and opinion, and to express their thoughts publicly. Only the courts may abridge free expression rights in Canada.

  The Canadian Federation of Library Associations affirms further that libraries have a core responsibility to support, defend and promote the universal principles of intellectual freedom and privacy.

  The Canadian Federation of Library Associations holds that libraries are a key institution in Canada for rendering expressive content accessible and affordable to all.
Libraries are essential gateways for all persons living in Canada to advance themselves through literacy, lifelong learning, social engagement, and cultural enrichment.

Libraries have a core responsibility to safeguard and facilitate access to constitutionally protected expressions of knowledge, imagination, ideas, and opinion, including those which some individuals and groups consider unconventional, unpopular or unacceptable. To this end, in accordance with their mandates and professional values and standards, libraries provide, defend and promote equitable access to the widest possible variety of expressive content and resist calls for censorship and the adoption of systems that deny or restrict access to resources.

Libraries have a core responsibility to safeguard and foster free expression and the right to safe and welcoming places and conditions. To this end, libraries make available their public spaces and services to individuals and groups without discrimination.

Libraries have a core responsibility to safeguard and defend privacy in the individual’s pursuit of expressive content. To this end, libraries protect the identities and activities of library users except when required by the courts to cede them.

Furthermore, in accordance with established library policies, procedures and due process, libraries resist efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups.

Library employees, volunteers and employers as well as library governing entities have a core responsibility to uphold the principles of intellectual freedom in the performance of their respective library roles.


**Ontario Library Association Statement on the Intellectual Rights of the Individual**

In affirming its commitment to the fundamental rights of intellectual freedom, the freedom to read and the freedom of the press, as embodied in the Canadian Charter of Rights and Freedoms, the Ontario Library Association declares its acceptance of the following propositions:

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

2) That intellectual freedom requires freedom to examine other ideas and other interpretations of life than those currently approved by the local community or by society in general, and including those ideas and interpretations which may be unconventional or unpopular.

3) That freedom of expression includes freedom for a creator to depict what is ugly, shocking and unedifying in life.

4) That free traffic in ideas and opinions is essential to the health and growth of a free
society and that the freedom to read, listen and view is fundamental to such free traffic.
5) That it is the responsibility of libraries to maintain the right of intellectual freedom and to implement it consistently in their selection of books, films, recordings, other materials, and in the provision of access to electronic sources of information, including access to the internet.
6) That it is therefore part of the library's service to its public to resist any attempt by an individual or group within the community it serves to abrogate or curtail access to information, the freedom to read, view and listen by demanding the removal, or restrictions to library information sources in any format.
7) That it is equally part of the library's responsibility to its public to ensure that its selection of materials is not unduly influenced by the personal opinions of the selectors, but determined by the application of generally accepted standards of accuracy, style and presentation.
Source: https://www.bpl.on.ca/sites/default/files/basic_page/ola-int-rights.pdf
Approved by the Ontario Library Association, November 7, 1998

Approval History: March 2003; March 2014; May 2017

2.4.2 Rights of Children and Teens in the Public Library Policy
Policy Level: Library Board
Author: Director, Youth Services
Review Period: 4 Years
Approval Date: September 2015

The Hamilton Public Library provides library service for children and teens to support and foster a lifelong love of reading and learning. The Hamilton Public Library Board fully endorses the Children's Rights in the Public Library adopted at the Ontario Library Association Annual General Meeting, November 1998 and the Teen Rights in the Public Library adopted at the Ontario Library Association General Meeting, June 2010.

- Ontario Library Association’s Position on Children’s Rights in the Public Library.

Children in Public Libraries have the right to:
1. Intellectual freedom
2. Equal access to the full range of services and materials available to other users.
3. A full range of materials, services and programs specifically designed and developed to meet their needs.
4. Adequate funding for collections and services related to population, use and local community needs.
5. A library environment that complements their physical and developmental stages.
6. Trained and knowledgeable staff specializing in children's services.
7. Welcoming, respectful, supportive service from birth through the transition to adult user.
8. An advocate who will speak on their behalf to the library administration, library board, municipal council and community to make people aware of the goals of children's services.
9. Library policies written to include the needs of the child.

Source: http://www.accessola2.com/data/1/rec_docs/380_ola3.pdf
Ontario Library Association – November 1998

**Ontario Library Association’s Position on Teen’s Rights in the Public Library**

Teens in Ontario Public Libraries have the right to:

1. **Intellectual freedom**
   The library establishes clear policy statements concerning the right to free access by young adults to library resources and information sources; and respect for the rights of young adults to select materials appropriate to their needs without censorship. The library’s teen collection, policies and services should be consistent with the concepts of intellectual freedom defined by the CLA, OLA and Ontario Human Rights code.

2. **Equal access to the full range of materials, services, and programs specifically designed and developed to meet their unique needs.**
   The Library integrates library service to teens into the overall plan, budget and service program for the library. Library service to teens is integrated with those offered to other user groups.

3. **Adequate funding for collections and services related to population, use and local community needs.**
   The Library incorporates funding for materials and services for teens in the library operating budget and ensures there is equitable distribution of resources to support programs and services for young adults.

4. **Collections that specifically meet the needs of teens**
   The Library provides a wide spectrum of current materials of interest to young adults to encourage lifelong learning, literacy, reading motivation, and reader development. The library endeavors to develop collections that encourage leisure reading, support homework and school success and responds to gender and cultural diversity. The library provides unfettered access to technology including social networking, licensed databases, and other online library resources for teens.

5. **A library environment that complements their physical and developmental stages.**
   The Library provides identifiable spaces for teens that are separate from children’s spaces where possible, reflects their lifestyle and allows for teens to use this library space for leisure or study, either independently or in groups.

6. **Welcoming, respectful, supportive service at every service point.**
   The Library promotes friendly, positive, non-biased customer interactions with teens, providing staff development and training and ensures that services for teens embrace cultural and gender diversity and economic differences. Library staff will endeavor to respect the teen’s need for privacy and nonjudgmental service and assist young adults in acquiring the skills to effectively access all library resources and become information literate.

7. **Library Programs and Services appropriate for Teens**
   The Library fosters youth development by providing programs for teens that contribute to literacy, life-long learning and healthy youth development. The library endeavors to provide volunteer opportunities for helping others through community service hours including participating on Library Advisory Boards, and other projects that help develop a sense of responsibility and community involvement. The library’s teen services initiatives are effectively managed according to best practices in the field of Youth Services.
8. **Trained and knowledgeable staff specializing in teen services.**
   Library staff is knowledgeable about adolescent development and age appropriate resources for young adults inclusive of those with special needs. The library provides services by teen specialists as well as by others who are trained to serve teens.

9. **An advocate who will speak on their behalf to the library administration, library board, municipal council and community to make people aware of the goals of teen services.**
The Library works in partnership with other community agencies and organizations to support all aspects of healthy, successful youth development.

10. **Library policies are written to include the needs of the youth.**

Ontario Library Association – June 2010

**Approval History:** Replaces the Children’s Rights in the Public Library Policy - First Approved June 18, 1999; Revision date: April 2001; September 2015

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### 2.4.3 Diversity and Inclusion Policy

**Policy Level:** Library Board  
**Author:** Chief Librarian/CEO  
**Review Period:** 4 Years  
**Approval Date:** March 2017

The Hamilton Public Library is committed to fostering an environment of understanding and respect. The Hamilton Public Library Board endorses the **Statement on Diversity and Inclusion** as set out by the **Canadian Federation of Library Associations**.

Libraries strive to deliver inclusive service. The Hamilton Public Library recognizes and affirms the dignity of those it serves, regardless of heritage, education, beliefs, race, income, religion, gender, age, sexual orientation, gender identity, physical or mental abilities. The Library is committed to fostering an environment of respect, understanding and acceptance of differences.

- The Hamilton Public Library makes diversity and inclusion a priority in planning and decision making for staffing, collections and service development.
- The Hamilton Public Library acts to ensure that people can enjoy services free from attempts by others to impose values, customs or beliefs.
- In the spirit of diversity and inclusion for all members, the Hamilton Public Library will permit the exhibit of displays and provision of programs that fit into the location’s communities at the appropriate times (e.g. seasonal Christmas displays, menorahs displayed during Hanukkah, program celebrating other cultures or religious backgrounds).

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- **Canadian Federation of Library Associations Position Statement on Diversity and Inclusion**  
The Canadian Federation of Library Associations (CFLA-FCAB) believes that a diverse and pluralistic society is central to our country’s identity. Libraries have a
responsibility to contribute to a culture that recognizes diversity and fosters social inclusion.

Libraries strive to deliver inclusive service. Canada’s libraries recognize and energetically affirm the dignity of those they serve, regardless of heritage, education, beliefs, race, religion, gender, age, sexual orientation, gender identity, physical or mental capabilities, or income.

Libraries understand that an acceptance of differences can place individual and collective values in conflict. Libraries are committed to tolerance and understanding. Libraries act to ensure that people can enjoy services free from any attempt by others to impose values, customs or beliefs.


**Approval History:** Replaced Religious Seasonal Displays Policy - March 1997; April 2001; May 2015; March 2017

### 2.4.4 Access to Information and Communication Technology (ICT)

**Policy Level:** Library Board  
**Author:** Director Digital Technology  
**Review Period:** 4 Years  
**Approval Date:** May 2017

The Hamilton Public Library Board endorses the Canadian Federation of Library Associations (CFLA) Position Statement on *Access to Information and Communication Technology (ICT)*.

#### Position Statement on Access to Information and Communication Technology (ICT)

**Preamble**

CFLA/FCAB views the Internet and other publicly available ICT networks as public goods essential to participation in a democratic and information-driven society. Therefore, CFLA/FCAB recognizes that access to ICT is an essential part of the universal access to information that Canadian libraries provide and support. CFLA/FCAB and its members will co-operate with governments, agencies, industry and other organizations to ensure that these fundamental rights are represented in all policies and laws governing access to and dissemination of information via ICT.

All Canadians have the right to:

1. **Universal, Equitable, and Affordable Access to Robust ICT networks**
   - Access to high-speed ICT networks should be available and affordable to all regardless of factors such as age, religion, ability, gender, sexual orientation, social and political views, national origin, economic status, location and level of information literacy.
   - Special efforts should be made to ensure equity of access in rural and remote areas and access to inclusive technologies for people with disabilities.
• A public policy framework should support the development of ICT infrastructure that meets high standards of speed, reliability and universality.

2. Access to Information Literacy
• Everyone should have the opportunity to acquire the necessary skills to find and use information using ICT.

3. Open Access to Information
• Open access to information should be encouraged at all levels of government and in all publicly-funded institutions. This information should be available free of charge with as little restriction on re-use and modification as possible.
• Government and public institutions should take responsibility for archiving information in order to preserve collective memory.

4. Freedom of Expression
• Individuals have the right to create, share, exchange, access and receive the widest range of ideas, information and images.
• Public policy should encourage neutrality of traffic flow on ICT networks, neither privileging nor restricting information based on content or type. Libraries and other knowledge organizations should encourage the development and use of neutral search and retrieval mechanisms.

5. Privacy
• Privacy of personal information on ICT networks should be carefully protected by legislation.
• In all situations, there should be a written statement outlining the purpose for which personal data is collected. The collection of personal information should be limited to that which is necessary for the purposes identified by the organization. Consent should be required for the collection of personal information and the subsequent use or disclosure of this information.
• This data should not be traded or sold without the express written permission of the individual affected. Information about privacy policies and mechanisms should be easily accessible and all changes to these should be made on an “opt-in” basis.
• Individuals should have the right to examine their own personal information collected by government, public bodies and corporations and to have mistakes corrected, both without charge.


Approval History: May 2017

2.4.5 Access by Design and Privacy by Design
Policy Level: Library Board
Author: Chief Librarian/CEO
Review Period: 4 Years
Approval Date: June 2013
The Hamilton Public Library endorses the principles of Access by Design (AbD) and Privacy by Design (PbD) as developed by the Ontario Privacy Commissioner. As library systems, programs and policies are reviewed or developed the principles outlined in AbD and PbD will be incorporated into the planning process.

- **Privacy by Design (PbD) - The 7 Fundamental Principles**

1. **Proactive not Reactive; Preventative not Remedial**
   The Privacy by Design (PbD) approach is characterized by proactive rather than reactive measures. It anticipates and prevents privacy invasive events before they happen. PbD does not wait for privacy risks to materialize, nor does it offer remedies or resolving privacy infractions once they have occurred — it aims to prevent them from occurring. In short, Privacy by Design comes before-the-fact, not after.

2. **Privacy as the Default Setting**
   We can all be certain of one thing — the default rules! Privacy by Design seeks to deliver the maximum degree of privacy by ensuring that personal data are automatically protected in any given IT system or business practice. If an individual does nothing, their privacy still remains intact. No action is required on the part of the individual to protect their privacy — it is built into the system, by default.

3. **Privacy Embedded into Design**
   Privacy by Design is embedded into the design and architecture of IT systems and business practices. It is not bolted on as an add-on, after the fact. The result is that privacy becomes an essential component of the core functionality being delivered. Privacy is integral to the system, without diminishing functionality.

4. **Full Functionality — Positive-Sum, not Zero-Sum**
   Privacy by Design seeks to accommodate all legitimate interests and objectives in a positive-sum “win-win” manner, not through a dated, zero-sum approach, where unnecessary trade-offs are made. Privacy by Design avoids the pretense of false dichotomies, such as privacy vs. security, demonstrating that it is possible to have both.

5. **End-to-End Security — Full Lifecycle Protection**
   Privacy by Design, having been embedded into the system prior to the first element of information being collected, extends securely throughout the entire lifecycle of the data involved — strong security measures are essential to privacy, from start to finish. This ensures that all data are securely retained, and then securely destroyed at the end of the process, in a timely fashion. Thus, Privacy by Design ensures cradle to grave, secure lifecycle management of information, end-to-end.

6. **Visibility and Transparency — Keep it Open**
   Privacy by Design seeks to assure all stakeholders that whatever the business practice or technology involved, it is in fact, operating according to the stated promises and objectives, subject to independent verification. Its component parts and operations remain visible and transparent, to users and providers alike. Remember, trust but verify.

7. **Respect for User Privacy — Keep it User-Centric**
   Above all, Privacy by Design requires architects and operators to keep the interests of the
individual uppermost by offering such measures as strong privacy defaults, appropriate notice, and empowering user-friendly options. Keep it user-centric.

Source: https://www.ipc.on.ca/images/resources/7foundationalprinciples.pdf
Information and Privacy Commissioner of Ontario - Revised January 2011

Access by Design (AbD) - The 7 Fundamental Principles

1. Proactive, not Reactive
Many public institutions are still reactive and wait until a request for information is received before deciding to release it; this can be a slow, cumbersome process, easily used as a mechanism to deny access to information. With Access by Design, government institutions can take a proactive approach to promote full transparency, while at the same time, achieving cost-savings by eliminating a costly and cumbersome disclosure process.

2. Access Embedded into Design
When access is embedded into the design of public programs from the outset, it delivers the maximum degree of access to government-held information by making proactive disclosure the default. The benefits are twofold: the public can access information more directly; and government institutions can save significant resources by making their information available on a routine basis – by default.

3. Openness and Transparency = Accountability
A transparent and open government is vital for a free and democratic society. The essential purpose of access to information legislation is to support the democratic process by ensuring that citizens have the information required to hold their governments accountable – which is not possible if government activities and documents are hidden from public view. When government proactively provides routine access to government-held information, it creates a “culture of accountability.”

4. Fosters Collaboration
The Internet has given impetus to a new phenomenon where more and more community groups are coming together online with the power to engage government policy makers directly. Government institutions need to embrace this new culture by making data readily available to these groups as part of the social contract to serve their citizens. Further, there are new opportunities for the private sector to work collaboratively with government in utilizing public data, with many potential benefits for the economy as a whole.

5. Enhances Efficient Government
The demand for government services continually increases, while governments constantly face the need for cost reduction measures. By embracing Access by Design, public institutions can improve their information management practices by eliminating the inefficient process of “reactive” disclosure, and yet provide more streamlined access to public information. Further, citizen groups can also utilize public data to spot inefficiencies in, and improvements for, government services – increasing efficiency by reducing demand on government resources.

6. Makes Access Truly Accessible
Simply releasing more data is not enough. Access by Design also requires that public
information be easily found, indexed and presented in user-friendly formats. There is little value in proactively disclosing public information if it is quietly placed online in obscure locations, using uncommon software which cannot be widely utilized. In addition, public institutions need to ensure that their IT systems are up-to-date and can meet increased public demand by extracting information quickly, in a cost-effective manner.

7. **Increases Quality of Information**

Information has been called the lifeblood of the 21st century economy. This is no less true when it comes to meaningful citizen participation in public life. Not only is it essential for government institutions to place public data on public databases, they must also ensure that the information is accurate, reliable and up-to-date. Quality control and assurance protocols are vital to ensure that public participation in the democratic process remains relevant and meaningful.

**Source:** [https://www.ipc.on.ca/images/Resources/accessbydesign_7fundamentalprinciples.pdf](https://www.ipc.on.ca/images/Resources/accessbydesign_7fundamentalprinciples.pdf)

Information and Privacy Commissioner of Ontario - Revised April 2010

**Approval History:** June 2013

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**2.4.6 Library Board Statement of Sustainability**

**Policy Level:** Library Board  
**Author:** Chief Librarian/CEO  
**Review Period:** 4 Years  
**Approval Date:** September 2010

**Policy Statement**

It is the responsibility of the Hamilton Public Library Board to ensure that the funding it receives provides the best possible library service to Hamilton residents. It is the responsibility of the library to ensure that all residents have access to the information and the resources required to enhance their lives. Libraries thrive when five core elements are present. These elements are:

1. Collections that are relevant and that are available when people need them;
2. Facilities that are busy, attractive, accessible and open sufficient hours to justify their costs;
3. Technological infrastructure that is robust and capable of adapting to changing customer demands and expectations;
4. Staff that are knowledgeable, trained and who perform work that provides relevant value to those they serve.
5. Services and programs that remain relevant to those they serve and that are modified, added or eliminated to reflect changing customer needs.

When too much or too little of the available funding is disproportionately spent on any single element or elements, a library system cannot operate effectively or provide relevant on-going service to the municipality it serves.

The Hamilton Public Library Board is committed to seeking a delicate balance between these elements when it sets budgets and when it reviews the operations of the library system.
3. POLICIES REGARDING CUSTOMERS

3.1 Customer Code of Conduct

Policy Level: Library Board
Author: Director Public Service
Review Period: 4 Years
Approval Date: April 2015

Service and Customer Commitment
Welcome to the Hamilton Public Library. Our top priority is to ensure a positive experience for our library users, whether in person or virtual. With staff and customers sharing a commitment to maintain a pleasant, safe and respectful environment for learning and leisure, together we will create the opportunity for everyone to use the library.

Everyone has the right to enjoy the services of the Hamilton Public Library. As a customer of Hamilton Public Library we ask you to:

• Be courteous and respectful
  Please minimize disturbance to others and use respectful language and conduct at all times. Be mindful of personal hygiene and always wear appropriate attire including shirt and footwear.

• Follow Library policies and procedures
  Employees make every effort to apply these library rules in a fair, dignified, and positive manner for the benefit of all. You can assist by providing the library with your up-to-date contact information as well as offering comments and feedback on our service.

• Treat Library materials, resources and spaces with care and respect
  Please keep library materials clean and in good condition so that they may be enjoyed again. When visiting the library, please use resources and spaces for their intended purpose to ensure a positive experience for all.

• Be responsible for those in your care
  Do not leave a child or vulnerable person unattended. Supervise all individuals for whom you are responsible.

Failure to comply with the Customer Code of Conduct may result in a suspension of Library privileges.

Relevant Legislation: Child and Family Services Act; Accessibility for Ontarians with Disabilities Act; Human Rights Code; Public Libraries Act; Children’s Aid Society of Hamilton; Catholic Children’s Aid Society of Hamilton

Approval History: January 2001; January 2005; April 2015
3.2 Borrowing Policy

Policy Level: Library Board
Author: Director, Public Service, Partnerships and Communications
Review Period: 4 years
Approval Date: February 2017

Policy Purpose
To ensure that Hamilton Public Library facilitates the broad utilization of library collections and serves its customers in a fair and consistent manner. The borrowing policy outlines:

- The criteria for library membership in order to get a library card
- Customer confidentiality and the terms of the library card agreement
- Borrowing responsibilities of the library card holder and
- Borrowing privileges and loan periods

Key Points Summary
Summary: This policy defines who is eligible for a Library card and under what terms. A library card is not required to enter the library or use most resources within the library.

Types of Cards and Registration Requirements: The Library issues the following types of cards:

1. Resident cards (Adult & Juvenile)
2. Access card
3. Reciprocal Borrowing card
4. Non-Resident card
5. Corporate card
6. Educational card

Customer Confidentiality: The Library protects personal information about a borrower consistent with the Library’s Privacy Policy.

Borrowing Responsibilities: Library card holders are responsible for materials they have borrowed. Overdue fines and charges related to lost or damaged materials are used to promote accountability and responsible use of library materials.

Borrowing Privileges: Loan periods vary based on the kind of materials borrowed and the type of library card. Borrowing privileges can be suspended under certain circumstances.
## Borrowing Overview

<table>
<thead>
<tr>
<th>Card Type</th>
<th>Age Range</th>
<th># of Items Out</th>
<th># of Holds</th>
<th>Borrowing Period &amp; Limitations</th>
<th>Privileges Suspended at</th>
<th>Digital Resources Where Possible</th>
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<tr>
<td>Juvenile</td>
<td>Birth-13</td>
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<td>75</td>
<td>21-day loan period - Applies to most print material</td>
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<td>Teen</td>
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<td>75</td>
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<td>5</td>
<td>5</td>
<td>See Resident cards</td>
<td>$10.00</td>
<td>Yes</td>
</tr>
<tr>
<td>Adult</td>
<td>18 &amp; older</td>
<td>5</td>
<td>5</td>
<td></td>
<td>$10.00</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Corporate Cards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 year</td>
<td>75</td>
<td>75</td>
<td>See Resident cards</td>
<td>$20.00</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Educational Cards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 year</td>
<td>200</td>
<td>99</td>
<td>90 day loan period for 21 day items (no express items)</td>
<td>$300.00</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Reciprocal Cards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 year</td>
<td>8</td>
<td>2</td>
<td>See Resident cards</td>
<td>$10.00</td>
<td>No</td>
</tr>
<tr>
<td><strong>Non-Resident Cards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 year</td>
<td>75</td>
<td>75</td>
<td>See Resident cards</td>
<td>$20.00</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Address and phone verification is required **every 3 years** for Resident and Access cards.

### Definitions

- **Resident cards** have full borrowing privileges and are issued to individuals who live, work, attend school or own property in Hamilton and have appropriate identification.
- **Children** is the term used for library users up to the age of fourteen (14). Staff may refer to this library card as a Juvenile card.
- **Non-residents** are those who live outside Hamilton and do not qualify for a resident card.
• **Access cards** are designed for individuals who have limited identification. These cards have limited borrowing privileges and other parameters.

• **Corporate cards** are available to businesses, corporations, government agencies, associations, charitable and non-profit organizations operating in Hamilton.

• **Educational cards** are specific to schools, licensed daycares, hospitals, long term care centres, nursing homes, residential care facilities, nursery schools and social services agencies.

• **Reciprocal borrowing** is a service coordinated, by formal agreement, with surrounding library systems.

• **Requesting an item**: Customers may reserve or request library materials by placing them “on hold.” If the requested item is checked out or is already on hold for someone else, the customer’s name is added to the holds queue.

**Policy Details**

The public may visit any library location, use its in-house resources and access express computers and catalogue stations. A library card is required to borrow materials, access digital collections and resources, and to log on to bookable computers. The Hamilton Public Library Board establishes who may obtain a Hamilton Public library card.

**Free of Charge**: Library cards are issued without charge to eligible individuals. A replacement charge for lost cards may be charged as replacement cards as indicated in the Fines & Fees Policy.

**Types of Library Cards**

**Resident Cards (Adult & Teen)**
Resident cards are issued to individuals with identification that shows the individual’s name and address. This card is also extended to applicants who show related identification that indicates they: work, pay taxes in the City of Hamilton or are a student who attends a Hamilton educational institution. Teens 14 to 17 years of age may register for their own library card.

**Resident Card (Juvenile)**
Juvenile or children cards are issued to individuals up to the age of thirteen (13) who live or go to school in Hamilton. The library card application form must be signed by a parent or guardian. Juvenile library cards have reduced fines and suspension limits.

In keeping with the Library’s **The Rights of Children and Teens in the Public Library Policy**, there is no restriction on the material that may be borrowed by children. Parents and/or those responsible for the child are responsible for the selection, usage and safe return of materials borrowed by their children with the exception of films rated “R” or “18A” by Ontario Film Review Board and games rated “M” by the Entertainment Software Rating Board which are limited to customers 18 years of age or older.
Access Cards
Access Cards are available to individuals that have limited identification or may have limited ability to pay overdue fines. These cards have limited borrowing privileges for physical materials but full access to digital resources.

Non-Resident Cards
Non-residents can purchase an annual library membership:

- There is an annual non-refundable fee effective from the date of registration. Cardholders will be asked to verify their address and phone number at that time. (see Fines and Fees Policy)
- Non-resident cards have the same privileges as a standard resident card
- It is noted that non-residents who are eligible for a reciprocal card may wish to pay the annual fee to have full borrowing privileges.

Reciprocal Borrowing Cards
Hamilton Public Library has a number of formal reciprocal borrowing agreements with neighbouring municipalities. Reciprocal borrowing agreements require Library Board approval.

- Participating Systems: Burlington Public Library, Cambridge Public Library, County of Brant Library System, Grimsby Public Library, Haldimand Public Library, Milton Public Library, Region of Waterloo Library, Waterloo Public Library and Wellington County Public Library
- Note: Individuals from outside of Hamilton require a valid library card from a participating library system, along with identification showing their name and address. Customers may borrow, but a Hamilton Public Library card is not issued.

Corporate Cards and Educational Cards
Staff employed by a Hamilton daycare centre, institution, school, corporation, business, government agency, association, charitable and non-profit organization or group home may apply for a specialty library card, such as a Corporate or an Educational card.

A special application form must be completed for these two categories of library membership. A Corporate card application requires the signature of an executive or administrator who is authorized to accept financial responsibility for the organization. In the case of schools, the application needs to be signed by the principal. These specialty cards carry additional conditions:

- Library card must be in-hand to borrow materials
- The corporation/institution is responsible for all lost or damaged materials
- Corporate/educational staff may not use this card for personal use
- The Manager of the lending location reserves the right to impose limitations on the amount and type of material available, or shorten the loan period if necessary.
- Corporate and Educational cards are verified annually in order to confirm executive/administrator information. Verification may be done by phone.
**Customer Confidentiality**

**Personal Information and Terms of the Library Card Agreement**

Library registration is carried out in accordance with the Library’s [Privacy Policy](#), which provides full information about the collection and use of personal information.

- The Library does not share information about the borrower’s record including borrowed items, overdue items, or fines except as specified in the Privacy Policy.
- Information about what a person has borrowed is not kept when the item is returned except where fines and fees may have occurred, or when the customer has the tracking feature activated which tracks the history of an individual’s use. All materials retain the history of the last borrower until the item is borrowed by another customer.
- Visiting Library Service (VLS) customers’ information is retained for the period they are enrolled in the service.
- As outlined in the Privacy Policy, obtaining a library card implies the individual’s consent to authorize the Library to collect personal information for the purpose of conducting the Library’s business, which may include fines, holds, overdue notices and programs.
- **Children:** As required by legislation, the parent or guardian who is listed as the responsible person on the child’s account may obtain information about that account if they have the child’s card, until the child turns 16 years of age.

**Notifications**

Library cardholders receive notifications regarding their borrowing from the Library. Customers are notified by email or automated telephone calls/voicemail messages advising of items that are coming due, are overdue, or are on hold and ready to be picked up. If customers prefer not to receive library notifications and opt to manage their borrowed materials, this can be requested at the time of card registration or any time thereafter.

**Inactive Cards**

Inactive cards are deleted on a four (4) year cycle if there are no fines and fees associated with the account.

**Borrowing Responsibilities**

Signing the library card implies the card holder’s acceptance of and adherence to rules and regulations of Hamilton Public Library. All card holders are responsible for:

- Materials checked out on their card
- Promptly reporting changes in registration information such as name, address or contact information
- Promptly reporting the loss or theft of a library card

Card holders also authorize the Library to collect personal information for the purpose of providing service.
**Verification**: Resident and Access card holders are required to verify their contact information every three (3) years. Non-Resident, Reciprocal, Corporate and Education Cards require annual verification.

**Borrowing Privileges**
A valid Hamilton Public Library card is required to borrow materials. Loan periods vary based on the materials borrowed and the type of Library card used to borrow materials.

**Loan Periods**
- 21-day loan period - applies to most print material
- 14-day loan period - Bestseller Express, magazines
- 7-day loan period - DVDs, Blu Rays, games
- 3-day loan period - DVD Express

Staff can offer extended loans to 21-day loan material, excluding new or requested items (items “on hold” for another customer). The maximum due date can be extended up to nine (9) weeks from the date of original check out. The Manager may impose restrictions on the number of items that can be extended.

**Borrowing Limits**

**Resident cards** have limits on the number of items customers can borrow:
- A maximum of 75 items can be checked out at any time.
- A limit of two (2) DVD Express and two (2) Bestseller Express items can be checked out at any one time.
- A maximum of 75 holds can be placed.

**Corporate** cards and **Non-Resident** cards share the same borrowing limits as a standard resident card.

**Access card** users can borrow materials and are subject to the same responsibilities as a standard resident library card but with reduced borrowing limits:
- A maximum of five (5) items can be checked out at any time
- A maximum of one (1) Express item
- A maximum of five (5) holds can be placed at any time
- Access to digital collections and resources wherever possible

Fines are not applied except for select materials.

**Educational cards** have extended borrowing and loan periods.
- A maximum of 200 items can be checked out at any one time
- Ninety (90) day loan period for 21 day items
- Express items are excluded from borrowing with this card
- A maximum of ninety-nine (99) holds can be placed
Reciprocal card holders can borrow up to eight (8) items and can place two (2) holds. These customers have the same loan periods as a resident card. They do not have access to digital resources, such as eBooks. All other parameters of a Resident card apply.

Renewals
Most items may be renewed up to five (5) times following initial checkout as long as they have not been requested by another customer. There are no renewals permitted on the following items:

- Magazines
- DVD Express
- Bestseller Express
- Items requested by another customer
- Renewal of Interlibrary loan materials is subject to the guidelines of the lending library.

Reserves/ Holds
Customers with a valid Hamilton Public Library card may reserve an item that someone else is currently borrowing. This is referred to as placing an item on “hold.” The following circulating items cannot be reserved:

- Magazines
- DVD Express
- Bestseller Express

Upon notification that a reserve is available, customers have 10 days to pick up the item. eBook users have three (3) days (72 hours) to download their hold. An automatic borrowing option that checks out the copy as soon as it becomes available is available for eBook users.

Returns
Borrowed items from the Hamilton Public Library need to be returned to one of its locations. Drop boxes are available for the return of items when the location is closed. If a Hamilton Public Library item is returned to another library system in error, the card holder is responsible for all fines and associated charges. Certain items may need to be returned during open hours.

Suspension of Borrowing Privileges
Borrowing privileges are suspended when customers have fines and/or overdue materials over the limit threshold. See Fines and Fees Policy.

Related Policies
Fines and Fees Policy, Privacy Policy
Approval History: New Policy combining: Borrower Type Policy, Registration Policy, Loan Periods/Limitations Policy, Expired Cards Policy, Reciprocal Borrowers Policy, Non-Resident Borrowers Policy, Institutional and Daycare Library Cards Policy, and the School and Corporate Library Cards Policy.

3.3 Fines and Fees Policy

Policy Level: Library Board
Author: Director, Public Service Partnerships & Communications; Director Finance & Facilities
Review Period: 4 years
Approval Date: March 2017

Policy Purpose:
To ensure that staff and the public are aware and can easily access the parameters regarding fines, and fees for a variety of services, as well as the associated costs of replacing damaged materials.

Key Point Summary:
- The Library charges fines for physical materials returned late and has different fine levels based on the type of Library material a customer borrows
- Borrowing privileges are suspended once a fine limit has been reached
- Customers will be billed and the Library uses a collection agency for overdue accounts that exceed an established threshold
- Customers have different options on how to pay fines
- A summary of fines and fees is provided for the following categories:
  - Fines for materials
  - Local History & Archives image reproduction fees
  - Non-resident fees
  - Printing and photocopying fees including Makerspace
  - Replacement costs of lost or damaged materials
  - Room rental fees
- Fines and fees are set by the Library Board as stipulated by the Library Act.

Definitions:
- **Library fines** are small daily charges that are applied to a borrower’s card after a book or other borrowed item is kept past its due date.
- **Fees** are charges related to replacement fees, service fees, items or room rentals.

Policy Details:
Hamilton Public Library charges fines on overdue materials to encourage customers to return items on time. Any fine revenue raised is added to the library's operating budget.

Fines are charged on overdue materials up to a maximum amount per item based on Library card type. Customers will be billed if materials are not returned within a set period of time. The library
does pursue overdue accounts with a collection agency for accounts that exceed the established threshold.

Please note that fines are charged on late materials on a calendar day basis at all locations. Fines are not charged on materials borrowed with Access cards with the exception of Express Items or video games. It should be noted that Access card holders have reduced borrowing privileges with this card. See Borrowing Policy.

Staff members are encouraged to use their discretion to waive or reduce fines in such cases as illness, hospital stays, accessibility issues, etc. Staff members will refer to their Manager for extenuating and complex situations.

**Fine and Fees Structure**

<table>
<thead>
<tr>
<th>Fine Rate for Library Materials</th>
<th>Per item, per day</th>
<th>Maximum per item</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult</td>
<td>25¢</td>
<td>$5</td>
</tr>
<tr>
<td>Teen</td>
<td>25¢</td>
<td>$5</td>
</tr>
<tr>
<td>Juvenile</td>
<td>10¢</td>
<td>$2.50</td>
</tr>
<tr>
<td>DVD Express, Bestseller Express</td>
<td>$1</td>
<td>$10</td>
</tr>
<tr>
<td>Video Games (adult &amp; teens)</td>
<td>$1</td>
<td>$10</td>
</tr>
<tr>
<td>Video Games: Juvenile</td>
<td>50¢</td>
<td>$5</td>
</tr>
<tr>
<td>Materials type exceptions</td>
<td>10¢</td>
<td>$5</td>
</tr>
</tbody>
</table>

**Exceptions to Standard Fine Rates**

| Access Card                     | No fines except 50¢ per day for Express items and Video Games to a maximum of $5. Responsible for lost and damaged material. |
| Educational or Corporate Cards  | Fines not applied. Responsible for any lost or damaged materials |
| Interlibrary Loan items (ILLO)  | Some libraries charge for late items and customers are asked to cover the late fines |

<table>
<thead>
<tr>
<th>Fee Schedule Item</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library Card replacement</td>
<td>$2</td>
</tr>
<tr>
<td>Non-resident Card - Annual</td>
<td>$40</td>
</tr>
</tbody>
</table>
**How to pay fines:**
Borrowers can pay fines or fees at a service desk at any location or online. Customers can pay fines or fees on accounts other than their own without the card being present, and staff can issue a receipt.

**Suspension of Borrowing Privileges**
Borrowing privileges are suspended when customers have fines and/or overdue materials in excess of the following limits. See [Borrowing Policy](#)

<table>
<thead>
<tr>
<th>Library Card</th>
<th>Suspension Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident Cards</td>
<td>$20</td>
</tr>
<tr>
<td>Juvenile &amp; Teen</td>
<td>$10</td>
</tr>
<tr>
<td>Access Cards</td>
<td>$10 or if two items are overdue</td>
</tr>
<tr>
<td>Corporate Cards</td>
<td>$20</td>
</tr>
<tr>
<td>Educational Cards</td>
<td>$300</td>
</tr>
<tr>
<td>Reciprocal Cards</td>
<td>$10</td>
</tr>
<tr>
<td>Non-Resident Cards</td>
<td>$20</td>
</tr>
</tbody>
</table>

**Lost / Damaged Materials**
Customers are responsible for lost / damaged materials and are required to pay the replacement cost. Associated fines are not applied.
The replacement cost for items is an average replacement cost for each material type as outlined below. Customers are charged for damaged or missing elements of borrowed materials – see Materials Replacement Fees, below. The Hamilton Public Library does not add any processing fees to the replacement costs of lost or damaged material.
Items cannot be returned after three (3) months of the original due date. If found after three (3) months, borrowers are asked to pay the replacement cost and keep the item.

**Substitutes**
Hamilton Public Library does not accept substitutes for lost or damaged material in lieu of replacement costs.

**Supply Fees**
When cases and processing supplies of a returned item are damaged, the customer will be charged based on the replacement costs listed in the table below.

**Interlibrary Loans**
* The Interlibrary Loan rate listed is the rate assigned at the time the item is determined lost or missing. Customers are responsible for the full rate charged by the lending Institutions and rates are adjusted as the customer is invoiced.

**Equipment Loans**
When Makerspace equipment and supplies are damaged or lost, the customer who booked the equipment will be charged based on the replacement costs listed in the table below.

### Material Replacement Fees

<table>
<thead>
<tr>
<th>Material Type</th>
<th>Average Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audio Book (Adult)</td>
<td>$35</td>
</tr>
<tr>
<td>Audio Book (Children &amp; Teens)</td>
<td>$20</td>
</tr>
<tr>
<td>Book /Bestseller Express</td>
<td>$20</td>
</tr>
<tr>
<td>Book (Children &amp; Teens)</td>
<td>$10</td>
</tr>
<tr>
<td>Book Club Kit Book</td>
<td>$8</td>
</tr>
<tr>
<td>Comic</td>
<td>$1</td>
</tr>
<tr>
<td>CD</td>
<td>$10</td>
</tr>
<tr>
<td>DVD / Express DVD/ BluRay</td>
<td>$15</td>
</tr>
<tr>
<td>Graphic Novel</td>
<td>$12</td>
</tr>
<tr>
<td>Interlibrary Loan*</td>
<td>$25</td>
</tr>
<tr>
<td>Kit</td>
<td>$30</td>
</tr>
<tr>
<td>Magazine</td>
<td>$2</td>
</tr>
<tr>
<td>Paperback, Beginning Reader / Board Book</td>
<td>$3</td>
</tr>
<tr>
<td>Sheet Music</td>
<td>$2</td>
</tr>
<tr>
<td>Video Game</td>
<td>$45</td>
</tr>
</tbody>
</table>

### Supplies Replacement

<table>
<thead>
<tr>
<th>Material Type</th>
<th>Average Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audio Book Case</td>
<td>$8</td>
</tr>
<tr>
<td>Barcode</td>
<td>$1</td>
</tr>
<tr>
<td>CD / DVD Case (single)</td>
<td>$1</td>
</tr>
<tr>
<td>CD / DVD Case (multiple discs)</td>
<td>$2</td>
</tr>
<tr>
<td>Cover Art Insert</td>
<td>$1</td>
</tr>
<tr>
<td>Kit Bag</td>
<td>$1</td>
</tr>
<tr>
<td>Kit Container</td>
<td>$10</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----</td>
</tr>
<tr>
<td>RFID Label</td>
<td>$2</td>
</tr>
</tbody>
</table>

### Printing & Makerspace

<table>
<thead>
<tr>
<th>Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cables, Drum Sticks, Microphone stands / SD cards</td>
<td>$25</td>
</tr>
<tr>
<td>Tripod, Toshiba Camileo Video Camera / Elgato</td>
<td>$90</td>
</tr>
<tr>
<td>Speakers, BluRay Burner, USB Microphone</td>
<td>$130</td>
</tr>
<tr>
<td>Wacom tablet/ Scanner</td>
<td>$225</td>
</tr>
<tr>
<td>Canon Rebel Camera, GoPro, Yamaha Drum Kit, Keyboard</td>
<td>$500</td>
</tr>
<tr>
<td>iMac</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

### Other Fees

#### Printing & Makerspace

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Printing &amp; Photocopying: black &amp; white</td>
<td>10¢ per page (first two copies are free)</td>
</tr>
<tr>
<td>Printing &amp; Photocopying: colour</td>
<td>25¢ per page</td>
</tr>
<tr>
<td>3D Printing</td>
<td>10¢ per gram for filament \ 30¢ per gram for resin</td>
</tr>
</tbody>
</table>

#### Vinyl Cutting & Printing

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vinyl Cutter</td>
<td>$1. per foot – standard vinyl</td>
</tr>
<tr>
<td>Vinyl Printer &amp; Cutter</td>
<td>Cost of ink per ml x cost of material per foot \ 50¢ per ml – Ink \ $1.50 per foot – Printable vinyl \ $3.00 per foot – Premium printing vinyl</td>
</tr>
<tr>
<td>Embroidery</td>
<td>$2. per 10,000 stitches ($2. minimum) – thread \ 50¢ per foot for the backing material</td>
</tr>
<tr>
<td>Large Format Printing</td>
<td>Cost of ink per ml x cost of material per foot \ 50¢ per ml – Ink \ $1. per foot – Standard paper \ $1.50 per foot – Premium and Photo paper</td>
</tr>
</tbody>
</table>

### Local History & Archives - Image Reproduction Fees

<table>
<thead>
<tr>
<th>Resolution</th>
<th>300 DPI JPEG</th>
<th>600 DPI TIFF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>300 DPI JPEG</td>
<td>600 DPI TIFF</td>
</tr>
</tbody>
</table>
### Additional Fees

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Digital Images</td>
<td>$20 per scanned image</td>
</tr>
</tbody>
</table>
| Rush Orders             | 1-5 Images: $20/ per order  
                        | 6-20 Images: $50/ per order  
                        | 21+ Images: $100/ per order  |
| Shipping                | Within Canada $5/ per order  
                        | International $15/ per order |

**Room Rental Fees**

HPL has a number of rooms that can be rented at the rates, below. Please see the Room Rental Policy for details

<table>
<thead>
<tr>
<th>Room Type</th>
<th>Capacity</th>
<th>Regular Rate</th>
<th>Not-for-Profit Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Library* - Hamilton Room</td>
<td>200</td>
<td>4hrs: $200 8hrs: $400</td>
<td>4hrs: $90 8hrs: $180</td>
</tr>
<tr>
<td>Central Library - Wentworth Room</td>
<td>50</td>
<td>4hrs: $75 8hrs: $150</td>
<td>4hrs: $50 8hrs: $100</td>
</tr>
<tr>
<td>Sherwood Branch A-B</td>
<td>100</td>
<td>$75</td>
<td>$50</td>
</tr>
<tr>
<td>Central Library - Board Room</td>
<td>30</td>
<td>Half day: $250 Full day: $450</td>
<td>$50</td>
</tr>
<tr>
<td>Dundas Branch</td>
<td>50</td>
<td>$70</td>
<td>$40</td>
</tr>
<tr>
<td>Red Hill Branch</td>
<td>50</td>
<td>$70</td>
<td>$40</td>
</tr>
<tr>
<td>Turner Park Branch</td>
<td>50</td>
<td>$70</td>
<td>$40</td>
</tr>
<tr>
<td>Westdale Branch</td>
<td>50</td>
<td>$70</td>
<td>$40</td>
</tr>
<tr>
<td>*Security</td>
<td>NA</td>
<td>$18.20/hour during closed hours (3 hour minimum may apply)</td>
<td></td>
</tr>
</tbody>
</table>

**Related Policies:**  Borrowing Policy, Room Rental Policy

### 3.4 Library Service Hours

**Policy Level:** Library Board  
**Author:** Chief Librarian/CEO  
**Review Period:** 1 Year  
**Approval Date:** December 2017, Draft December 2018

**Policy Statement**  
The Library Board determines the service hours of library locations. The holiday closure schedule is annually approved by the Library Board. Special closures, like staff day, require Library Board approval.

*SUNDAY HOURS RUN FROM SEPTEMBER (WEEKEND AFTER LABOUR DAY) UNTIL THE END OF JUNE*

<table>
<thead>
<tr>
<th>Location</th>
<th>Hrs/Week</th>
<th>Mon</th>
<th>Tues</th>
<th>Wed</th>
<th>Thurs</th>
<th>Fri</th>
<th>Sat</th>
<th>Sun</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ancaster</td>
<td>51</td>
<td>10 - 9</td>
<td>10 - 9</td>
<td>10 - 9</td>
<td>10 - 9</td>
<td>---</td>
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3.5 Safety of Children in the Library Policy

Policy Level: Library Board  
Author: Director, Digital Technology & Youth Services  
Review Period: 4 Years  
Approval Date: September 2015

Policy Statement

The Hamilton Public Library welcomes and encourages children of all ages to enjoy the Library’s programs, collections, services and spaces. Library staff work to engage children, families and teens in positive ways, and provide support while they are in the Library. All customers are expected to abide by the Library’s [Customer Code of Conduct](#). Staff and customers share a commitment to maintain a pleasant, safe and respectful environment for learning and leisure. Together we will create the opportunity for everyone to use the Library.

The Hamilton Public Library Board endorses the [Ontario Library Association’s](#) statements on [Children and Teens Rights in the Public Library](#). Library staff are trained to assist children in using the Library but cannot assume responsibility for the safety and well-being of children left unattended in the building. Library policies and services are designed to provide a safe and welcoming environment for customers of all ages but parents need to use the same caution with their children at the library as they would in any other public setting.

Responsibility for the welfare and the behaviour of children using the library ultimately rests with the parent/legal guardian or an assigned caregiver. The Library recognizes the following terms as stipulated in the [Ontario Child and Family Services Act (CFSA)](#) with regard to the supervision of children:

- **Section 79(3)** “No person having charge of a child less than 16 years of age shall leave the child without making provision for his or her supervision and care that is reasonable in the circumstances.”
- **Section 79(4)** “Where a person is charged with contravening Subsection (3) and the child is less than 10 years of age, the onus of establishing that the person made provision for the child’s supervision and care that was reasonable in the circumstances rests with the person.”

Library staff are obligated by the [Ontario Child and Family Services Act](#) to call the Police or the Hamilton Children’s Aid Society if they have any concerns about the safety and well-being of a child.
General Guidelines
Children under the age of 10 should be accompanied by an adult or caregiver while in the Library. If a child is left at the library at closing time or in the event of an emergency situation or closure, the staff person in charge will attempt to contact the parents or caregivers. If the parent or adult caregivers cannot be contacted within 10 minutes after closing, staff will notify the police.

Parents must ensure that children requiring supervision are brought to the library with a responsible caregiver. Parents or caregivers are responsible for supervising their child’s access to all library resources including the Internet and Digital Media Lab technologies. Children under the age of 10 must have a parent or caregiver in the immediate vicinity unless they are participating in a library program. We ask that parents or caregivers who do not attend a program with the child under the age of 10 must remain on the premises. Library staff may request that a parent or caregiver be present to sign a child in and out of a program.

Children ages 10 and over are welcome to use the library independently on a regular basis, but parents are still responsible for the behavior of any children while in the library.

Unattended Children in the Library
In most circumstances, the health and safety of children, particularly older children and teens, is not an issue. However, Library staff will intervene when they become aware that a child in the Library is in these, or similar, situations:
- A child is alone, visibly upset or ill;
- A child under the age of 12 is left alone with younger siblings;
- A child is alone and doing something dangerous, or another person in the library seems to be a danger to the child;
- A child is alone, and is not following library rules after reasonable warnings;
- A child is left alone at the library at closing time.

Requests for information regarding Truant children
As a public facility, the library does not monitor the activities of its customers unless there is a problem with conduct or a child is inappropriately left alone as outlined above. If a school age child is noticed to be spending considerable time in the library during the school day, staff may check with the child and ask that a parent confirm with the library that he/she is aware of the child's whereabouts.

Requests for Information regarding Missing Children/Runaways
Staff will not give information to any person over the telephone as to whether a child is currently in the library or has been in the library recently. Staff may offer to take a message and ask the child to call the person back. In the case of a missing child, Library staff will share information with the law enforcement agency requesting specific personal information.

Phone Numbers
Children's Aid Society: 905-522-1121 or 905-522-8053 (after hours)
Catholic Children's Aid Society: 905-525-2012 or 905-522-8053 (after hours)
Hamilton Police Service: 905-546-4925 (non-emergency line)

Approval History: Replaces the Unattended Children Policy – First Approved June 21, 1995;
Revision date April 2001; September 2015

3.6 Technology and Internet Use Policy – Under Review

Policy Level: Library Board
Author: Director Digital Technology
Review Period: 2 Years
Approval Date: May 2014

Definition of Scope
The Hamilton Public Library’s Technology and Internet Use Policy applies to all types of computer
and mobile device usage on the premises of the Library or on the Library network. This includes
but is not limited to: public computers, laptops and mobile devices using the Library’s wireless
network, laptops and mobile devices on other networks inside the library.

Policy
Public computer access and wireless access is provided to ensure equitable access to information
and online resources. Wireless access complements public computer access and enables library
customers to access library resources and the Internet with their own wireless enabled
equipment.

The Hamilton Public Library provides access to the Internet and wireless network to fulfill its
mission, “Freedom to Discover”. In keeping with the Library’s Intellectual Freedom Policy and in
support of the Canadian Federation of Library Associations (CFLA)’s Intellectual and Information
& Communication Technology statements, the Internet provides access to many resources for
different age levels and reflects various points of view. Customers should be aware that
information might not be accurate, complete, age-appropriate, or current.

The Hamilton Public Library’s computers and work tables are located in public areas and the
computers and the wireless network are shared by Library users of all ages, backgrounds, and
sensibilities. Individuals are expected to consider other Library users when accessing the Internet
within the Library. Parents and guardians are reminded that the restriction of a child’s use of a
Library computer, including Internet and wireless access, is their responsibility. Hamilton Public
Library's staff are available to assist in finding and evaluating the quality of an Internet site.

Library computers, equipment, facilities and networks may not be used to:

• Access sites or transmit materials that violate any Canadian federal or provincial law,
such as defamatory, discriminatory, or obscene materials.
• Display overt sexual images.
• Send fraudulent, harassing, or obscene email messages.
• Violate the privacy of another library patron.

The Hamilton Public Library also prohibits damaging or modifying the Library's computer
equipment, software, or network.
The Internet is not a secure medium and third parties may be able to obtain information about users' activities. Please use caution before providing any personal information over the Internet. The Hamilton Public Library assumes no responsibility for Internet content or damages, directly or indirectly, arising from its website or from its connections to other Internet services. Anyone not adhering to this agreement or who willfully abuses or damages any computer or software will have their Library privileges suspended and will be legally and financially responsible for damages.

**Approval History:** April 2001; September 2008; January 2010; Mary 2014

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**3.7 Accessibility for Individuals with a Disability Policy**

**Policy Level:** Library Board  
**Author:** Director of Public Service  
**Review Period:** Annual  
**Approval Date:** February 2017

**Summary**

The Hamilton Public Library is committed to providing Library services that are accessible to all persons who wish to obtain and use Library services. Library services will be relevant, inclusive and responsive to community needs. Each member of the community, including persons with disabilities, has an equal opportunity to use and/or to be employed by the Hamilton Public Library. All library services will be provided in a manner that respects the dignity and independence of persons with disabilities. The Library will strive to provide library services in a way that meets the specific needs of persons with disabilities and in a way that is convenient and accessible to persons with disabilities.

The Hamilton Public Library will provide communication supports and accessible formats and it will incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so.

The Hamilton Public Library is committed to providing employment accommodation processes for library employees and job applicants. The Library will notify its employees and the public about the availability of accommodation for job applicants and for employees with disabilities.

The Library will meet the accessibility needs of persons with disabilities in a timely manner. When communicating with a person with a disability, the Library will do so in a manner that takes into account the person’s disability.

**Purpose**

The purpose of this policy is to ensure that the Hamilton Public Library provides library services, resources and facilities in ways that are accessible to persons with disabilities. It provides a framework for compliance with the requirements of the Ontarians with Disabilities Act (ODA) and the Accessibility for Ontarians with Disabilities Act (AODA) and addresses specific areas required by the Integrated Accessibility Standards regulation associated with the AODA. This
Policy applies to all persons who provide library services including employees, volunteers and all other persons that provide goods, services or facilities on behalf of the Library.

Definitions

- **Accessible formats** may include, but are not limited to, large print, recorded audio and electronic formats, Braille and other formats usable by persons with disabilities.

- **Assistive devices** are any products, instruments, equipment or technological aids used by persons with disabilities to help prevent, compensate, relieve or neutralize a disability. They may include Braille recorders, recording devices, Blissymbolics boards or devices, and more.

- A **barrier** is anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

- **Communication supports** may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

- **Disability** means
  - any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
  - a condition of mental impairment or a developmental disability,
  - a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
  - a mental disorder, or
  - an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

- **Service animal** refers to an animal used by a person for reasons relating to his or her disability. An animal is a service animal for a person with a disability if,
  - the animal can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as the vest or harness worn by the animal; or
  - the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
    - A member of the College of Audiologists and Speech-Language Pathologists of Ontario;
    - A member of the College of Chiropractors of Ontario;
    - A member of the College of Nurses of Ontario;
A member of the College of Occupational Therapists of Ontario;
A member of the College of Optometrists of Ontario;
A member of the College of Physicians and Surgeons of Ontario;
A member of the College of Physiotherapists of Ontario;
A member of the College of Psychologists of Ontario; or
A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario. O. Reg. 165/16, s. 16

A support person in relation to a person with a disability, is another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

Policy Details

Accessibility Plan and Report
The Hamilton Public Library works with the City of Hamilton to complete and submit a Multi-Year Accessibility Plan Report. The report details strategies, initiatives and activities to reaching the organization’s goals of creating an accessible organization and delivering exceptional and accessible services. The document also reports on progress made during the year including measures the Library has taken to identify, remove and prevent physical and attitudinal obstacles and promote free movement of persons with disabilities in a manner that is consistent with regulations, standards or codes of practice. The report sets out measures and deliverables proposed for the year ahead. As the library reviews policies, practices and services, accessibility for persons with disabilities will be considered.

Consultation and Feedback
The Hamilton Public Library will consult with members of the public and community stakeholders when considering or reviewing customer service practices, service delivery channels, types of services and new buildings or renovations to current buildings. Public meetings for the purpose of consultation will be advertised in advance, will be held in accessible locations and accessibility services will be provided when a request is received in advance of the meeting. Additionally, the Hamilton Public Library will have in place a procedure for receiving and responding to feedback about how it provides library services to persons with disabilities. Such feedback from a member of the public may be given by telephone, in person, in writing, in electronic format or through other accessible methods.

Inquiries
Any inquiries related to this Policy or requests for documents related to this Policy may be directed to library employees at any public service point. Employees will respond as they are able and may refer the inquiry within the organization, including to the Chief Librarian.

Availability of Documents
This Policy and related procedures and forms and the Multi-Year Accessibility Plan Report will be available on the Library’s website. Additionally, a copy of this Policy and related procedures and
forms will be provided in an accessible format upon request. No fees will be charged for the provision of documents required by this Policy.

**Assistive Devices**
Persons with a disability may provide their own assistive device for the purpose of obtaining or using library services and may have free access to assistive devices available in the Library designed to help a person with a disability to carry out activities or to gain access to library services.
Exceptions may occur in situations where the Library has determined that the assistive device may pose a risk to the health and safety of the person with a disability or to the health and safety of others on Library premises. In these situations, the Library may offer a person with a disability other reasonable measures to assist him or her in obtaining and using library services, where the Library has such other measures available. It is the responsibility of the person with a disability to ensure that his or her assistive device is operated in a safe and controlled manner at all times.

**Service Animals**
Persons entering Library facilities may be accompanied by a service animal. If it is not readily apparent that the animal is a service animal, Library employees may ask if an animal is a service animal and whether documentation of the animal’s status is available. If documentation is not immediately available, the person and the animal, normally, will be allowed access to the Library for the current visit and asked to bring documentation for future visits.

Service animals are generally dogs but do include other animals. It is the responsibility of the person with a disability to ensure that his or her service animal is kept under control at all times.

**Support Persons**
Persons with a disability may enter Library premises with a support person to assist with communication, mobility or medical needs or with access to Library Services and may have access to the support person while on the premises.

A support person, when assisting a person with a disability to obtain or use Library services, will be permitted to attend at no charge where an admission fee is applicable. Persons with disabilities may provide their library card or its duplicate fob to a support person for use by the support person on their behalf.

The Library may require a person with a disability to be accompanied by a support person when on the premises. Before making a decision to require a support person, the Library will consult with the person with a disability to understand their needs, consider health or safety reasons based on available evidence and determine if there is any other reasonable way to protect the health or safety of the person or others on the premises.

**Information and Communication**
The Library will provide access to, or arrange for access to, accessible materials where they exist and will provide library publicity and reports in alternate formats upon request. The Library
complies with the *Clear, Accessible and Large Print Guidelines* developed by the City of Hamilton in conjunction with the City of Hamilton Advisory Committee for Persons with Disabilities. The Library will work to ensure the website and web content is accessible according to the appropriate Web Content Accessibility Guidelines (WCAG) 2.0.

**Design of Public Spaces**
The Library works closely with the City of Hamilton to ensure our buildings provide a welcoming and supportive environment to serve all residents including persons with disabilities. All Library construction projects, retrofits and redevelopments will comply with Ontario Building Code requirements, with the Hamilton Barrier-Free Design Guidelines and with the AODA 2005 Design of Public Spaces Standards. In the event of new construction or significant building renovations, the Library will reduce barriers by ensuring accessible entrances, walkways and parking and maintain accessible library spaces including service desks.

**Temporary Service Disruptions**
The Library will make reasonable effort to provide notice of planned or unplanned disruption of library services to the public, including information about the reason for the disruption, its anticipated duration, and a description of any alternative facilities or services that may be available. In the case of unplanned disruption, advance notice will not be possible.

Notice will be given to the public by posting the information at a conspicuous place on affected premises and by posting notice on the Library website, and by such other method as is reasonable in the circumstances. The Library will have a procedure document that sets out the steps to be taken in connection with a temporary disruption and, upon request, will give a copy of the document in an accessible format to any member of the public.

**Procurement of Goods, Services, Facilities and Equipment**
The Library will incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, including self-service kiosks. Working with the City of Hamilton, accessibility considerations are outlined in the purchasing documents. If it is not possible or practical to incorporate accessibility criteria and features, an explanation will be provided upon request.

**Employment**
The Hamilton Public Library will notify its employees, the public and applicants selected to participate in an assessment or selection process of the availability of accommodation for disability. The Library will provide information about the availability of accommodation for applicants with disabilities in its recruitment processes. Additionally, if a selected applicant requests an accommodation, the Library will consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant’s accessibility needs due to disability.

When making offers of employment, the Hamilton Public Library will notify the successful applicant of its policies for accommodating employees with disabilities. The Library will ensure that its employees are aware of its supports for employees with disabilities including the provision of job accommodations. The Library will consult with its employees and will provide
accessible formats and communication supports for information that is needed in order to perform the employee’s job and information that is generally available to employees in the workplace.

The Library will take into account the accessibility needs of its employees with disabilities, as well as any individual accommodation plans, when providing career development and advancement to its employees with disabilities.

The Hamilton Public Library has a return to work process for its employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work. The Library works with employees with disabilities to develop individual accommodation plans. The Library documents its process for the development of such plans. The Library’s Performance Management process takes into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, when using its performance management process with respect to employees with disabilities.

When redeploying employees, the Library will take into account the accessibility needs of its employees with disabilities, as well as individual accommodation plans.

The Hamilton Public Library will provide individualized workplace emergency response information to employees who have a disability, if the disability is such that the individualized information is necessary and the employer is aware of the need for accommodation due to the employee’s disability. If an employee who receives individualized workplace emergency response information requires assistance in case of evacuation or other emergency, with the employee’s consent, the Library will designate an employee to provide assistance and will provide the workplace emergency response information to the designated person. Workplace emergency response plans will be reviewed annually.

The Library will inform employees of its policies used to support employees with disabilities, including policies on the provision of job accommodation, both when they begin their employment and whenever there is a change to the policies. Reminders of this information are included in the Library’s regular program of AODA training.

Note: The Employment section of the Policy applies to the Library’s recruitment activities and to Library employees and does not apply to volunteers and other non-paid individuals.

Training
The Library will ensure that training is provided on the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) and its applicable regulations, and on the Human Rights Code (HRC) as it pertains to persons with disabilities. Training will be provided to all employees and volunteers, to all persons who participate in developing the organization’s policies and to all other persons who provide goods, services or facilities on behalf of the organization. Training will be provided as part of orientation for new employees, volunteers and persons providing goods, services or facilities on behalf of the organization, and will be refreshed on a continuing basis, as required.
All employees will receive accessibility training. The training on the requirements of the Integrated Accessibility Standards and on the Human Rights Code will be appropriate to the duties of the employees, volunteers and other persons including employee role relating to policy development. A record of training will be maintained by the Human Resources Department.

The training will include a review of the purpose of the AODA and the requirements of the Integrated Accessibility Standards. Training will include information about how to interact and communicate with persons with various types of disabilities and what to do if a person with a disability is having difficulty gaining access to Library services or employment. The training will help trainees develop understanding of how to interact with persons with disabilities including those who use assistive devices or who require the assistance of a support person or service animal. The training will provide orientation to this Policy, related procedures and guidelines and to the use of equipment and devices available on Library premises or through the website that may help with the provision of Library Services to persons with disabilities. The training will also provide orientation to the Library’s employment accommodation policies and procedures and to the Human Rights Code (HRC) as it pertains to persons with disabilities. Members of the Library’s Management Committee and any other persons that participate in the development of the Library’s public and internal policies and procedures, or in procurement processes, will additionally receive training regarding their AODA and HRC related responsibilities.

PROCEDURES

Disruption of Service Procedure

Note: This procedure is both an internal and a public document.

The Library’s Accessibility for Individuals with a Disability Policy states that the Library will make a reasonable effort to provide notice of planned or unplanned disruption of library services to the public, including information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services. Notice will be given to the public by posting the information at a conspicuous place on affected premises, by posting notice on the Library website, and by such other method as is reasonable in the circumstances. The Policy also states that the Library will have a procedure document that sets out the steps to be taken in connection with a temporary disruption and, upon request, will give a copy of the document in an accessible format to any member of the public. This is the Library’s Disruption of Service Procedure.

Definitions

Disruption of service may include closure of a service or program whether temporary or permanent and any disruption in service that would normally be considered unanticipated or unexpected. Examples of disruption of service can be due to one or more of the following:

- Inaccessibility of entrances or lack of safety when accessing an entrance, such as in winter storm conditions when snow or ice has accumulated
- Automatic door openers not working
- Elevating devices not working
- Out of order assistive equipment that is routinely provided in the location, such as voice output on public computers, video scanners etc.
- Building maintenance impacting accessibility, such as when washrooms for persons with disabilities are out of service or lighting is insufficient for persons with low vision, due to a service disruption or burned out bulbs
- Lack of availability of Sign Language Interpreter or FM sound system if one has been requested and booked

Responsibility

It is the responsibility of all library employees to provide a copy of this Procedure, along with a copy of the Accessibility for Individuals with a Disability Policy upon request. Requests for alternate format copies to satisfy a customer’s accessibility need will be received by library employees and immediately forwarded to the Manager, Communications and Community Development by e-mail.

It is the responsibility of all management, employees, volunteers, agents and/or contractors and consultants, working on behalf of the Hamilton Public Library, to follow and carry out the procedures outlined below.

It is the responsibility of the Human Resources Department to ensure that all management, employees and volunteers will be made aware of, and trained, to better understand the purpose and intent of this policy and to implement the procedures effectively.

It is the responsibility of all employees that work with contract agents, contractors and/or consultants to work on behalf of the Hamilton Public Library to ensure that contracts agents, contractors and/or consultants are made aware of the purpose and intent of the Accessibility for Individuals with a Disability Policy and its procedures including this one.

Actions Library Employees will undertake relating to Disruption of Service:

1. Where there is any temporary disruption in services, in whole or in part, and as soon as Hamilton Public Library employees have confirmed the disruption in service or have advance notice of a planned disruption, disruption notices will be
   a) posted on site, at the entrance to the library
   b) posted at other locations, such as the entrances to the next closest library branch
   c) provided in recorded telephone messages for the location
   d) provided through telephone calls/messages to persons with disabilities that are known to be registered in programs or working as volunteers
   e) posted on the Library website
   f) posted on the Library intranet
   g) provided to local and regional media where applicable [consult with Manager, Communications 905-979-9780]

2. Employees will create notices in Large Print using Arial 18 or Verdana 18 font as a minimum. In case of power failure, notices may be handwritten but in most cases the notice will be typed. The form is best printed as bold black print on yellow paper if it is available. Do not
use another colour paper if yellow is not available: use white instead.

3. Employees will use the *Temporary Accessible Service Disruption Form* and include the following information:
   a) information about the reason for the disruption in the service or program
   b) the anticipated duration of the disruption
   c) a description of any available alternate services/locations with service availability
   d) employee’s contact name, which will usually be the Manager, and may be the Manager, Communications and Community Development or alternate.

**Approval History:** November 2009; September 2013; February 2017

### 3.8 Privacy Policy for Library Customers

**Policy Level:** Library Board  
**Author:** Director Digital Technology and Creation  
**Review Period:** 4 years  
**Approval Date:** December 2016

**Policy Purpose:**
To ensure that Hamilton Public Library protects the personal information and privacy of its library customers, and that the Library Board complies with the Municipal Freedom of Information and Protection of Privacy Act and Canada Anti-Spam legislation.

**Key Points Summary:**
- The library will state the purpose of collecting personal information and will obtain consent for its use with exception of consent implied by obtaining a library card.
- The library will strive to maintain updated and current personal information, collect only what is necessary, and establish safeguards to protect unauthorized access.
- The library will not share, use or disclose personal information except with the consent of the individual, through exceptions in this policy or as required by law.
- The library will ensure that its privacy policy is enforced by all library staff and any organization that may have legitimate access to this information to provide service.
- Library customers have the right to access their personal information, provide or decline consent, maintain accuracy, request clarification or challenge practices.

**Definitions:**
- **Personal information**: identifiable information about an individual such as name, phone, address, email, date of birth, financial transaction, etc. Exceptions such as personal information in context of doing business, or persons deceased for over 30 years, etc. are defined in the Act.
- **Spam**: an electronic message sent without explicit or implied consent of the recipient

**Policy Details:**
In the course of collecting personal information to conduct its business, the Hamilton Public Library Board will comply with the *Municipal Freedom of Information and Protection of Privacy Act, 1990* and *Canada Anti-Spam legislation* and that the library adheres to the principles of the Canadian Standards Association Model Code for the Protection of Personal Information.

The library collects personal information under the authority of the *Municipal Freedom of Information and Protection of Privacy Act* for the purpose of conducting the library’s business, which may include fines, holds, overdue notices, fundraising and programs.

**Accountability:** The library will ensure that its privacy policy is enforced by all library staff members as well as third party organizations or agencies that have legitimate access to such information in support of conducting the library’s business.

Questions regarding the collection and use of personal information can be directed to: Chief Librarian, Hamilton Public Library, P.O. Box 2700, Hamilton, ON L8N 4E4.

**Identifying Purpose:** The library will clearly state the purpose for collecting any personal information before such information is collected and will obtain consent for that use.

**Consent:** Obtaining a library card implies the individual’s consent to authorize the library to collect personal information for the purpose of conducting the library’s business, which may include fines, holds, overdue notices, fundraising and programs.

The possession of a library card, overdue notice or collection letter by another person implies written consent for the holder to pay fines or pick up materials on behalf of the card owner but does not allow access to any personal records. Individuals can provide consent for another person to access their records by signing a consent form.

Any individual may choose not to allow the collection of their personal information, although such an action may affect their ability to use the affected library services.

**Limiting Collection:** Personal information shall be collected using only legal and lawful means and its collection, use and storage will be limited to that which is only necessary to conduct business for the purposes identified by the library.

**Use and Disclosure:** Personal information shall not be shared, used or disclosed for purposes other than that for which it was collected, except with the consent of the individual, exceptions in this policy or as required by law.

Personal information may be shared with agencies and companies working within the scope of their duties on behalf of the library and in compliance with this policy.

Personal information, including borrowing and transaction history, shall not be disclosed to another person unless to a parent or legal guardian, who is listed as the guardian responsible, for a person who is less than 16 years of age, or where a written signed consent form is provided.

Staff must honour court orders issued by a judge that require the release of personal information. With approval of the Chief Librarian, staff may also disclose personal information in
compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.

Any disclosures to law enforcement officials or in compassionate circumstances must be reported to the Library Board, without identifying the individual concerned.

**Retention:** Personal information shall be retained only for the period of time required to fulfill the purposes for which it was collected. Retention periods about an individual’s borrowing history and transactions are defined in the Borrowing Policy.

**Accuracy:** Personal information shall be as accurate, complete and up-to-date as is necessary to fulfill the purpose for which it is collected.

The library will update customer information and ensure that the collection, storage and disposal of information are carried out in a manner that conforms to legislation. The Borrowing Policy defines card renewal frequency to update personal information.

Customers are responsible for identifying changes in personal information such as name, address or contact information to maintain the accuracy of their information.

Customers may challenge the accuracy of personal information collected and may request staff to correct it, however, some information may require supporting evidence.

**Safeguards:** Personal information shall be protected from unauthorized access by safeguards that are appropriate for the sensitivity of the information collected.

Customers should report immediately any lost or stolen library cards to reduce the potential of unauthorized access to their records and protect their information.

**Openness:** The policy will be accessible to the public on the library’s web site. The library shall answer any individual’s questions about the uses of specific information and about specific practices, ensuring that practices abide by this policy.

**Individual Access:** The library shall allow customers to see personal information about themselves. Parents or legal guardians, who are listed as the responsible person for the child, may obtain information about their child’s account until they turn 16 years.

**Challenging Compliance:** Any library customer who feels their privacy has not been protected may challenge library practices through the Chief Librarian. A library customer who, after such a challenge, is not satisfied with the result, may appeal to the Library Board, maintaining either that the current policy has been violated or that the current policy needs to be changed in order to address a perceived issue.

**Research:** The library may, on occasion, permit valid research which may include the use of customer library records. Any research that is conducted by an outside agency must be approved by an appropriate research ethics board. Any personal information that may be used under approved terms of an authorized research agreement will be destroyed before publication of any research results. Any such research that would be conducted will be governed by this policy.
**Electronic Communication:** The library will ensure that all electronic messages clearly identify the subject of communication, the Hamilton Public Library is identified as the sender, and that the library’s mail address and contact information is available.

Obtaining a library card implies the individual’s consent to authorize the library to send electronic notifications regarding personal borrowing and transaction activities using their preferred method. Individuals may request not to receive notifications although such an action may affect their ability to use the affected library services.

The library may, at times, use electronic means to promote services, share information, or announce special events. The library will seek the individual’s consent before sending promotional electronic messages. The library will provide options to individuals to easily unsubscribe from the services or change their preferences at any time.

**Design Principles:** The library will apply Privacy by Design principles in technology, business practices and physical design to protect customer privacy when conducting library business to provide services to the public.

**Related Policies:** Records Management Policy; Borrowing Policy- Board policy

**Related Procedures:** Records Retention Schedule

**Approval History:** Formal Board Approval: December 15, 2004. Confidentiality of Records Policy - First Approved: January 1997; Revision Date: November 2001; December 2016.

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### 3.9 Social Media Policy

**Policy Level:** Library Board  
**Author:** Director Public Service Communications  
**Review Period:** 4 Years  
**Approval Date:** April 2012

**Purpose**  
This policy governs staff and customer use of social media tools for official library purposes.

**Statement of Commitment**  
The Hamilton Public Library (HPL) is committed to using social media technology to provide a venue for shared information resources with our customers and partners and providing a means for meaningful communication between customers, partners and library staff. HPL staff will strive to create a social media presence that is consistent with our core values of promoting intellectual freedom, inclusiveness, innovation, respect and accountability. We will promote the free exchange of ideas while protecting personal information and rights.

**Objectives**  
Objectives of HPL’s social media presence include:
• Extend the reach of HPL’s online message, thereby improving relationships with library customers, potential customers and key influencers.
• Provide an interactive, real-time platform using an informal/human voice to engage in dialog.
• Provide simple method for customers to provide feedback and seek assistance
• Provide wide-ranging entry points to our services and collections
• Provide thought leadership and credibility, enhancing HPL’s strong reputation online.
• Demonstrate our commitment to and understanding of emerging media/technology
• Provide opportunities to train staff in the use of social media

Content
Social media sites provide a forum for promoting the free exchange of ideas which Hamilton Public Library will encourage. However, content that contravenes our Statement of Commitment, Code of Conduct, or otherwise violates privacy or other legislation will be removed from the site. Violations may result in restrictions on future postings to HPL social media sites. HPL reserves the right to edit or modify submissions when reposting or providing comment. HPL is not responsible for the reliability of content provided via links that are posted to our social media sites. Being followed by HPL on any social media platform or having messages or content created by other parties shared on HPL social media does not imply endorsement. HPL welcomes feedback and ideas from all our customers, and will endeavour to join the conversation where possible. We will read all messages and comments and ensure that emerging themes or helpful suggestions are passed to the relevant staff at HPL; however, HPL will not be able to reply individually to all messages received via social media. Customers are reminded to protect their privacy when participating in online public forums.

Reporting Concerns: If you have any concerns regarding application of this policy or HPL social media sites please contact the Hamilton Public Library and you will receive a response in two working days.

Approval History: April 2012
4. LIBRARY MANAGEMENT POLICIES

4.1 Collections Policy

Policy Level: Library Board
Author: Director Collections
Review Period: 4 Years
Approval Date: May 2017

Key Points Summary:
- The library’s collection policy outlines the philosophy and key objectives of the library’s collections development.
- The ultimate accountability for the management of Library collections lies with the Chief Librarian but in practice is delegated to the Director of Collections.
- The collection policy outlines the key criteria for the selection and deselection of materials.
- The collection policy addresses suggestions for purchase, gifts, donations and objections lodged against items in our collection by community residents or organizations.

Purpose
To provide a statement of philosophy and identify key objectives respecting the collection management, and access to collections which reflects the Mission Statement and Strategic Priorities of the Hamilton Public Library.
To define responsibility for collections and identify the delegation of collections responsibility.
To establish procedures to address suggestions for purchase, gifts, donations and objections lodged against items in our collection by community residents or organizations.

Definitions:
Format is the physical form of material and applies to all literary, dramatic, musical and artistic works; sound recordings; and recorded performances, formats include: print, audiovisual, digital and multimedia.

Interlibrary loans are transactions in which library materials are made available by one library to another; they include the provision of copies and microforms as substitutes for loans of the original materials.

Policy Details:
Strong library collections are fundamental to public library service. The Hamilton Public Library (HPL) is committed to developing and maintaining diverse, relevant and responsive collections that meet and anticipate the changing needs of our customers.

The ultimate responsibility for the library’s collections lies with the Chief Librarian acting in accordance with the general policies established by the Library Board. In practice, this authority is delegated to the Director of Collections.

The presence of materials in the Library collections does not constitute an endorsement of their content or viewpoints by the Library Board. The Board recognizes that this policy is carried out in compliance and with due regard for all applicable legislation.

Where appropriate, HPL participates in resource sharing initiatives and consortium purchasing to provide the greatest access to library materials.

Selection

Items are selected:

- to meet the recreational needs and interests of the community
- to enrich human understanding by celebrating the diversity of our community through inclusion of various cultural, ethnic, religious and philosophical backgrounds
- to educate and support lifelong learning
- to recognize and accommodate a range of education levels and abilities
- to inspire a love of reading, learning and creativity
- to collect and preserve materials which illustrate the growth and development of the City of Hamilton, celebrate its history and heritage or which pertain in whole or in part to activities within the geographic boundaries of the City of Hamilton

Criteria for Selection:

- suitability of physical and digital form for library use
- relation to existing collections and other items on a subject
- accessibility of items in other libraries, for free via the internet, or from other easily and freely accessible resources
- interests and composition of the community
- popular or anticipated demand and current trends
- attention of critics, reviewers, and the public
- quality, clarity, comprehensiveness and accuracy of the work
- reputation, skill, competence and purpose of the originator of the work
- special value as a contribution to social questions and problems of continuing or topical interest
- timeliness or permanence of the work
- availability of funds and space
- balance of viewpoints in the collection including those considered extreme or minority

An item need not meet all of the above criteria in order to be acceptable. Items that do not meet these criteria may be purchased to satisfy demand. The Local History and Archives department
will only accept material on a permanent basis, except when borrowing material for short-term loans to reproduce or to include in displays or exhibits.

**Requests for Removal of Items**

The Hamilton Public Library recognizes the right of individuals to express opposition to author or artists’ ideas or to their creative exercise in items selected for the library. While people have the right to reject for themselves items of which they do not approve, they do not have the right to restrict the freedom of others. The Hamilton Public Library is a resource where many points of view and modes of expression can be examined without hindrance. No ideas and opinions have universal acceptance and the use of language or visual depiction, either descriptive or expressive, can in itself stimulate controversy.

The Hamilton Public Library complies with any law enacted at the federal, provincial or municipal level, and therefore does not collect or maintain items which have been judged obscene or pornographic, or has been banned by the courts. The relevant sections of the Criminal Code of Canada are: sedition, hate propaganda and obscenity.

The presence of an item in the collection does not indicate an endorsement of its contents by the Hamilton Public Library, but rather is an affirmation of the principle of intellectual freedom as embodied in the Canadian Federation of Library Associations’ Position Statement on Intellectual Freedom and Libraries.

The following will not cause an item to be automatically included or excluded from the collection:

- race, religion, nationality or political views of an author
- frankness or coarseness of language
- controversial content
- endorsement or disapproval of an individual or group
- language in which the work is written or spoken

If a customer feels that an item in our collection falls outside the criteria outlined in this policy, they are invited to complete a Request for Reconsideration Form.

**De-selection and Collection Maintenance**

The library strives to maintain strong physical collections while growing or providing access to content that reflects the increasing demand for information, books, music and videos in digital formats.

The Library continually identifies items from its collections for discard based upon the following criteria:

- Item’s subject is outdated
- Item is no longer of interest or in demand
- Overabundance of an item or subject as interest wanes
- Worn or damaged copies
Once an item has been identified for possible elimination based on the criteria above, the process of determining if an item still deserves a place in the library’s collection begins. Retention is based on the following criteria:

- Is it of local, regional, or national significance, including works of local or Canadian authors, artists, recording artists or film makers and works pertaining to local history?
- Is it a work by a famous author, artist, recording artist, film maker or universally accepted as a classic work?
- Is it unique to the collection in that there is little or no information available on that topic elsewhere and the information is still relevant and useful?

Items withdrawn from the collection are placed on sale annually or shipped to a reseller.

**Local History & Archives Collections**

Material added to the Local History & Archives collection shall be held until such time as it is deemed no longer relevant and is de-accessioned. All information pertaining to the de-accessioning and disposition of material will be retained in the Archives’ records.

**Access to Collections**

Physical access to items will not be restricted except for the express purpose of protecting an item from damage or theft. Library customers of all ages shall have open access to all the Library’s collections with the following exceptions:

- Films rated “R” or “18A” by Ontario Film Review Board and Games rated “M” by the Entertainment Software Rating Board are limited to customers 18 years of age or older.
- Access to collections housed in the Local History and Archives Department is limited to customers 14 years of age and older. Users under 14 must be accompanied by a parent or guardian.
- In keeping with the Library’s [The Rights of Children and Teens in the Public Library Policy](#), there is no restriction on the material that may be borrowed by children. Parents and/or those responsible for the child are responsible for the selection, usage and safe return of materials borrowed by their children.
- Interlibrary Loans
  - The Hamilton Public Library Board recognizes the important value of the interlibrary loan service to compliment HPL’s collections. HPL actively participates in resource sharing for the benefit of library customers across Ontario and Canada and to provide Hamilton Public Library customers with efficient access to information and materials not held in the HPL.
  - Interlibrary loans are limited to those items that the library might not be expected to own. HPL does not depend upon another library to supply the normal needs of our customers. Customers have the option of requesting a “No Charge loan”. However, when the lending institution has charges to apply, customers must agree to pay up to $25 in charges when they place the request. If the charge will exceed $25 the customer will be contacted. If an HPL customer loses an item borrowed from another library on their behalf they are responsible for all replacement charges from the lending institution.
Suggestions for Purchase, Donations & Gifts

- **Suggestions:** We encourage customer participation in the shaping of our collections. Suggestions are referred and considered according to the Library's selection criteria.

- **Material Donations:** Defined as items purchased commercially that are no longer needed by customers and organizations. Offers to donate items to the Hamilton Public Library are appreciated. However, we do not accept them, because they place a financial toll on the system that supersedes any monetary gain from sale or enhancement to our collection.

- **Gift Copies from Local Authors:** In an effort to support local authors, recording artists and film makers, we accept gift copies of their work as long as they are submitted in a format we currently support. The library cannot accept imposed conditions relating to any item after its acceptance (e.g. consignment, return). Items that are not added to the collection are not returned, but rather discarded or sold. Items are considered for inclusion according to the Library's selection criteria.

- **Gifts to Local History & Archives:** Gifts in this case are defined as original works or works of significant historical value being offered to the Library at no charge. We have a mandate to collect and preserve valuable items that pertains to Hamilton’s past and its culture. The Archives will accept historical material of any medium, including: textual records; photographs and other visual records; maps, plans and architectural records; and sound recordings and oral history recordings. Valuable items on Hamilton’s past are evaluated by staff in our Hamilton Local History & Archives Department before being accepted.

**Revision History:** March 2014; May 2017;
4.2 Local History and Archives Policy

Policy Level: Library Board
Author: Director, Collections
Review Period: (Standard 4 years)
Last Revised: November 2017

Key Points Summary:
- The library’s Local History and Archives Policy outlines the key principles and key objectives of the library’s archival collection development and access.
- A central role of Local History and Archives is to collect, preserve and make accessible materials which illustrate the history of the Hamilton area and its peoples.
- The Local History and Archives policy outlines the key criteria for the acquisition, access and de-accessioning of archival materials.

Purpose
The purpose of this policy is to outline the mandate, scope and objectives of the Hamilton Public Library’s Local History and Archives collection and archival activities and the authority under which the department operates.
This policy articulates the key objectives with respect to the acquisition, preservation and access to materials in the Local History and Archives collection which will reflect the Mission Statement and Strategic Priorities of the Hamilton Public Library. The policy outlines process and expectation to assure transparency, accountability and preservation of trust so that customers, donors, researchers, library staff and other key stakeholders may better understand archival principles and practice.

Definitions:

Accession is the formal acceptance into custody and recording of an acquisition.

Acquisition is an addition to the holdings of a repository.

De-accession is the removal of material from the holdings of a repository.

Policy Details:
The Local History and Archives collection exists to:
- Collect, preserve and make accessible materials which illustrate the history of the Hamilton area and its peoples. The Archives collect and provides access to documentary heritage that makes a significant contribution to an understanding of the development of the City, its natural and built environment, its culture and the people who lived, worked, and had an impact upon the Hamilton area;
- Collect and preserve archival materials created by the Hamilton Public Library which illustrate the growth and development of the Hamilton Public Library, both before and
after incorporation, or which pertain in whole or in part to activities within the Hamilton Public Library;

- Arrange and describe these materials according to archival principles and make them accessible to the general public on a regular basis, unless access is restricted by legal requirements, Library Board policy or written agreement with the donor;
- Provide adequate and appropriate conditions for the storage, protection and preservation of archival material;
- Provide reference services to individuals, organizations, the municipal government, or other groups interested in the activities and holdings of Local History and Archives;
- Facilitate digitization projects, exhibition, outreach and programming to increase public awareness of the Hamilton area and its peoples, history and development.

The ultimate responsibility for the management of Local History and Archives is with the Chief Librarian acting in accordance with the general policies established by the Library Board. In practice, this authority is delegated to the Director of Collections and the Manager of Local History and Archives.

The presence of materials in the Local History and Archives collection does not constitute an endorsement of their content or viewpoints by the Library Board. The Board recognizes that this policy is carried out in compliance and with due regard for all applicable legislation.

**Scope of Acquisition:**
The archives will acquire historical material by donation, bequest, purchase, or transfer, regardless of medium, including: textual records; photographs and other visual records; maps, plans and architectural records; sound recordings or visual recordings; historical memorabilia and digital materials as per the collection mandate.

The Local History and Archives department will only accept material on a permanent basis, except when borrowing material for short-term loans to reproduce or to include in displays or exhibits.

**Limitations of Scope:**
Notwithstanding intrinsic, informational or historical value of records, Local History and Archives will acquire records, taking into consideration the following:

- the resources required to make the material available for research purposes in a reasonable period of time;
- the extent and terms of any restrictions, the legal rights and/or requests of the donor to place the records in the Archives;
- the records’ relationship to the strengths and weaknesses in the existing holdings;
- the availability of appropriate storage facilities and the physical condition of the records in relation to the probability of being able to conserve them in a reasonable period of time;
• the acquisition mandates of other institutions.

The Archives retains the right to reproduce materials by mechanical, electronic, or photographic means for security, conservation, or research purposes.

**Methods of acquisition:**

• archival materials are generally acquired by donation and not by purchase. The Archives may determine to acquire material by purchase if it fulfils a critical gap within the collection with the approval of the Chief Librarian.

• archival materials of private donors are accepted by gift, bequest, or transfer from another archival institution. A signed Deed of Gift is completed to transfer ownership and negotiated rights such as copyright of the records from the donor to the Hamilton Public Library.

• the Hamilton Public Library’s institutional archival records are retained primarily according to approved records retention policy. The Archives does not function as a repository for financial records or human resources records.

• the Archives does not accept as gifts, fonds that have been wilfully partitioned by a donor.

• in special circumstances, Local History and Archives works in partnership with local organizations where records may be acquired by loan to allow copies to be prepared for community access and digitization where copyright is retained by the partner organization. In the case of each partnership, a letter of agreement or memorandum of understanding is signed defining the scope of the project and the rights and responsibilities of all parties.

• tax receipts may be issued based on Canada Revenue Agency rules subject to external appraisal by individual(s) qualified in appraising historical records.

**Access to Local History and Archive Collections:**

Due to the rare and fragile nature of the Local History and Archives collections, access to collections housed in the Local History and Archives Department is limited to persons consulting archival material and carrying out their research in the Local History and Archives department. Within the department, staff are on hand to provide assistance and proper supervision to ensure the safe care and handling of materials.

Customers will be required to show identification and register for an archives card prior to viewing materials.

Physical access to collections housed in the Local History and Archives Department is limited to customers 14 years of age and older. Users under 14 must be accompanied by a parent or guardian unless other arrangements have been made and authorized by the Manager, Local History and Archives.

We utilize recognized international and national archival, digitization and metadata standards to support physical and digital access to Local History and Archives collections and materials. In alignment with Library Board policy, we support the use of Creative Commons Licenses and the
principle of open access with regard to digitization initiatives while upholding the terms of existing donor agreements, copyright and applicable law and legislation. Barring the extent and terms of any restrictions, the legal rights and/or requests of the donor to place the records in the Archives, no person shall be prevented from using archival materials unless it is determined that the materials will be physically abused or used in a libellous or illegal manner. The Library retains the right to charge for any reproduction or other research service as per the Library Board’s Fees and Fines Policy and schedule. Materials from the Local History and Archives collection may be loaned to other institutions or organizations only under the following circumstances:

- written authorization is obtained from the Manager, Local History and Archives (or designate);
- the Archivist provides written documentation for the loan;
- the borrower ensures adequate care and handling of the material on loan. If at any time Local History and Archives determines that the material on loan is not being cared for adequately, the Manager, Local History and Archives (or designate) may cancel the loan and request the immediate return of the material.

**De-accessioning**

Material added to the Local History and Archives collection shall be held until such time as it is deemed to which no longer fit the approved acquisitions policy and is de-accessioned. All information pertaining to the de-accessioning and disposition of material will be retained in the Archives' records.

**Guiding Principles:**

- Archivists must use professional judgment when reappraising collections. Exceptions are handled on a case-by-case basis.
- Although it is an important collection management tool, reappraisal does not always lead to de-accessioning.
- To ensure consistency, the process should be systematic and thoroughly documented.
- Reappraisal and de-accessioning is a responsible archival practice for better management of collections. The process should however be transparent but may, at times, require discretion.

**Considerations:**

- Legal issues of ownership of collections (e.g., donor agreements)
- Ethical issues regarding the disposition of collections in a transparent manner
- Donor relations (i.e. being open and honest with donors when discussing the proposed de-accessioning of their gift)
- Resource allocation (i.e. cost benefit analysis before reappraising and de-accessioning a collection)
**Conflict of Interest:**
As per the Library Board’s Code of Conduct and Conflict of Interest policy, Local History and Archives staff members will not formally, through trade or purchase for their own personal use, enjoyment, or profit, collect for their personal benefit archival materials which fall within the broad acquisition mandate of Local History and Archives.

**Approval History:**  November 2017

**Applicable Legislation / Regulation:**
Freedom of Information, Copyright and Protection of Privacy Acts.
4.3 Copyright & Intellectual Property Policy

Policy Level: Library Board
Author: Director, Collections
Review Period: (Standard 4 years)
Last Revised: October 2017

Key Points Summary:
- The Hamilton Public Library (HPL) is not responsible for infringing copies made by users of the Hamilton Public Library’s copying equipment and Makerspaces. It’s the user’s obligation and responsibility to determine and satisfy copyright or other use restrictions.
- HPL respects the copyright and moral rights of authors and copyright holders and seeks to educate library customers about these rights with regard to the Library’s physical and digital collections.
- HPL staff and customers may make copies for specific purposes under the fair dealing provision of the Copyright Act.

Purpose
To outline the Hamilton Public Library’s role and position related to applicable Copyright and Intellectual Property legislation.

Definitions:
- **Copyright** is a legal means of protecting an author/creator’s work.
- **Intellectual Property** refers to the ownership of intangible and non-physical goods.
- **Fair Dealing** is a user’s right in copyright law permitting use of a copyright protected work without permission or payment of copyright royalties for the purpose of research, private study, education, satire, parody, criticism, review or news reporting, provided that what you do with the work is ‘fair’.

Policy Details:
HPL seeks to advocate for, inform and support the intellectual property rights of the creator as outlined within Canadian legislation while balancing the social benefit and educational value of fair use.

The majority of the material in the Library’s collections is subject to copyright. It is not the role of Library staff to interpret the Copyright Act for customers. Responsibility regarding copyright arising from the use and/or copying is the responsibility of the customer making the copy, whether the customer uses their own or library equipment.

The intellectual property laws of Canada govern the making of reproductions and/or use of some materials. Certain copying may be an infringement of copyright law. The Hamilton Public Library is not responsible for infringing copies made by users of the Hamilton Public Library’s copying equipment and Makerspaces. It’s the user’s obligation and responsibility to determine and satisfy copyright or other use restrictions (such as privacy rights, CSA standards, technical protection measures, licensing and trademark, etc.) when using HPL’s collections, equipment and software.
Fair dealing is a long-standing feature of Canadian copyright law that permits certain uses of copyright material in ways that do not unduly harm the interests of copyright owners, but which could have significant social benefits. In Canada, fair dealing does not infringe copyright and is limited to the purpose of research, private study, education, parody or satire:

- HPL staff and customers may make copies for specific purposes under the fair dealing provision of the Copyright Act. Any concerns of the legitimacy of staff copying for these purposes will be referred to the Library’s Chief Librarian or delegate.
- HPL’s copying services, whether the copy is made by Library staff or a customer, are provided without a motive of financial gain. The fee charged is intended to cover a portion of the costs of the Library.

HPL will make available copies of the Copyright Act and post signage to make customers aware of the Copyright Act.

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For more information, please visit the Canadian Intellectual Property Office’s website:
http://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/home

Applicable Legislation: Copyright Act

Approval History:
Approved April 2001. Last Revised: April 20, 2010
4.4 Partnership Policy

Policy Level: Library Board
Author: Chief Librarian/CEO
Review Period: 4 Years
Date Approved: February 2018

Policy Purpose
This policy provides an overall framework for the Hamilton Public Library to manage existing and new partnerships. The goal is to ensure HPL has strong community partnerships that are focused on advancing Library, City and community goals.

Reasons for Engaging in Partnership
The Hamilton Public Library engages in partnerships to:
1. Extend and enhance Library services and programs in a sustainable way
2. Increase awareness of Library services and programs
3. Support the City of Hamilton and broad based community initiatives that advance Hamilton’s economic, social and cultural richness
4. Enhance coordination and reduce overlap in efforts between agencies serving Hamilton

Definition
A Partnership is defined as a mutually beneficial collaboration between the Library and an external organization(s). Partner contributions provide support for and/or promote activities, services, events and programs to the public in ways that are mutually beneficial.

Criteria for Engaging in Partnerships
The following criteria govern how HPL approaches partnerships and related activities. Not all criteria will apply in every case, however, they will be used to inform decision making. Priority will be given to organizations and initiatives that meet multiple criteria from the following list:

1. Aligns with our core organizational values (Intellectual Freedom, Inclusiveness, Innovation, Respect and Accountability)
2. Shares common goals or objectives with HPL
3. Is committed to collaborative and shared planning
4. Is committed to ongoing evaluation of progress and continuous improvement
5. Is committed to collective impact and long-term strategies
6. Is committed to looking for mutual benefit and a reciprocal approach to levels of commitment

Partnership Levels
There are three different levels of partnership. Generally, the approach will be to demonstrate success and establish trust on demonstration projects before engaging in long term major commitments.

- The level of oversight and reporting will be proportional to the level of commitment to the partnership.
While some flexibility in working with partners is understood and encouraged, we need to keep in mind that the levels have been developed to encourage mutually beneficial relationships with partners. The stronger the alignment and the greater the partner’s commitment will mean greater commitment from HPL.

Staff procedures specify reporting requirements for each and other requirements around communication.

**Local Community Partnership**
A Local Community Partnership between library branches/departments and organizations/groups located in their community. These partners may be local groups, organizations or service clubs that align with HPL and community priorities. These partnerships do not require a formal Memo of Understanding (MOU).

**HPL Commitment**: Local Community Partners (pending room/staff availability) are allowed up to 4 free meeting room bookings a year and/or 4 Library provided programs.

**Authorization**: A Branch/Departmental Manager is responsible for signing off on Local Community Partnerships.

**Collaborative Partnerships**
A Collaborative Partnership also aligns with HPL and community priorities, however, they also work collaboratively with HPL to support Library program offerings and/or otherwise contribute to community initiatives the Library is formally participating in. For Collaborative partners, there is a shared commitment from both parties to shared project planning, evaluation and tracking.

**HPL and Partner Commitments**: An annual MOU that outlines the goals and commitments of both parties will be completed. Examples of activities that could be included in an MOU are: shared programs, joint promotion, collaboration on community initiatives and joint grant applications. Generally, the focus will be on joint in-kind contributions, however, financial support for Library programs could also be included. The MOU will cover reporting accountability and a dispute escalation process that includes both parties.

**Authorization**: A Library Director is responsible for signing off on Collaborative partnerships. Collaborative Partnerships will be included in the Annual Partnership Report to the Library.

**Strategic Partnerships**
A Strategic Partnership is distinguished by its long term duration and level of commitment between HPL and the partner. Strategic Partners involve either a long term commitment in terms of space, service alignment, program development or financial commitment. Existing examples of Strategic partnerships include the HWDSB & HWCDSB, Experience Annex and City School by Mohawk. Requirements for Strategic partners include:

**HPL and Partner Commitments**: An annual Memo of Understanding (MOU) that outlines the goals and commitments of both parties will be completed. Examples of activities that could be included in an MOU are: shared programs, joint promotion, collaboration on community
initiatives, financial commitments and joint grant applications. The MOU will cover reporting accountability and a dispute escalation process that includes both parties.

- **Authorization**: The Library Board will approve Strategic partnerships. Strategic Partnerships will be included in the Annual Partnership Report to the Library.

Approval History: April 2016, February 2018
**4.5 Program Policy**

*Policy Level:* Library Board  
*Authors:* Directors Public Services & Director of Digital Technology & Youth Services  
*Review Period:* 4 Years  
*Approval Date:* November 2015

**Policy Statement**

The Program Policy outlines the principles and criteria for programs at Hamilton Public Library and provides guidelines for staff developing and/or delivering programs. A program is defined as a coordinated activity or event with a specific purpose, such as highlighting collections, services or sharing knowledge and expertise.

Hamilton Public Library considers the offering of programs to be an integral part of its mission and strategic priorities and strives to offer programs that complement library services and collections offered to the community. Library programs provide an alternate way for people to learn and obtain information. Programs in public libraries encourages participation in civic life and serves to address the cultural and leisure interests of our community.

The Library may present programs that some individuals find controversial. Holding a program does not indicate an endorsement of its contents by the Hamilton Public Library, but rather is an affirmation of the principle of intellectual freedom as embodied in the Canadian Library Association Statement on Intellectual Freedom.

**Purpose of Library Programs**

Programs expand the Library’s visibility in the community and offer staff opportunities to engage community members. The Hamilton Public Library provides programs that support the Library’s mission, values, goals and strategic priorities. Library programs are designed to:

- Support lifelong learning including literacy, numeracy and problem solving in a technology rich environment (digital and interface literacy).
- Provide information, education and recreation opportunities to Library customers.
- Promote the use of library services and collections.
- Nurture community cohesion and reduce social isolation by bringing members of the community together.
- Celebrate our history, heritage and promote cultural awareness.
- Strengthen partnerships with a wide variety of organizations.
- Attract new and unique audiences to the Library.

**Priority to Offer Free Programs**

The majority of programs offered by the Library are free to attend. Charging for programs creates a participation barrier that excludes some community members. In addition, we need to be mindful of the administrative costs associated with collecting a registration entry fee.

**Charging for Programs**

In some cases there is a need to charge for a program. Charging for a program must receive approval from the Library’s Administration Team. To offset obstacles created by charging, where
appropriate, free tickets will be made available to customers or a similar type of program may be offered free of charge. Programs are designed to be informative learning opportunities, not a vehicle for commercial ventures.

**Scope**
This policy applies to all Library organized, co-sponsored and partnership events offered to the public by the Hamilton Public Library. This policy does not apply to:

- Events that are developed for special purposes such as fundraising, donor recognition, media conferences or community festivals.
- Programs offered by other organizations on library premises where space is rented and governed by the terms and conditions of the Library’s [Meeting Room Rentals](#) policy.

**Program Development**
Programs are developed in accordance with the Hamilton Public Library’s program strategy and framework.

- Library program development and planning is carried out on a scheduled basis.
- The Library may set age or other guidelines for participation in a program, such as a children’s program, when the program is designed and best suited for a particular audience.
- Liability insurance is required for all programs taking place in Library premises and will be purchased through the library prior to the date of the activity/event. Alternatively, for those organizations that already have insurance, proof must be provided in advance with the Library and City of Hamilton named on the certificate.
- Programs reflect community needs and interests.

**Program Delivery**
Programs will be offered by employees with program-related expertise or topic specific training, or by invited speakers and experts from the community including:

- Authors
- Performers
- Staff or members of community partner agencies
- Volunteer presenters with recognized program-related credentials

Library staff will be available to welcome customers to the branch and to promote upcoming programs. Programs are evaluated and designed with measurable outcomes. The Library reserves the right to cancel programs as deemed necessary and will make every effort to notify the public in advance.

**Suggestions for Programs**
Library customers are encouraged to suggest topics for future programs. These suggestions will be considered in light of the program criteria, strategic priorities and library resources. Not all suggestions will be utilized. The program suggestion form is available on the Library’s website.

**Approval History:** November 2015
4.6 Displays and Exhibits Policy

Policy Level: Library Board
Author: Director Public Service Communications
Review Period: 4 Years
Approval Date: April 2014

Purpose
This policy governs the display of art and other exhibits at all locations of the Hamilton Public Library.

Policy
The Library provides occasional exhibit space to individuals or groups wishing to display works of art, crafts and other relevant objects. This free exhibit space enables Library visitors to participate in the creative life of the community, and presents artists with a valued avenue for exhibiting their work.

The Hamilton Public Library Board reserves the right to refuse to display any items considered to be inappropriate and/or unsuitable for a library environment.

- All exhibitors must complete the Hamilton Public Library Displays and Exhibit Application process to be considered. The application must include digital images of the proposed exhibit.
- The Library does not pay exhibit fees. Exhibitors are responsible for obtaining their own damage insurance for the contents of their exhibit.
- Permission for an individual or group to exhibit is generally for a single occurrence and does not imply the right to repeat exhibits.
- Hamilton Public Library does not allow advertisements or solicitations for recruitment, business or fundraising, nor the sale of items. Prices may not be attached to individual works; however, the exhibitor may leave a price list at the information desk or supply a sign listing a contact person, website address and telephone number where visitors can inquire about purchasing information.

The Library strives to work collaboratively with exhibitors to maintain the integrity of exhibits; however, the Library reserves the right to alter, move, cancel and/or remove an exhibit that is in contravention of this or other library policies. Displays that contravene federal, provincial or municipal laws will not be accepted.

Selection Criteria
There are a number of criteria that library staff consider when approving an exhibit. Exhibits should be:

1. Responsive to HPL’s mission and values as well as the diverse interests of the community.
2. Suitable for showing in a public library (i.e. extremely erotic or gratuitously violent depictions are not acceptable)
3. From artists or groups who have not recently displayed at the Library. The Library may approve repeat exhibits by individual artists or groups but prefer giving opportunities to as many
artists as possible.
4. From Hamilton and area artists and groups, preferably but not exclusively.

**Exhibit Areas**
The main exhibit areas for displays at the Central Library are the 1st and 4th floors (Gallery4 and Gallery4 Annex).

**Gallery4**
Gallery4 provides artists with display space. Exhibits are generally approved for one month and represent a variety of media, techniques, subjects and styles. Artists wanting to display in Gallery4 must apply through the annual call. In addition to the standard Selection Criteria, HPL reviews the following criteria when approving Gallery4 exhibits:
1. Artist shows commitment to art (e.g. by training, experience).
2. A polished application including resume and artist statement.

**Gallery4 Annex**
Gallery4 Annex is exhibit space dedicated to community displays. Exhibits may range from photographs to clothing (Rev Wear) to art created by students. All exhibitors must complete the Hamilton Public Library Displays and Exhibit Application process to be considered. The application must include digital images of the proposed exhibit.

**Central Library Meeting Rooms**
Individuals or groups wishing to use Central Library’s meeting rooms to exhibit their artwork must book and pay for the space as per the Meeting Rooms Policy.

**Branch Libraries**
Each branch library has different display space. Interested parties should contact the Branch Manager for information.

**Approval History:** May 1983; April 2001; July 2010; December 2012; April 2014

4.7 Naming Opportunities Policy

**Policy Level:** Library Board  
**Author:** Director, Finance and Facilities  
**Review Period:** 4 Years  
**Approval Date:** March 2018

**Policy Purpose**
To provide the opportunity for public recognition of individuals or organizations that have made a lasting contribution to the development of library services in the City of Hamilton or to recognize significant financial donors.
Key Points Summary

- The naming of a room or facility in recognition of a significant contribution or financial donor is a decision that requires special consideration by the Library Board.

- Requests for naming a room after an individual or organization must be made to the Hamilton Public Library Board in writing for formal consideration.

- The Library Board may initiate the naming of a room in recognition of a significant financial contribution.

Policy Details

The naming of a room or facility in recognition of a significant financial donor or individual is a decision that requires special consideration by the Library Board of the value and benefits of such recognition and the suitability of the room or facility for such recognition purposes.

Recommendations for the naming of a room or facility after an individual may be considered to honour the individual’s contribution to the Hamilton Public Library (HPL). The naming of a room or facility may also be considered in recognition of a significant financial donation to the Hamilton Public Library.

Unless specified in a separate agreement, rooms or facilities named under this policy shall be reviewed by the Hamilton Public Library Board every five (5) years, or earlier at the request of the Board, at which time Board approval will be required to renew the named room/facility.

1. Naming a room or facility after an individual or organization

   Requests for naming a room after an individual must be directed to the Hamilton Public Library Board in writing.

   The letter of request shall include a short biography of the honouree, lasting contributions to the Hamilton Public Library, community involvement, and a description of exceptional achievements as appropriate (e.g. philanthropy, leadership, professional excellence, distinguishing honours).

   The letter will be reviewed by the Library Board, and, if required, an assessment of the request will be prepared by the Director of Finance & Facilities, in consultation with HPL’s Senior Leadership Team. Included in the assessment will be a report on the physical condition of the room or facility to ensure that it will project a positive image of the individual or organization.

   If approved, the Library Board will make a recommendation for acceptance of the request and respond to the nominator in writing. To proceed with the naming opportunity, the Director of Finance & Facilities will be authorized to initiate the following actions:
a) Determine specific placement of a plaque/signage for the designated room/facility
b) Prepare draft wording and a cost estimate to produce a plaque/signage
c) When final copy and design is approved by the nominator, produce and install the plaque/signage
d) Determine what type of ceremony/reception, if any, is to accompany installation of the signage/plaque in recognition of the naming (or, in some cases, re-naming)

2. Naming a room or facility in recognition of a significant financial donation

The Library Board may initiate the naming of a room for fundraising purposes.

Recommendations for naming a room after an individual or organization in recognition of a significant financial donation will be presented to the Library Board after the Director of Finance & Facilities prepares an evaluation of the naming opportunity.

Requests to name a room or facility to recognize a donation or bequest are evaluated by the following criteria:

- The name should be appropriate for a public library.
- In the case of an individual, agreement to the naming proposal must be confirmed with the individual to be named, and if deceased, by the immediate family.
- The physical condition of the room or facility must be assessed to ensure that it projects a positive image of the donor.

The proposed naming opportunity should complement the purpose of the donation. When a naming opportunity is to be established as part of a capital campaign, the monetary value of the donation must be considered in relationship to the entire building/renovation cost and not just the portion that is raised by a fundraising campaign.

To proceed with the naming opportunity, the Director of Finance & Facilities will be authorized to initiate the following actions:

- Determine specific placement of appropriate signage for the designated room or facility
- Prepare draft wording and a cost estimate to produce the signage
- When final copy and design is approved by the donor, produce and install the signage
- Determine what type of ceremony/reception, if any, is to accompany installation of signage and/or opening/renaming ceremonies of the room/facility.

4.8 Program Room & Rentable Spaces Policy

Policy Level: Library Board

Author: Director, Public Service and Director, Finance and Facility

Review Period: 4 years

Approval Date: February 2018

Policy Purpose
The Library’s physical spaces, including program rooms, are community assets that exist to support HPL’s mission and strategic priorities. The purpose of the policy is to promote the Library’s objective of providing equitable access to services and maintaining a welcoming and supportive environment that is consistent with HPL values of respect, inclusiveness and intellectual freedom.

Key Points Summary
- The first priority for use of meeting rooms and spaces is to support library programs and services
- Rules around the use of program rooms and meeting spaces by library partners exist to ensure equal access between partners and to manage resources
- This policy governs both free use and rental of library spaces and rooms
- The space rental charges are outlined in the Fines and Fees policy

Definitions
- Library Managed – An event or program that is offered by HPL staff or is offered by a partner on behalf of HPL. Library Managed events are promoted by HPL on appropriate channels.
- Library Partner – A community group or organization whose mission aligns with HPL’s and is listed as active in the “Partnership List”. Generally, HPL partners with not for profit organizations, educational institutions and governmental entities. HPL also partners with for profit organizations in special circumstances. See Partnership Policy for more information on tiers of partnerships.
- Program Room – A room at the Library that is mainly used for programs and meetings.
- Meeting Space – A part of a library building that can be used to hold special events (i.e. Central Living Room, 4th Floor Zones)

Policy Details
The Library’s spaces are community assets that are utilized to advance HPL’s mission and strategic priorities. The following is the order of priority for use of the program rooms and meeting spaces:
1. Library managed programs, events and services
2. Library Partners/City Councillors meetings or special events
3. Paid room or space rentals
**Free Bookings**

There is no charge for the use of a library space when the purpose of the use is to provide a Library Managed program or service. Some meeting rooms and spaces are also made available to Library Partners for free, as follows:

- **Library Partners**: Library partners are eligible for some free bookings based on their partnership Tier as defined by the **Partnership Policy**.
- **City Councillors**: City of Hamilton Councillors are eligible for two (2) free bookings per month at the Library branch in their Ward for public meetings or groups in which the Councillor is a member and a regular attendee.

**Conditions of Room and Meeting Space Use**

The following rules and conditions apply:

- **Equipment**: Availability of equipment is specific to the room or space and on a case by case basis. Arrangements for equipment should be made in advance.
- **Restore Room/ Space Condition**: Program rooms and Meeting spaces have standard set-ups that are posted in the rooms/ space. Groups are expected to restore rooms and spaces to the standard set-up and leave them clean and in good order. Special set-up is normally restricted to paid rentals and must be agreed to in advance subject to the Library’s ability to accommodate the request.
- **Public Performance Rights**: Viewing of films must have appropriate Public Performance Rights in place. Films may be shown if a license has been purchased by the organizer from a rights holder such as Audio Cine Film or Criterion Pictures. Proof of the purchased film licence must be provided in advance of the booking.
- **Non-endorsement by HPL**: The use of library space by a group or organization does not constitute the Library Board’s endorsement of the group’s policies or beliefs, any particular program, position or purpose of any person or organization. Where an outside group is using library space, promotional and other materials should not imply HPL sponsoring the event unless jointly agreed to at the time of the booking.
- **Observation**: To ensure meetings do not violate Library policies, HPL reserves the right to observe in person any meeting or event held in its facilities.
- **Declining Room Bookings**: The Library reserves the right to decline bookings that could negatively impact library operations or stress library resources. The Library reserves the right to cancel bookings when this policy is violated or in special circumstances. Library operational needs and strategic priorities change over time. Past approval for bookings, whether rental or free, should not be assumed to be an ongoing commitment from HPL. Library staff are required to regularly review priorities. When arrangements are required to change, the Library is committed to giving advanced notice.
- **Violations of Policy**: Violation of the policy could lead to cancellation of events and a future prohibition on room or space booking. Groups will be held financially responsible for any violations.
- **Charges & Cancellations**: Payment is due in full at the time of booking. Two (2) weeks’ (10 business days) written notice is required to cancel a room booking. A full refund will be provided if appropriate notice is given.
Special Circumstances
The following may be allowed in special circumstances subject to the written authorization of the Chief Librarian/CEO:

- Groups exceeding their restrictions on free bookings
- Events and meetings outside of normal library service hours
- Political gatherings (see Advocacy & Political Participation Policy)
- Art exhibits not managed by HPL (see Displays and Exhibits Policy)
- Events where merchandise is sold
- Press conferences

Restrictions on Use
The Hamilton Public Library has a responsibility to ensure the use of its spaces serve to advance Library and community priorities. The following restrictions exist on the use of Library spaces:

- **Illegal Activity**: The Library will not knowingly permit any individual or group to use its facilities in contravention of Canadian federal or provincial law.
- **Discrimination**: The Library will not allow events or meetings where attendance is limited on the basis of race, colour, religion, gender, age, sexual orientation, mental or physical disability as defined by the Human Rights Code, Constitution Act, Canadian Charter of Rights and Freedom.
- **Attendance that exceeds the posted room capacities** is not allowed.
- **Charging an entry/program fee** to attend a program/event is not allowed unless discussed and arranged in advance with the Library.
- **Private social functions** are not allowed.
- **Partisan political events** are not allowed.
- **Cooking food** is not allowed.
- **Fundraising or gambling** is not allowed.
- **Sales Promotion**: Events promoting the purchase of specific brands/products/service are not allowed. General consumer education is not included in this category. Presenters may share business cards but over promotion is prohibited.
- **Alcoholic Beverages**: Requests for alcohol consumption at programs/events will be considered on an individual basis. An appropriate permit along with Smart Serve servers is required. A copy of the permit/license must be provided in advance of the event. Game Day insurance of $5 million in coverage is required. Please contact communications@hpl.ca for details.

Approval History: September 2002; June 2007;
4.9 Donations, Sponsorship & Fundraising Policy

Policy Level: Library Board
Author: Director, Finance & Facilities
Review Period: 4 Years
Approval Date: December 2016

Policy Purpose:
The Hamilton Public Library (HPL) welcomes and encourages donations, gifts and sponsorship from individuals, groups, foundations and corporations for the purpose of enhancing the services of the library system. The Library provides service to the community in accordance with the Library’s mission, values and strategic goals. The Hamilton Public Library gratefully accepts donations and sponsorship and fundraising opportunities based on this policy.

Key Points Summary:
- The Library gratefully accepts donations and welcomes sponsorships and fundraising opportunities with third parties in order to advance its mission, adhere to its values and meet its strategic goals.
- Undesignated cash donations are set aside in a Donations Reserve. Use of funds from the Donations Reserve shall be approved by the Library Board. Designated donations that are specified for particular uses by the donor are directed to the appropriate cost centre.
- The Library has a long standing partnership with the Hamilton Community Foundation (HCF) in managing its endowment funds. Endowments are gratefully accepted and directed to the HCF on behalf of the Library. This foundation manages the Library’s endowments and provides the Library Board with the investment income annually. The Library Board approves the expenditures of these funds consistent with the specifications of the funds.
- Sponsorship agreements valued at $25,000 or more shall be presented to the Library Board for approval. Sponsorship agreements valued at less than $25,000 may be approved by the Chief Librarian and will be reported to the Board.
- The Hamilton Public Library Board will maintain a donor recognition program in support of its Donations, Sponsorship & Fundraising Policy. The purpose of the donor recognition program is to thank donors, to encourage others to give, and to steward a healthy long-term relationships between the Library and its donors. The Library respects the wishes of donors who wish to remain anonymous.
- Charitable receipts are issued for cash donations, appraised donations of art and valuable papers, as well as in kind donations. Charitable receipts cannot be issued for more than the fair market value as determined by an independent appraiser.

Definitions:
Business Office of HPL - This office is responsible for financial services for the Library and facilitates tax receipts and donations. Activities of this office are overseen by the Director of Finance & Facilities.
Cash - Cash includes cheques, money orders, bank drafts, and money (bills & coin). Donations made by debit card and by credit card are also considered cash gifts.
**Donation** - A donation is a gift, contribution of cash, or goods given voluntarily to the Library as a philanthropic act without expectation or requirement of reciprocal benefit. A designated donation is one that is to be used for a specific purpose. An undesignated donation is one that has no stipulations on use.

**Gifts in Kind** – Gifts in kind, also known as non-cash gifts, are gifts of property. They cover items such as artwork, equipment, securities, and cultural and ecological property. A contribution of service, that is, of time, skills or effort, is not property and, therefore, does not qualify as a gift or gift in kind for purposes of issuing official donation receipts. ([www.cra-arc.gc.ca/chrts-gvng/chrts/glssry-eng.html](http://www.cra-arc.gc.ca/chrts-gvng/chrts/glssry-eng.html))

**Sponsorship** – A sponsorship is a mutually beneficial exchange between the Hamilton Public Library and an outside organization, in which an external party makes a contribution of cash or in-kind goods or services to the Library in return for recognition, acknowledgements or other considerations. Sponsors receive a benefit of reciprocal value in return for their support and contribution.

**Policy Details**
The Hamilton Public Library is a registered charity and follows all relevant rules and regulations of the Canada Revenue Agency (CRA).
All donations constitute a complete transfer from the previous owner to the Library. Unless a mutual agreement between the Library and the donor is achieved, if the owner is unwilling to transfer full ownership and rights then the gift will be declined with thanks.
The Hamilton Public Library has no obligation to inform the donor of the disposition of the donated materials, to retain intact, or to reserve special library shelving for unsolicited gifts of private collections. Donations will be accepted on the understanding they will be used in accordance with the criteria established in this policy. As a rule donated materials will not be accepted as payment for lost or damaged library materials or late fees.

**Types of Gifts**
HPL welcomes and accepts different types of gifts as defined by the Canada Revenue Agency. Where applicable, the Library may require the donor to have his/her property appraised by a certified appraiser at a shared expense with the Library before a decision as to whether or not a donation will be accepted.
While the Hamilton Public Library appreciates the generosity of those who wish to donate, the Hamilton Public Library’s Collections Policy states that the Library does not accept donations of materials for its collections. The Hamilton Public Library encourages persons with such materials to consider donating them to other community agencies.
Donations to the Local History and Archives department must align with the selection criteria identified in the Library’s Collections Policy and any relevant Local History & Archives Policies.

Note: This policy does not supersede prior agreements. Any restrictions in existence as of the effective date of this policy may remain as restrictions to disposal and the Library Board will be governed by its prior commitments. This includes memorial gifts of art which may not normally be disposed of unless the donor or donor’s representative has given approval.
Donations

Cash Donations
Gifts of cash are accepted and are used to enhance the services of the library system. The Library reserves the right to use undesignated donations in the best interest of the Library, and shall make decisions regarding the investment, disposition and/or eventual disposal of all donations.

Both designated and undesignated donations are welcomed. For designated donations, the Library will direct the donation to a specific purpose as outlined by the donor.

Unless otherwise specified by the donor, cash donations received during the year are to be transferred to a Donations Reserve. Use of funds in the Reserve requires Board approval before being spent. The Board will be informed of individual cash donations of $25,000 or more. Staff will advise the Board of such donations and bring forward a recommendation for use of the funds such as transfer to the Donations Reserve or use for a specific purpose.

Acceptance and handling of cash donations shall adhere to the Library’s Cash Handling Policy (under review).

Donations can be made as follows:

- Smaller gifts can be made online through CanadaHelps.org
- Larger gifts can be made directly to the Hamilton Community Foundation
- Or by contacting the HPL’s business office as follows:
  - By phone: 905-546-3200 x3239
  - By email: tdelmona@hpl.ca
  - In person/ in writing: 55 York Blvd Hamilton, ON L8N 4E4

CanadaHelps.org
CanadaHelps is a non-profit organization. It facilitates online donations for not-for-profits, including libraries. A small percentage of the donation is retained to support this organization (www.canadahelps.org/en/)

Hamilton Community Foundation
The Library Board is committed to working with the Hamilton Community Foundation (HCF). HPL has a long standing partnership with HCF in managing its endowment funds. Endowments are gratefully accepted and directed to the HCF on behalf of the Library. This foundation manages HPL’s endowments and provides the Library Board with the investment income annually. The Library Board approves the expenditures of these funds consistent with the specifications of the funds. (www.hamiltoncommunityfoundation.ca/)

Library Legacy Fund – The Library Legacy Fund is an endowment fund which is administered and managed by the Hamilton Community Foundation on behalf of the Hamilton Public Library. The principal is used to generate income which is available for Library use.
Donors of $5,000 or more may name a fund but the income will be used at the discretion of the Library Board. Donors of $25,000 or more may name the fund and choose to direct the donation to a specific field of interest in consultation with the Library Board. Library or Foundation staff will work together with the donor or the donor’s lawyer, accountant, life insurance agent or financial planner to establish which type of donation best meets the donor’s goals.

Both the Hamilton Public Library and the Hamilton Community Foundation recognize all donations to the Library Legacy Fund. Donors of named funds are recognized in the Hamilton Community Foundation’s Annual Report each year in perpetuity.

**Gifts in Kind**

Gifts in kind, also known as non-cash gifts, are gifts of property. They cover items such as artwork, equipment, securities, and cultural and ecological property. A contribution of service, that is, of time, skills or efforts, is not property and, therefore, does not qualify as a gift or gift in kind for purposes of issuing official donation receipts. ([www.cra-arc.gc.ca/chrts-gvng/chrts/glssry-eng.html](http://www.cra-arc.gc.ca/chrts-gvng/chrts/glssry-eng.html))

**Art**
The Library accepts artwork of historic/documentary value related to the history of the City of Hamilton as appropriate and as described in its Collection Policy.

- The Library does not act as a repository of the works of local artists or of portraits of local persons.
- The Library does not actively collect, seek or accept unsolicited donations or purchase art for decorative, artistic or commemorative purposes unless it is a Commission of Art for a new building specifically commissioned by the Library Board.
- The Library Board reserves the right to refuse to accept any artwork considered by it to be inappropriate and/or unsuitable for a library environment.

**Valuable Papers/Collections**
The Library accepts gifts of papers/collections of historic/documentary value related to the history of the City of Hamilton as determined by its Collections Policy.

**Non-cash Gifts**
Gifts of securities are welcomed and are directed to the Library’s trust funds managed by the Hamilton Community Foundation.

**Property**
Gifts of property, real estate and tangible property are administered through the Library’s Business Office.

**Deferred Gifts including Bequests/Life Insurance**
A deferred gift is arranged now but is not available for use by the Library until some future time, usually after the death of the donor. With a deferred gift, a portion or all of a donor’s assets may be designated by bequest to benefit the Library. Such gifts may be made by will or beneficiary
Persons interested in making deferred gifts are directed to the Library’s Legacy Fund managed by the Hamilton Community Foundation.

**Sponsorships**

A sponsorship is a mutually beneficial exchange between Hamilton Public Library and an outside organization, in which an external party makes a contribution of cash or in-kind goods or services to the Library in return for recognition, acknowledgements or other considerations. Sponsors receive a benefit of reciprocal value in return for their support and contribution.

Sponsors are required to have sponsorship agreements and need to align with our policies and practices and do not imply endorsement of products by the Library. Sponsors may not influence the goals and objectives of Library programs. Entering into sponsorship agreements does not suggest endorsement of products or services by Hamilton Public Library.

The Library reserves the right to immediately terminate an existing sponsorship if the sponsor uses Hamilton Public Library’s name outside the parameters of the agreement, without prior consent, or if the sponsor develops a public image inappropriate to the Library’s service and philosophy. In case of a change in ownership or name or both of a sponsor during the term of the agreement, Hamilton Public Library reserves the right to immediately cancel the agreement if the new organization fails to meet any of the principles or conditions outlined in this policy or in the contractual agreement.

All sponsorship agreements must include the dates of the agreement, must clearly indicate what the sponsor is contributing and the value of that contribution (best market value estimate) and the forms of recognition the Library will provide to the sponsor in return. The agreement must be signed by the Chief Librarian as the authorized representative of the Library Board and by authorized representatives from the external organization. The parameters of any exclusivity agreement shall clearly define the nature, extent and duration of the exclusivity.

The Library will ensure that the confidentiality of its records is maintained and will not sell or provide access to customer records in accordance with applicable Library policies and legislation.

Any naming opportunity included in a Sponsorship Agreement will conform to the [Naming Opportunities Policy](#) and will be assessed in accordance with that policy. Sponsors’ corporate names and/or logos may not have prominence over the Hamilton Public Library name and/or logo. The Library reserves the right to determine the placement of such names and logos.

The Hamilton Public Library Board endorses the Canadian Library Associations Position Statement on Corporate Sponsorship Agreements in Libraries (approved by CLA See - Appendix A). All donations, gifts, sponsorship and fundraising programs will be consistent with the Hamilton Public Library’s mission statement. The Library reserves the right to decline any donation, gift or sponsorship opportunity that is deemed to be inappropriate or unsuitable to the advancement of the mission, values, and strategic objectives of the Library.

Sponsorships agreements valued at $25,000 or more shall be presented to the Library Board for approval. Sponsorship agreements valued at less than $25,000 may be approved by the Chief Librarian and will be reported to the Board.
Fundraising
Staff will develop and implement appropriate fundraising strategies to achieve fundraising targets, while maintaining awareness and respect for fundraising endeavours undertaken by others within the City of Hamilton. The Library may approve special fundraising ventures which it deems suitable in fulfilling its mission, values, goals and objectives, and which will not compromise the Library's public image. All funds raised will be used for the stated purposes and established priorities of the fundraising program as determined by the Library in the fundraising strategy.

Library Support Groups
Library Support Groups (such as the former Friends of the Library) wishing to financially support and/or advocate on behalf of the Hamilton Public Library will have their terms of reference and governance by-laws approved by the Hamilton Public Library Board. Annual reports will be made to the Library Board summarizing their activities.

Recognition
The Hamilton Public Library Board will maintain a donor recognition program in support of its Donations, Sponsorship & Fundraising Policy. The purpose of the donor recognition program is to thank donors, to encourage others to give, and to steward a healthy long-term relationships between the Library and its donors. Every effort is made to ensure that recognition is timely, meaningful to the donor, appropriate and equitable. Recognition of donors will conform to established guidelines.

The Hamilton Room at Central has been designated HPL’s Donor Recognition Room. A digital Donor Recognition wall will be used to highlight past gifts. HPL will also use the Library website and digital monitors around the system to thank donors.

Recognition programs will honour individuals, corporations, service clubs, community organizations and philanthropic foundations that make monetary and/or gifts-in-kind donations, as well as government agencies that provide direct cash grants to the Hamilton Public Library for the purpose of enhancing library services.

Donor recognition programs for special fundraising initiatives, such as a capital campaigns, will be developed as a part of the campaigns.

The formal recognition of government grants or corporate partners in library programs and/or services is normally dictated by the terms of the grant or agreement and may include the inclusion of government or partners’ logos in print or electronic publications relating to the grant or agreement.

Use of funds raised and fundraising operating expenses will be in accordance with Revenue Canada Taxation guidelines and every effort will be made to maximize dollars raised in relationship to dollars spent.

All records pertaining to established and potential donors will be held confidentially and in accordance with relevant legislation and Library policies. The Library will also respect the wishes of any donors wishing to remain anonymous.
Charitable Receipts
Charitable receipts are issued for cash donations, appraised donations of art and valuable papers, as well as in-kind donations. Charitable receipts cannot be issued for more than the fair market value as determined by an independent appraiser.
Deadlines may be applied to ensure that donations are received in time to be receipted in the current tax year. Receipts cannot be backdated.

Support Your Library Webpage
The Library website will provide information about how to Support HPL. [www.hpl.ca/](http://www.hpl.ca/)

4.10 Procurement Policy

Policy Level: Library Board
Author: Director Finance
Review Period: 4 Years (COH Changes)
Approval Date: September 2018

Note: Unless an exception is created by the Library Board, staff follow the City of Hamilton procurement policy.

Mission - To ensure that the procurement function meets the current and future needs of the corporation, provides an economical and efficient service and is considered a value-added partner in the securing of Goods and/or Services for the corporation.

Vision - A team of resourceful skilled professionals, working in partnership with their customers to procure the best Goods and/or Services in the most efficient manner.

Key Points Summary:

- Procure the necessary quality and quantity of Goods and/or Services in an efficient, timely and cost effective manner, while maintaining the controls necessary for a public agency, in accordance with the Procurement Policy as approved by Council.
- Encourage an open and competitive bidding process for the acquisition and disposal of Goods and/or Services, and the objective and equitable treatment of all vendors.
- Ensure the best value of an acquisition is obtained. This may include, but not be limited to, the determination of the total cost of performing the intended function over the lifetime of the task, acquisition cost, installation, disposal value, disposal cost, training cost, maintenance cost, quality of performance and environmental impact.
- Procure Goods and/or Services with due regard to the preservation of the natural environment and to encourage the use of “environmentally friendly” products and services, as supported by Vision 2020 goals and strategies.

Definitions:

Words and phrases used in the Procurement Policy for the City of Hamilton have the following meanings, unless expressly stated otherwise:

“Acquisition Method” means the process by which Goods or Services are procured.

“Approval Authority” means the authority to approve and award procurements, as well as any assignment or corporate change requests related to such procurements, up to the procurement values for the respective body or person(s) set out in Policy # 2 - Approval Authority.

“Approved Products Listing” means the listing of approved Goods for use with road, watermain, sewer, lighting and traffic signal work as maintained by the City’s Standard and Approved Products Committee.

“Authorized Delegate” means the person who has been delegated by Council an Approval Authority and includes any other person further sub-delegated such Approval Authority in
accordance with the Procurement Policy. An Authorized Delegate includes a person authorized to act on their behalf temporarily.

“Bid” means an offer or submission from a vendor in response to a Request for Quotations, Request for Tenders, Request for Proposals, Request for Rostered Candidates or Request for Prequalifications issued by the City.

“Centralized Procurement” refers to the activities conducted by the Procurement Section of the City’s Corporate Services Department, which facilitates the purchase of all Goods and/or Services in accordance with the requirements of the Procurement Policy.

“Child” means any person under the age of 15, unless local minimum age law stipulates a higher age for work or mandatory schooling, or under the age of 14 if minimum age law is set at that age in accordance with exceptions set out for developing countries under International Labour Organization (“ILO”) Convention 138.

“City” means the City of Hamilton.

“City Event” means an event organized and hosted by the City.

“City Manager” means the City Manager of the City of Hamilton.

“Client Department” means the City department initiating the acquisition of the Goods and/or Services.

“Consulting and Professional Services” means services rendered by members of a recognized profession or possessing a special skill. Such services are generally acquired to obtain information, advice, training or direct assistance.

“Contract” means a legal agreement between two or more parties, usually written, or a Purchase Order.

“Cooperative Procurement” means coordination of City purchases with purchases of other government bodies, public authorities, conservation authorities, municipalities, academia, schools and hospitals (MASH) sector and not-for-profit organizations.

“Council” means the Council of the City of Hamilton.

“Emergency” means a situation, or the threat of an impending situation, which may affect the environment, life, safety, health and/or welfare of the general public, or the property of the residents of the City, or to prevent serious damage, disruption of work, or to restore or to maintain essential service to a minimum level.

“Energy Commodities” means electricity, Green Power, natural gas, methane and all other petroleum based fuel products such as: diesel, bio-diesel, unleaded, fuel oil, propane and any other bulk commodity primarily used by the City for the purpose of heating and cooling of buildings and other structures, electricity generation, cogeneration and the fuelling of City fleets, as determined by the City’s Manager of Energy Initiatives.
“General Manager” means the head of a City department or person authorized to act on their behalf temporarily, and includes the Medical Officer of Health and the City Manager.

“Goods” includes supplies, equipment, materials, products, structures and fixtures to be delivered, installed or constructed.

“Green Power” means electricity generated from renewable energy sources, such as certified water power, solar, biogas, biomass and wind. Other terms for Green Power include: Green Power certificates, tradable renewable certificates or "Green Tags". These attributes, embodied in a certificate, may be bought and sold either bundled or unbundled with commodity electricity.

“Joint Venture” means an association of two or more persons who combine their expertise and resources in a single joint business enterprise to qualify, bid, and perform the Contract. Joint Ventures, sometimes referred to as a consortium, may take the form of a partnership or special purpose vehicle. All persons of a Joint Venture must be eligible persons.

“Low Dollar Value Procurements” means the process of procuring Goods and/or Services with an estimated annual procurement cost of up to but not including $10,000.

“Lowest Compliant Bid” means a Bid with the lowest price meeting all requirements of a RFQ, RFP or RFT, subject to any rights or privileges reserved by the City contained in the respective procurement document, or unless otherwise approved by Council.

“Mixed Revenue Contracts” means a combination of various types of Revenue Generating Contracts.

“Manager of Procurement” means the Manager of Procurement for the City of Hamilton or a person authorized to act on behalf of the Manager of Procurement on an interim basis.

“Procurement Policy” means the procurement policies approved by Council, as amended from time to time.

“Procurement Procedures and Guidelines” means the procurement procedures and guidelines approved by the City’s Director of Financial Services & Corporate Controller, as amended from time to time.

“Profit Sharing Contracts” means contracts whereby the City receives a portion of revenues, sales or profits earned by a third party under contract with the City.

“Purchase Order” means a written offer to procure Goods and/or Services or a written acceptance of an offer, in a form acceptable to the City Solicitor.

“Purchase Requisition” means an internal online request by a Client Department to the Procurement Section for procurement of Goods and/or Services.

“Request for Information” or “RFI” means a process where information is requested from vendors regarding their interest in, or the feasibility and availability of, specific Goods and/or Services in the marketplace and to determine if there are enough vendors to justify a Request for Proposals or Request for Tenders. An Expression of Interest or “EOI” shall be considered an RFI.
“Request for Prequalifications” means a process where information is requested from vendors to determine whether or not the vendor has the capability in all respects to perform the contract requirements. The Request for Prequalifications process is initiated before a RFP or RFT is issued and only prequalified vendors are eligible to submit a Bid on such procurements.

“Request for Proposals” or “RFP” means a formal request for prices and details on Goods and/or Services from vendors, where the Goods and/or Services may not be able to be fully defined or specified or when alternate methods are being sought to perform a certain function or service, at the time of the request.

“Request for Quotations” or “RFQ” means an informal request for prices on Goods and/or Services with an estimated procurement cost between $10,000 and up to but not including $100,000, and where comprehensive technical Specifications can be developed. Request for Quotations may be processed by the Client Department.

“Request for Roster Candidates” or “RFRC” means a procurement document issued by the City requesting pricing and details with respect to category specific consulting services from vendors, with the intent of creating an approved list of vendors known as rostered candidates, and whereby work assignments under a specific cost limit will be offered by the City to said rostered candidates on an as-needed basis over a two-year period.

“Request for Tenders” or “RFT” means a formal request for prices on Goods and/or Services from vendors, where the Goods and/or Services are able to be fully defined or specified at the time of the request.

“Revenue Generating Contracts” means a legal agreement between the City and a third party that yields a financial return for the City. Revenue Generating Contracts include, but are not limited to:

(a) Service Revenue Contracts; and
(b) Profit Sharing Contracts; and
(c) Mixed Revenue Contracts; and
(d) advertising Contracts.

“Services” means all professional, consulting, construction or maintenance services, as well as any other services described in a Contract or in a RFQ, RFT or RFP.

“Service Revenue Contracts” means the sale of Goods and/or Services by the City to a third party.

“Specifications” means the detailed description of, and written requirements and standards for, Goods and/or Services contained in a RFQ, RFP or RFT to the extent known or available to the Client Department, and also includes any drawings, designs and models.

“Sponsorship” means a financial contribution or in-kind contribution of goods or services provided to the City in return for recognition, and includes advertising sold in support of a City Event.
“Standardization” is a management decision-making process that examines a specific common need or requirement and then selects a Good and/or Service that best fills that need to become the standard.

“Sweatshop” means a facility where individuals manufacture, assemble or produce consumer goods in working conditions that constitute Sweatshop Conditions.

"Sweatshop Conditions" means working conditions that include any of the following:

(a) employees are not provided with working conditions that: meet or exceed the International Labour Organization (“ILO”) Conventions' standards governing forced labour (ILO Convention 29 – Forced Labour Convention, 1930) and (ILO Convention 105 - Abolition of Forced Labour Convention, 1957), child labour (ILO Convention 138 – Convention concerning Minimum Age for Admission to Employment – the “Minimum Age Convention, 1973” and United Nations Convention On The Rights Of The Child – November 20, 1989, Article 32), payment of wages (ILO Convention 95 - Protection of Wages Convention, 1949), hours of work, occupational health, occupational safety, and non-discrimination (ILO Convention 111 – Discrimination {Employment and Occupation, 1958}); and are in compliance with all applicable federal, state, provincial and local laws of the locality of manufacture; and

(b) employees are compensated by their employer at an hourly rate below the poverty threshold; and

(c) employees are subject to forced labour practices, whether in the form of involuntary prison labour, indentured labour, bonded labour or otherwise; and

(d) employees are under the age of 18 are exposed to situations, in or outside the workplace, that are hazardous, unsafe or unhealthy; and

(e) employees are not provided with a minimum of one day off for every seven-day period; and

(f) employees are subject to physical, sexual, psychological abuse or harassment, verbal abuse, or any other form of abuse, including corporal punishment; and

(g) employees are not provided with a safe and hygienic workplace, including access to clean toilet facilities and safe drinking water.

"Time-Sensitive" means a situation for which the timing to complete the procurement is paramount, but the time available to follow normal procedures is insufficient.

Policy Details:

RESPONSIBILITIES & PROHIBITIONS OF PROCURING GOODS AND/OR SERVICES

(1) General Responsibilities

(a) All City of Hamilton elected officials and staff delegated with the authority to procure shall comply with the Procurement Policy for the City of Hamilton. Without limiting the foregoing, such elected officials and staff shall follow the Statement of Ethics for Public
Procurement attached as Schedule A to the Procurement Policy, the City’s Code of Conduct for Employees Policy and Policy # 17 – Conflicts of Interest.

(b) Procurement activities shall be subject to all applicable City of Hamilton policies and by-laws, any specific provisions of the Municipal Act, 2001 and all other relevant Federal and Provincial legislation, as may be in effect from time to time.

(2) Procurement Section Responsibilities

The City’s General Manager of Finance and Corporate Services shall operate a Centralized Procurement unit on behalf of the City of Hamilton in accordance with the requirements of the Procurement Policy. In carrying out this responsibility the General Manager of Finance and Corporate Services may appoint certain City staff to act on behalf of the City in entering into Contracts with third parties. The General Manager of Finance and Corporate Services may limit the authority to procure of that City staff, as deemed appropriate. The Procurement Section will therefore have the following specific responsibilities:

(a) Be responsible for the administration of the Procurement Policy and will continually review the procurement of Goods and/or Services to ensure the City is receiving the best value.

(b) Ensure that procurement transactions are conducted ethically and professionally in accordance with Schedule A – Statement of Ethics for Public Procurement.

(c) Advise on the practicability of Specifications to ensure a maximum number of competitive Bids.

(d) Notify vendors who have expressed an interest in doing business with the City of the availability of the procurement documents.

(e) Prepare necessary procurement documents and process Purchase Orders.

(f) Advise and assist in the preparation of Contracts when requested.

(g) Provide training and documentation on how to use the procurement module to users of the City’s financial software application. Make available copies of the Procurement Policy and Procurement Procedures and Guidelines to all relevant City staff.

Maintain records of procurement transactions as required.

(3) General Manager Responsibilities

(a) Ensure all purchases are performed in accordance with the Procurement Policy and make required reports to the Council or any other interested party explaining why purchases are not in compliance with the Procurement Policy. The Procurement Section will offer advice and assistance in assuring that the Procurement Policy is adhered to upon request.

(b) Delegate Approval Authority to the appropriate levels and maintain the responsibility for such actions including answering questions raised by such delegation.
(c) Ensure appropriate action is taken on internal Audit Services recommendations.

(4) Internal Audit Responsibilities

Internal Audit Services shall conduct selected audits to ascertain adherence to the Procurement Policy. The Procurement Section and Council shall receive a copy of the audit results.

(1) Procurement Sub-Committee Responsibilities

The Procurement Sub-Committee shall:

(a) Review and give input to the biennial report recommending any changes to the Procurement Policy in accordance with Policy #20 – Review of the Procurement Policy.

(b) Be delegated the authority to impose an interim ban upon a vendor in accordance with Policy #1 – Vendor Eligibility.

(6) Prohibitions

The following activities are prohibited, unless specifically approved by Council:

(a) Any attempt to evade or circumvent the requirements of the Procurement Policy including, but not limited to, the division of purchases to avoid the requirements of the Procurement Policy by any method, which includes purchases made using procurement cards.

(b) Purchase by the City of any Goods and/or Services for personal use by or on behalf of any member of Council, employees of the City and their immediate families.

(c) The acceptance of gifts, benefits, money, discounts, favours or other assistance by any member of Council, employees of the City, and their families contrary to the City of Hamilton Code of Conduct for Members of Council (Appendix H to the City’s Procedural By-law No. 10-053, as amended, repealed or replaced from time to time), the City’s Code of Conduct for Employees Policy or such other similar policy currently in force. The image and integrity of the employee and the City of Hamilton must be preserved at all times.

(d) Purchase by the City from any member of Council or employee of the City, their family members or from any other source, that would result in a conflict of interest, unless that interest has been declared pursuant to the Municipal Conflict of Interest Act or pursuant to the City’s Code of Conduct for Employees Policy or such other similar policy currently in force.

(7) Exemptions

Those items listed in Schedule B - Exemptions, are exempt from the requirements of the Procurement Policy, save and except for Policy #2 - Approval Authority.
PROCUREMENT POLICY # 1 - Vendor Eligibility SECTION 4.1

(1) The City will make reasonable efforts to maintain an electronic vendor database of those vendors who have expressed an interest in doing business with the City and who have completed an online registration form.

(2) Without limiting or restricting any other right or privilege of the City and regardless of whether or not a Bid otherwise satisfies the requirements of a Request for Prequalifications, RFP or RFT, the City may reject any Bid from a vendor where,

(a) in the opinion of the City, the commercial relationship between the City and the vendor has been impaired by the act(s) or omission(s) of such vendor including but not limited to any one or more of the following having occurred within the five year period immediately preceding either the date on which the RFP or RFT is awarded or the date on which the vendor has been shortlisted pursuant to a Request for Prequalifications:

   (i) the vendor being involved in litigation with the City;
   
   (ii) act(s) or omission(s) resulting in a claim by the City under any security submitted by the vendor on a RFP or RFT, including but not limited to a bid bond, a performance bond, or warranty bond;
   
   (iii) the failure of the vendor to pay, in full, all outstanding payments (and, where applicable, interest and costs) owing to the City by such vendor, after the City has made demand for payment of same;
   
   (iv) the vendor’s refusal to follow reasonable directions of the City or to cure a default under any Contract with the City as and when required by the City;
   
   (v) the vendor’s refusal to enter into a Contract with the City after the vendor’s Bid has been accepted by the City;
   
   (vi) documented poor performance of a vendor as per Policy # 8 – Vendor Performance Evaluation, including the vendor’s refusal to perform or to complete performance of a Contract with the City;
   
   (vii) the vendor having unlawfully or unreasonably threatened, intimidated, harassed, or otherwise interfered with an attempt by any other prospective vendor to bid for a City Contract or to perform any Contract awarded by the City to that vendor;
   
   (viii) the vendor having discussed or communicated, directly or indirectly, with any other vendor or their agent or representative about the preparation of the vendor’s Bid including, but not limited to, any connection, comparison of figures or arrangements with, or knowledge of any other vendor making a Bid for the same work except in the instance of a Joint Venture where one is permitted.
(ix) the vendor having unlawfully or unreasonably threatened, intimidated, harassed, assaulted or committed battery against, or otherwise interfered with an official, employee, representative, agent or independent consultant or contractor of the City in the performance of his or her duties or in any way attempted to influence such persons;

(x) the vendor has on one or more occasions, in the performance of a Contract with the City, deliberately, with wilful blindness or negligence, save and except an inadvertent error corrected to the satisfaction of the City within a reasonable time, as determined by the City,

1. over-billed, double-billed and/or retained a known over-payment, or has failed to notify the City of an over-payment or duplicate payment;

2. billed for items not supplied;

3. billed for items of one grade, while supplying items of an inferior grade;

4. made a misrepresentation as to the quality or origin of Goods, their functionality or suitability for a purpose, or their performance characteristics;

5. submitted false or misleading information to the City;

6. acted in conflict with the City’s interests;

7. misappropriated any property or right of the City, in any form; or

8. committed any other form of sharp or deceptive practice;

(xi) any other act or omission by the vendor that the City deems to impair the commercial relationship between the City and the vendor.

(b) in the opinion of City there are reasonable grounds to believe that it would not be in the best interests of the City to enter into a Contract with the vendor, including but not limited to:

(i) the conviction of that vendor or any person with whom that vendor is not at arm’s length within the meaning of the Income Tax Act (Canada) of an offence under any taxation statute in Canada;

(ii) the conviction or finding of liability of that vendor under the Criminal Code or other legislation or law, whether in Canada or elsewhere and whether of a civil, quasi-criminal or criminal nature, of moral turpitude including but not limited to fraud, theft, extortion, threatening, influence peddling and fraudulent misrepresentation;

(iii) the conviction or finding of liability of that vendor under any environmental legislation, whether of Canada or elsewhere, where the circumstances of that
conviction evidence a gross disregard on the part of that vendor for the environmental well-being of the communities in which it carries on business;

(iv) the conviction or finding of liability of that vendor relating to product liability or occupational health or safety, whether of Canada or elsewhere, where the circumstances of that conviction evidence a gross disregard on the part of that vendor for the health and safety of its workers or customers;

(v) the conviction or finding of liability of that vendor under the financial securities legislation whether of Canada or elsewhere, where the circumstances of that conviction evidence a gross disregard on the part of that vendor for its stakeholders.

(3) For the purposes of subsections (2), (4), (5), (6), (7)(d), (8), (9) and (10) of this Policy # 1, a reference to a vendor shall also include: an officer, a director, a majority or controlling shareholder, or a member of the vendor, if a corporation; a partner of the vendor, if a partnership; any corporation to which the vendor is an affiliate of or successor to, or an officer, a director or a majority or controlling shareholder of such corporation; a Joint Venture; and any person with whom the vendor is not at arm’s length within the meaning of the Income Tax Act (Canada).

(4) In the circumstances described in subsections (2) and (9), the City may, in addition or in the alternative to rejecting a Bid from a vendor, ban a vendor from competing for or being awarded any City Contract for a period of up to ten years.

(5) Without limiting or restricting any other right or privilege of the City, the City may refuse to enter into a Contract with a vendor where any of the circumstances described in (2)(a), (2)(b) or (9) of this Policy # 1 have occurred within the five year period preceding the date on which the refusal to enter into the Contract is approved by Council. In addition or in the alternative to refusing to enter into the Contract, the City may ban a vendor from competing for or being awarded any City Contract for a period of up to ten years.

(6) Except with the prior express written consent of the City,

(a) a vendor and its representatives shall not act on behalf of the City with respect to any matter, issue or in connection with any property in which the vendor or any employee or subcontractor of the vendor has a direct or indirect pecuniary interest, including any contingent interest;

(b) a vendor shall not act in any case where there may be any conflict of interest between it and the City, and each vendor shall notify the City, in writing, immediately of any potential conflict of interest that may arise prior to the award of any contract and fully disclose any details thereof;

(c) before submitting any Bid to act on behalf of the City, the vendor shall exercise reasonable due diligence to confirm that there is no conflict of interest within the contemplation of this subsection; and
(d) failure on the part of a vendor to declare a conflict of interest to the City and to obtain the City’s prior express written consent to waive the conflict of interest shall result in the vendor being ineligible to Bid and shall form a basis for rejection of a Bid submitted to the City.

(7) Where the Contract is awarded to a vendor who has made an unauthorized amendment to the City’s pre-printed forms (e.g. Form of Proposal or Form of Tender) or other documents submitted as part of the vendor’s Bid, then within a reasonable time of the City discovering that unauthorized amendment, the City may,

(a) permit the vendor to withdraw an unauthorized amendment to the City’s Form of Proposal or Form of Tender, at no cost to the City; or

(b) cancel or terminate the Contract without any compensation whatsoever to the vendor by giving written notice to that effect to the vendor; or

(c) recover from such vendor any amounts the City paid to the vendor and all costs, expenses, damages and losses incurred or accrued by the City as a result of the unauthorized amendment; or

(d) ban such vendor from competing for or being awarded any City Contract for a period of up to ten years where, in the opinion of Council, the change was made by the vendor as part of a deliberate attempt to deceive and such deception has resulted in an impairment of the commercial relationship between the City and such vendor, or any combination of the foregoing.

(8) Where a vendor has the Lowest Compliant Bid to a RFT or RFP or has the successful Bid in accordance with the evaluation methodology set out in a RFP, which Bid has been rejected due to the vendor’s failure to initial a legible change such as an erasure, strike out, white out, cross out or overwriting, within one business day of the City’s request, the vendor shall also be banned from competing for or being awarded any City Contract for a period of one year. Only the ban, and not the rejection of the Bid, may be challenged by the vendor in accordance with Policy # 18 – Vendor Complaint Resolution.

(9) No Lobbying and Single Point of Contact

(a) A vendor and its representatives shall not,

(i) make any public comment, respond to questions in a public forum, or carry out any activities to publicly promote or advertise their qualifications, their service or product, or their interest in a RFQ/RFP/RFT/RFRC/Request for Prequalifications.

(ii) communicate with the City regarding a RFQ/RFP/RFT/RFRC/Request for Prequalifications except through the Manager of Procurement or designate identified in the RFQ/RFP/RFT/RFRC/Request for Prequalifications, who shall be the single point of contact for that procurement document.
(iii) Having a single point of contact for the RFQ/RFP/RFT/RFRC/Request for Prequalifications is intended to allow all other persons involved with the RFQ/RFP/RFT/RFRC/Request for Prequalifications on behalf of the City to avoid any perception of a conflict of interest and to conduct the procurement set out in the RFQ/RFP/RFT/RFRC/Request for Prequalifications in as fair and objective a manner as possible.

(iv) make any attempt to contact, directly or indirectly, any of the following persons, with respect to a RFQ/RFP/RFT/RFRC/Request for Prequalifications,

1. any member of an evaluation team;
2. any member of a costing team;
3. any expert, independent consultant or other advisor assisting the City;
4. any elected City official;
5. any staff of the City of Hamilton or its advisors; or
6. any other persons connected in any way with the procurement document until such time when the RFQ/RFP/RFT/RFRC/Request for Prequalifications is cancelled or awarded.

(b) The only exception to the above for a vendor or its representatives is as set out at Policy # 18 – Vendor Complaint Resolution if the vendor has a complaint related to the evaluation of its Bid and/or recommendation of award with respect the procurement document.

(c) A vendor who has been awarded a Contract shall not engage in any contact or activities in an attempt to influence any elected City official or City staff with respect to the purchase of additional enhancements, requirements, options, or modules. A vendor may communicate with the City and City staff for the purposes of administration of the Contract during the term of the Contract. The determination of what constitutes an attempt to influence shall be at the sole discretion of the City, acting reasonably, and is not subject to challenge under Policy # 18 - Vendor Complaint Resolution.

(10) Where the Manager of Procurement has demonstrated and the Procurement SubCommittee is satisfied that there is sufficient evidence of act(s) or omission(s) described in this Policy #1 on the part of a vendor, the Procurement Sub-Committee may impose an interim ban upon the vendor from competing or being awarded any City Contract, under the following circumstances:

(a) while an investigation is being conducted by the Manager of Procurement;

(b) while there is documented poor performance or non-performance that has not been resolved to the City’s satisfaction and which has impaired the commercial relationship between the City and the vendor such that the vendor ought to be precluded from submitting bids on other contracts until the vendor performance issues have been rectified; or
(c) when a vendor has been found to be in breach of a City Contract and which breach has impaired the commercial relationship between the City and the vendor such that an interim ban is necessary in order to preclude the vendor from submitting bids on other contracts pending litigation or a final ban.

The interim ban may be imposed for a period of up to 12 months. The Procurement Subcommittee’s decision shall be final with respect to the interim ban.

(11) Where an interim ban is imposed under subsection (10), the Manager of Procurement shall, prior to the expiry of the interim ban, report to the appropriate standing committee of Council the status of the investigation and any recommendations for further action.

POLICY # 2 - Approval Authority SECTION 4.2

(1) Any person delegated Approval Authority pursuant to this Policy # 2 shall ensure that an approved budget exists for the proposed procurement and that such procurement does not violate any City policies or any applicable law. Any such procurement shall also satisfy any applicable audit requirements of the City.

(2) The following body and persons shall have the respective Approval Authority as set out below:

(a) **Council** must approve budgetary funding for any procurement of a value of $250,000 or greater.

(b) **City Manager** must approve any procurement of a value of $100,000 up to but not including $250,000. The City Manager may sub-delegate such Approval Authority to his/her staff, who are referred to as an Authorized Delegate in the table below, at the procurement values he/she deems appropriate. Staff who have been further delegated Approval Authority from the City Manager to approve procurements shall have no authority to delegate this Approval Authority to any other person. The City Manager may also exercise the Approval Authority of a General Manager.

(c) **General Managers** are authorized to approve procurements of a value up to but not including $100,000, save and except for Policy #9 – Consulting and Professional Services and in an Emergency wherein Policy # 10 Emergency Procurements shall apply. Only General Managers may sub-delegate such Approval Authority to their staff, who are referred to as an Authorized Delegate in the table below, at the procurement values they deem appropriate. Staff who have been further delegated Approval Authority from their General Manager to approve procurements shall have no authority to delegate this Approval Authority to any other person.

(d) The following chart indicates the approval authorities for various Procurement Policies in accordance with this Policy #2 as well as the persons having the authority to execute contracts in accordance with Policy #13 Authority to Execute Contracts.
<table>
<thead>
<tr>
<th>PROCUREMENT POLICY</th>
<th>ESTIMATED PROCUREMENT VALUE ($, Canadian Funds, exclusive of applicable taxes)</th>
<th>APPROVAL AUTHORITY POLICY #2</th>
<th>AUTHORITY TO EXECUTE CONTRACTS POLICY #13 *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy # 5.1</td>
<td>Low Dollar Value Procurements</td>
<td>General Manager or Authorized Delegate</td>
<td>Person who exercised the Approval Authority for the procurement.</td>
</tr>
<tr>
<td></td>
<td>Up to but not including $10,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy # 5.2</td>
<td>Request for Quotations</td>
<td>General Manager or Authorized Delegate</td>
<td>Person who exercised the Approval Authority for the procurement.</td>
</tr>
<tr>
<td></td>
<td>$10,000 to $99,999</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy # 5.4</td>
<td>Request for Tenders</td>
<td>General Manager or Authorized Delegate unless any of the conditions in subsection (3) of Policy #2 apply, then Council approval is required.</td>
<td>General Manager and City Manager</td>
</tr>
<tr>
<td></td>
<td>$10,000 to $99,999</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy # 5.3</td>
<td>Request for Tenders</td>
<td>City Manager or Authorized Delegate unless any of the conditions in subsection (3) of Policy #2 apply, then Council approval is required.</td>
<td>General Manager and City Manager</td>
</tr>
<tr>
<td>Policy # 5.4</td>
<td>Request for Proposals</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$100,000 to $249,999</td>
<td>For linear construction Contracts issued in conjunction with the Public Works Department, the General Manager of Public Works or Authorized Delegate unless any of the</td>
<td>General Manager of Public Works and City Manager</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Request for Tenders</td>
<td>$250,000 or greater</td>
<td>Council approval is required.</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>Policy # 5.3</td>
<td></td>
<td></td>
<td>Council approval is required.</td>
</tr>
<tr>
<td>Request for Proposals</td>
<td></td>
<td></td>
<td>Council approval is required.</td>
</tr>
</tbody>
</table>

Council:

a) where the funds to procure the goods and services have been previously approved through the budget process;

b) for all other Contracts

c) where any of the conditions in subsections (3) and (4) of Policy #2 apply

For linear construction Contracts issued in conjunction with the Public Works Department, the General Manager of Public Works or Authorized Delegate unless any of the conditions in subsection (3) of Policy #2 apply, then

General Manager and City Manager

City officials named in the Council resolution shall execute such Contracts on behalf of the City. Where City officials have not been named in the Council resolution, the Mayor and Clerk shall execute such Contract

General Manager of Public Works and City Manager
<table>
<thead>
<tr>
<th>Policy #7</th>
<th>Construction Contracts (applicable to existing contracts with unexpected circumstances)</th>
<th>$10,000 or greater</th>
<th>General Manager (Policy #7 Construction Contracts Form)</th>
<th>Where the existing contract requires a formal amendment, same persons as existing contract.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy #10</td>
<td>Emergency Procurements</td>
<td>$10,000 or greater</td>
<td>General Manager</td>
<td>General Manager</td>
</tr>
<tr>
<td>Policy #11</td>
<td>Non-competitive Procurements (single source)</td>
<td>Up to but not including $250,000</td>
<td>General Manager</td>
<td>General Manager</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$250,000 or greater</td>
<td>Council</td>
<td>City officials named in the Council resolution shall execute such Contracts on behalf of the City. Where City officials have not been named in the Council resolution, the Mayor and Clerk shall execute such Contract.</td>
</tr>
</tbody>
</table>

*(persons authorized to execute the Contract and all necessary associated documents. Includes persons in an acting position)*

(3) The Client Department in conjunction with the Procurement Section shall submit a report to Council and the appropriate standing committee recommending award of a RFT or RFP if ANY of the following conditions apply:

(a) the value of the Bid being recommended for award and any contingency allowance are in excess of the Council approved budget including any contingency allowance, or

(b) for capital projects, when the final cost of the proposed project exceeds the amount provided in the Council approved capital budget for that project by $250,000 or greater, or

(c) for RFTs, the award is not being made for the Lowest Compliant Bid, or
(d) for RFPs, the award is not being made in accordance with evaluation methodology set out in the RFP, or

(e) where in the opinion of the City Manager, the Client Department’s award recommendation is not in the best interest of the City, or

(f) there are Provincial or Federal government requirements for Council approval.

(4) The Client Department shall submit a report to Council and the appropriate standing committee recommending a single source procurement of $250,000 or greater in accordance with Policy #11 – Non-competitive Procurements.

(5) Council may delegate further Approval Authority as it considers necessary from time to time, including but not limited to, any extended time periods during which Council does not meet.

(6) The City’s Director of Financial Services & Corporate Controller shall prepare a quarterly status report to Council on Request for Tenders and Request for Proposals which shall identify those procurements:

   (a) which have been issued, but not yet closed,

   (b) which have closed and are under review, and

   (c) which have been awarded or cancelled, since the previous status report.

(7) The issuance and approval of award of a Revenue Generating Contract of any value requires the approval of the General Manager of the Client Department. It will be at the discretion of the General Manager of the Client Department whether to also seek Council approval on the issuance and/or approval of award of a Revenue Generating Contract.

(8) Acceptance of a Sponsorship of any value requires the approval of the General Manager of the Client Department. It will be at the discretion of the General Manager of the Client Department whether to also seek Council approval on the City’s acceptance of a Sponsorship.

**POLICY # 3 – Specifications SECTION 4.3**

(1) The following requirements shall be followed in the preparation of the Specifications:

   (a) Specifications are to be detailed but not brand specific, unless standardized in accordance with Policy # 14 – Standardization to maintain a competitive procurement process.

   (b) Where the Specification requirements of the Client Department will result in a single source purchase, the Client Department shall follow Policy # 11 – Noncompetitive Procurements.

   (c) Where the Specifications relate to matters that are addressed under the Corporate Energy Policy, they shall be approved by the City’s Manager of Energy Initiatives to ensure that they meet the requirements of said policy.
(d) Client Departments shall advise the Information Technology Division of procurements that relate to new software purchases and shall comply with the Corporate Computer and Technology Acceptable Use Policy and Security Policies. Specifications shall be approved by Director of Information Technology or Authorized Delegate to ensure that they meet the requirements of said policies.

(e) Vendors or potential vendors shall not be requested to expend time, money or effort on design or in developing Specifications or otherwise to help define a requirement beyond the normal level of service expected from vendors. Where such services are required,

(i) the Manager of Procurement must be advised;

(ii) the contracted vendor will be considered a consultant and will not be allowed to make an offer of the supply of the Goods and/or Services;

(iii) and where a vendor is retained or is anticipated to be retained to complete preliminary design or development work, Client Departments shall engage the Procurement Section during the preliminary planning stages of the project to determine if follow-on or multi-phase assignments are anticipated and to determine the appropriate competitive procurement process to be used and whether a report to Council is necessary with respect to the project;

(iv) a fee shall be paid, the amount of which shall be determined and agreed upon by the vendor before the services commence; and

(v) the detailed Specifications shall become the property of the City, and can be used in obtaining Bids.

(f) Notwithstanding any assistance in the preparation of the Specifications by a consultant, the Specifications shall be and remain the property of the City.

(g) Where it is not possible to prepare precise Specifications to issue a Request for Tenders, a Request for Proposals shall be issued. The Client Department, in cooperation with the Procurement Section, shall prepare evaluation criteria and weightings for the criteria. The RFP shall clearly distinguish those requirements that are deemed mandatory and non-mandatory and shall clearly outline how these items will be evaluated.

(h) When preparing the Specifications, the Client Department shall be knowledgeable of the Ontarians with Disabilities Act, 2001, the Accessibility for Ontarians with Disabilities Act, 2005 and their regulations thereunder, as amended, re-enacted or replaced from time to time, and the City’s Barrier Free Design Guidelines 2006 or the most recent version and apply those requirements with respect to procuring Goods and/or Services and in the development of the Specifications.

(i) When preparing the Specifications, the Client Department shall consider the amount of packaging that would be associated with the procurement of a Good. If the required level of packaging is felt to be too excessive, then the Specifications for those Goods will
require the vendor to be responsible for and bear the cost for the removal and disposal of the packaging materials.

(2) The preparation of the Specifications for Request for Quotations, Request for Proposals or Request for Tenders shall be the responsibility of the Client Department. Specifications shall be approved by the Client Department Authorized Delegate and shall be forwarded directly to the Procurement Section with approval attached.

(3) The Procurement Section shall have the authority to review and recommend improvements to the Specifications when deemed necessary. The Client Department shall cooperate with the Procurement Section in the finalization of the Specifications. Should the Procurement Section and the Client Department not be able to reach agreement on Specifications within the allotted timeline, the General Managers of the Client Department and of Finance and Corporate Services Department will attempt to resolve the matter.

(4) The City may issue a Request for Information or RFI through Centralized Procurement. A RFI can be used to determine if there is sufficient vendor interest to justify proceeding with a competitive procurement process and/or to gain additional information on the Good and/or Service from the vendor community. Any resulting competitive procurement process will be issued in accordance with Policy # 5 – Determining the Procurement Process.

**POLICY # 4 - Prequalification of Vendors SECTION 4.4**

(1) The purpose for prequalification of vendors is to ensure that each vendor intending to perform work on a City Contract can demonstrate its ability to provide the necessary expertise and resources to satisfactorily complete the work required.

(2) Prequalification of vendors shall be issued through Centralized Procurement and will only be considered in the following circumstances:

(a) the work will require substantial project management by the City if the vendor is not appropriately experienced and could result in a substantial cost to the City;

(b) the Goods and/or Services to be purchased must meet national safety standards;

(c) the work involves complex, multi-disciplinary activities, specialized expertise, equipment, materials, or financial requirements;

(d) there could be a substantial impact on City operations if the work is not satisfactorily performed the first time;

(e) where time requirements necessitate efficient use of time and expertise;

(f) any other circumstances deemed appropriate by the Manager of Procurement.

(3) Prequalification requires vendors to provide such information as requested by the City to determine that the vendor has the capability in all respects to perform the contract requirements. This information may include such things as:
(a) previous experience on similar work (firm and staff assigned);
(b) capacity to fulfill the contract requirements; and
(c) the facilities and/or equipment to perform the work.

(4) Vendor submissions will be evaluated, ranked, and a list of prequalified vendors will be established.

POLICY # 5 - Determining the Procurement Process SECTION 4.5

(1) Sales taxes, excise taxes, value added taxes, duties and shipping shall be excluded in determining the procurement limit of Authorized Delegates and the type of procurement process to be followed.

(2) The dollar values identified in this Procurement Policy represent the annual estimated procurement value for a Good and/or Service to be procured. The annual estimated procurement value is the cumulative value of a particular Good and/or Service in one calendar year. For multi-year Contracts, the estimated total procurement value over the term of the Contract, including any renewal periods, shall be used as the basis for determining which procurement process and Approval Authority applies.

(3) It should be the intent of the Client Department to procure Goods and/or Services of like nature as a combined effort.

(4) Where Provincial and/or Federal Governments impose unique requirements in order to qualify for funding, the City’s procurement documents will be amended to include those provisions.

(5) Where there is an incumbent vendor on a corporate City Contract which is of a highly sensitive nature due to the risk associated with financial loss, confidentiality or the handling of sensitive information, a report shall be forwarded to the applicable standing committee of Council and Council to seek direction on the type of procurement process to be followed for the acquisition of the Good and/or Service.

(6) Where the estimated gross revenue for a Revenue Generating Contract is $10,000 or greater, the Revenue Generating Contract shall follow the RFP or RFT process through Centralized Procurement.

Service Revenue Contracts of any value shall be exempt from the public procurement processes outlined in the Procurement Policy, save and except Policy # 2 – Approval Authority and Policy # 13 – Authority to Execute Contracts. Mixed Revenue Contracts are not exempt.

In the event that a Revenue Generating Contract falls under more than one City Policy, both Policies must be adhered to unless that Contract and/or the other City Policy is specifically exempted from the Procurement Policy.
POLICY # 5.1 - Low Dollar Value Procurements
(up to but not including $10,000) SECTION 4.5.1

(1) Client Departments shall utilize all applicable City Contracts and shall otherwise be in accordance with the Procurement Policy.

(2) The General Managers may delegate Approval Authority to their staff for Low Dollar Value Procurements. This procurement function has been de-centralized and therefore, it is the responsibility of the respective General Manager to ensure that the Procurement Policy is adhered to.

(3) Neither a RFQ, RFP nor RFT is required for Low Dollar Value Procurements.

POLICY # 5.2 - Request for Quotations
($10,000 – up to but not including $100,000) SECTION 4.5.2

(1) Client Departments shall utilize all applicable City Contracts and shall otherwise be in accordance with the Procurement Policy.

(2) For procurements where there are no applicable City Contracts, a Request for Quotations process is used by the Client Department in the following manner:

(a) a minimum of three compliant Bids shall be obtained by any method of written communication unless otherwise approved by the Procurement Section;

(b) in seeking the vendors for Request for Quotations, staff shall also use the electronic vendor database;

(c) Bids must be received from a minimum of three separate vendors;

(d) a “No Bid” response shall not be considered a valid Bid;

(e) all vendors shall receive the same Request for Quotations written information;

(f) the Request for Quotations shall be awarded to the Lowest Compliant Bid; and

(g) all written Bids shall be retained in the Client Department files in accordance with City By-law No. 11-040 (To Establish Retention Periods for Records of the City of Hamilton), as amended, re-enacted or replaced from time to time.

The Manager of Procurement may waive the requirement for three Bids, but will only do so where the Client Department has demonstrated to the satisfaction of the Manager of Procurement that a minimum of three Bids cannot be obtained.

(3) Any multi-year Request for Quotations, including any contract with option(s) to extend, issued by the Client Department must be reviewed and approved by the Procurement Section prior to the RFQ being issued. As well, all Bids received in response to a multiyear Request for
Quotations and any award recommendation shall also be reviewed by the Procurement Section to ensure compliance with the RFQ Policy #5.2.

(4) Staff is encouraged to seek more than the minimum three written Bids to ensure a more competitive process and to utilize any Request for Quotations template provided by the Procurement Section.

(5) In the event that two or more identical Bids are received and are the Lowest Compliant Bids, best and final offers will be solicited from each of these vendors in order to break the tie. If this effort is unsuccessful, then a draw will be held to determine the successful vendor.

(6) The Procurement Section shall assist when requested by the Client Department, or when deemed necessary, with the Request for Quotations process.

(7) An authorized online Purchase Requisition shall be utilized to initiate a Purchase Order and/or formal Contract process.

(8) When a Client Department would like to issue a RFP in lieu of a Request for Quotations, the RFP shall be issued by the Procurement Section in the same manner as for Requests for Proposals in Policy # 5.4 of the Procurement Policy.

**POLICY # 5.3 - Request for Tenders ($100,000 and greater) SECTION 4.5.3**

(1) Client Departments shall utilize all applicable City Contracts and shall otherwise be in accordance with the Procurement Policy.

(2) For procurements where there are no applicable City Contracts,

   (a) the Request for Tenders process is to be used for Goods and/or Services with an estimated procurement value of $100,000 or greater and where comprehensive technical Specifications can be developed;

   (b) the Request for Tenders process shall be carried out by Centralized Procurement;

   (c) all Requests for Tenders shall be issued and awarded in accordance with the tendering procedures as determined by the City’s Director of Financial Services;

   (d) the Request for Tenders shall be awarded based on the Lowest Compliant Bid. In the event that two or more identical Bids are received and are the Lowest Compliant Bids, best and final offers will be solicited from each of these vendors in order to break the tie. If this effort is unsuccessful, then a draw will be held to determine the successful vendor.

(3) When no compliant Bids are received in response to a Request for Tenders, and

   (a) where time permits, in the opinion of the General Manager of the Client Department, the Request for Tenders shall be re-issued with the appropriate revisions; or

   (b) where only one Bid has been received, the Manager of Procurement in conjunction with the Client Department may proceed to negotiate the changes required to achieve an
acceptable Bid, provided that such changes will not alter the general nature of the procurement described in the Request for Tenders; or

(c) where time does not permit the re-issuance of the Request for Tenders in the opinion of the General Manager of the Client Department, and the Request for Tenders is not otherwise being revised, all vendors who submitted a Bid or secured the original Request for Tenders shall be given the opportunity to submit a new Bid. The Procurement Section will communicate to each vendor who previously submitted a Bid, any deficiencies that resulted in its Bid being deemed non-compliant. This process may utilize a post-closing addendum; or

(d) where time does not permit the re-issuance of the Request for Tenders, and the Request for Tenders is being revised, all vendors who submitted a Bid or secured the Request for Tenders, shall be given the opportunity to submit a new Bid. The Procurement Section will communicate to each vendor who previously submitted a Bid, any deficiencies that resulted in its Bid being deemed noncompliant. This process may utilize a post-closing addendum. The General Manager of the Client Department shall approve this process prior to implementation.

(4) Where one or more Bids have been received and are in excess of budgeted funds, the General Manager of the Client Department in consultation with the Manager of Procurement may enter into negotiations with the vendor submitting the Lowest Compliant Bid, where it is agreed that the changes required to achieve an acceptable Bid will not change the general nature of the requirement described in the RFT.

(5) The Goods and/or Services shall be procured through a Purchase Order, Contract process and/or any other process as approved by the Director of Financial Services & Corporate Controller. Where a formal Contract is necessary, such Contract shall be in a form satisfactory to the City Solicitor.

(6) Where a Time-Sensitive situation occurs, the Manager of Procurement may authorize the Client Department to utilize the Policy # 5.2 - Request for Quotations in lieu of the Request for Tenders process.

POLICY # 5.4 - Request for Proposals ($10,000 and greater) SECTION 4.5.4

(1) The Client Departments shall utilize all applicable City Contracts and shall otherwise be in accordance with the Procurement Policy.

(2) For procurements where there are no applicable City Contracts,

(a) the Request for Proposals process is to be used for Goods and/or Services with an estimated procurement value of $10,000 or greater and where comprehensive technical Specifications cannot be fully defined or specified, or when alternate methods are being sought to perform a certain function or service, at the time of the request;
(b) the Request for Proposals process must be implemented through Centralized Procurement;

(c) the Request for Proposals shall be issued and awarded in accordance with the RFP procedures as determined by the City’s Director of Financial Services & Corporate Controller;

(d) the Request for Proposals shall clearly set out the evaluation criteria and weightings upon which an award of the Request for Proposals may be made. Subject to minor variations as may be approved by the Manager of Procurement, the evaluation methodologies that may be employed, are:

(i) FIXED PRICE. The City establishes a fixed dollar value for the award, and the Bids consist of only a technical Bid for that fixed dollar value. The City evaluates the technical Bids received against the evaluation criteria and weightings set out in the RFP. The award shall be made to the highest scoring vendor; or

(ii) PRICE PER POINT. The evaluation of the RFP will utilize a multi-step evaluation process. The City evaluates the technical Bids received against the evaluation criteria and weightings set out in the RFP. For those technical Bids that successfully meet the benchmark score stipulated in RFP, the City will open the price Bid received. The City will then calculate the price per point for each Bid meeting the technical benchmark score and the award will be made to the vendor with the lowest price per point; or

(iii) COMBINATION OF TECHNICAL AND PRICE SCORES. The RFP will utilize a multi-step evaluation process. The City evaluates the technical Bids received against the evaluation criteria and weightings set out in the RFP. For those technical Bids that successfully meet the benchmark score stipulated in RFP, the City will open the price Bid received and score the price based on a predetermined calculation set out in the RFP. The price weighting must be a minimum of 25 percent of the technical weighting. Only the General Manager of the Client Department may approve a price weighting of less than 25 percent of the technical weighting. A total evaluation score will be determined by adding the technical score and the price score. The award shall be made to the highest scoring vendor; or

(iv) LOWEST PRICED BID MEETING TECHNICAL BENCHMARK SCORE. The RFP will utilize a multi-step evaluation process. The City evaluates the technical Bids received against the evaluation criteria and weightings set out in the RFP. For those technical Bids that successfully meet the benchmark score stipulated in the RFP, the City will open the price Bid received. The award shall be made to the vendor who has successfully met the technical benchmark score and has the lowest priced Bid.

Where an evaluation methodology other than the above is proposed, specific Council approval shall be obtained.
(3) The Procurement Section will facilitate the RFP evaluation process. An evaluation committee will be formed with a minimum of three evaluators and be comprised of at least one representative from the Client Department. The evaluators shall review all compliant Bids against the established criteria, reach consensus on the final rating results, and ensure that the final rating results with supporting documents are kept in the procurement file. The Procurement Section representative shall not participate in the scoring of the Bid;

(4) All Bids that meet the required terms, conditions and Specifications outlined in the Request for Proposals document shall be evaluated based on the evaluation criteria and weightings, subject to any rights or privileges reserved by the City;

(5) Any award shall be made in accordance with the evaluation criteria and weightings contained in the Request for Proposals document, subject to any rights or privileges reserved by the City or as otherwise approved by Council.

(6) When no compliant Bids are received in response to a Request for Proposals, and

(a) where time permits in the opinion of the General Manager of the Client Department, the Request for Proposals shall be re-issued with the appropriate revisions; or

(b) where time does not permit the re-issuance of the Request for Proposals in the opinion of the General Manager of the Client Department, the Request for Proposals is not otherwise being revised, and the non-compliance is associated with the pricing portion of the multi-two step evaluation process, all vendors who have successfully passed the technical proposal requirements of the Request for Proposals shall be given the opportunity to submit a new price Bid only. The Procurement Section will communicate to each of these vendors, any Bid deficiencies that resulted in its Bid being deemed non-compliant. This process may utilize a post-closing addendum.

(7) Where only one Bid has been received in response to a Request for Proposals and

(a) is non-compliant; or

(b) has successfully passed the technical proposal requirements and the Bid is noncompliant, the Manager of Procurement in conjunction with the Client Department may proceed to negotiate the changes required to achieve an acceptable Bid, provided that such changes will not alter the general nature of the requirement described in the Request for Proposals.

(8) Where the Bid being recommended for award is in excess of budgeted funds, the General Manager of the Client Department in consultation with the Manager of Procurement may enter into negotiations with the vendor submitting that Bid, provided that it is agreed by both the City and the vendor that the changes required to achieve an acceptable Bid will not alter the general nature of the requirement described in the RFP.
(9) Except where another process is approved by the Director of Financial Services & Corporate Controller, the Goods and/or Services shall be procured through a Purchase Order and/or Contract process. Where a formal Contract is necessary, such Contract shall be in a form satisfactory to the City Solicitor.

POLICY # 6 - Unsolicited Proposals SECTION 4.6

(1) If it is determined that there is a legitimate need for the Goods and/or Services offered by way of an unsolicited proposal, then an acquisition process shall be conducted in accordance with the Procurement Policy.

POLICY # 7 - Construction Contracts SECTION 4.7

(1) Where the procurement of Goods and/or Services involves construction, such construction Contracts must also meet the requirements of the Procurement Policy. However, construction Contracts of $100,000 or greater also require both a Purchase Order and a written legal agreement, in a form satisfactory to the City Solicitor.

(2) Construction Contracts are subject to the City’s Fair Wage Policy and Fair Wage Schedule. The Fair Wage Policy and Fair Wage Schedule can be accessed on the City of Hamilton website under the Procurement Section.

(3) For an approved construction Contract in which an unexpected circumstance arises during construction resulting in additional construction work, the General Manager of the Client Department may authorize the payment for such work and approve any required purchase acquisition documents, including a completed Construction Contracts Form.

(4) Where additional consultancy work is required to oversee or administer the additional construction work referred to in subsection (3), and the consultancy services were not issued as a Policy #9 Consulting and Professional Services roster assignment, Policy #10 Emergency - Procurements or Policy #11-Non-competitive Procurement, the General Manager of the Client Department may authorize the payment for such consultancy work and approve any required purchase acquisition documents, including a completed Construction Contracts Form.

(5) The Construction Contracts Form shall detail what additional construction or consultancy work was required to address the unexpected circumstances. Such additional work shall not expand the scope of the work but shall have been determined to be necessary in order to deliver the original approved work.

POLICY # 8 - Vendor Performance Evaluation SECTION 4.8

(1) At the completion of every Contract for Goods and/or Services of $100,000 or greater, the Client Department shall complete a Vendor Performance Evaluation Form. The General Manager
of the Client Department shall ensure this performance evaluation is completed for these Contracts. Such evaluation shall be completed and a copy will be forwarded to the Procurement Section.

(2) In the event of poor performance or non-performance of a vendor at any time during the term of any City Contract, the General Manager or an Authorized Delegate of the Client Department shall complete and forward a copy of the Vendor Performance – Incident Reporting Form as soon as reasonably possible after the occurrence.

(3) Documented poor performance or non-performance on any City Contract will be used to determine the eligibility of a vendor to continue to provide Goods and/or Services to the City on a current Contract and to determine their ability to participate on future City Contracts. Any vendor may be excluded from a bidding process due to documented poor or non-performance, where in the opinion of the Procurement Sub-Committee or Council, the commercial relationship between the City and such vendor has been impaired.

(4) The City’s Public Works Department shall be responsible for the vendor performance evaluation process with respect to linear construction Contracts issued by that department under Policy # 7 – Construction Contracts in a format which includes feedback from area residents and elected officials.

(5) In the event of a vendor’s breach of a City Contract, the Manager of Procurement in consultation with the Client Department shall have the discretion to either:

   (a) re-issue the RFQ, RFT or RFP; or
   (b) negotiate and enter into a new Contract for the remainder of the Contract with the second lowest bidder of the original RFT or RFP, whichever is in the best interests of the City.

**POLICY # 9 - Consulting and Professional Services SECTION 4.9**

(1) Unless otherwise provided, Consulting and Professional Services shall be acquired in accordance with the Procurement Policy.

(2) A Consulting and Professional Services roster will be established every two years through a formal Request for Rostered Candidates process. Work assignments presented to vendors on an approved list (rostered candidates) will be distributed on a rotational basis as well as a “best fit” basis and having an estimated procurement cost of less than $150,000.

(3) The General Manager of the Client Department shall award such works by direct appointment through the applicable roster captain. The applicable roster captain shall ensure that there is a reasonably equitable distribution of the works, based on the total dollar value of the work. This method allows the City to employ a number of different consultants while matching the particular talents of a consultant to the project needs.
(4) The General Manager of the Client Departments and the Manager of Procurement shall approve the appointment of rostered candidates and any acceptable subsequent change in any rostered candidate for their respective roster categories in accordance with the Request for Rostered Candidate document.

(5) The General Managers of the Client Departments shall be responsible to prepare a joint annual information report to Council on all assignments awarded including consultants used and a breakdown of the total cost utilized by each roster category.

POLICY # 10 – Emergency Procurements SECTION 4.10

(1) Where in the opinion of the General Manager of the Client Department, an Emergency exists, Goods and/or Services shall be acquired by the most expedient and economical means. The Procurement Section will provide cooperative assistance when requested to expedite any procurement documents necessary to deal with the Emergency. The General Manager of the Client Department shall provide the reasons for his or her opinion that an Emergency exists and shall approve any purchase acquisition document issued under such conditions. For amounts exceeding $250,000, the General Manager shall issue an information update to the City Manager and to Council.

(2) Subsequent to the resolution of the Emergency, all transactions require a Purchase Requisition to be entered to complete the procurement process. The Client Department shall complete the Emergency Procurement Form and forward it to the Manager of Procurement for informational purposes.

POLICY # 11 - Non-competitive Procurements SECTION 4.11

(1) Subject to Policy # 2 - Approval Authority, the General Manager of the Client Department will approve the Non-competitive Procurement Form, justifying the need to use this Policy # 11 prior to City staff entering into any discussions with any vendor regarding the purchase of the Goods and/or Services. This process may be adopted when any of the following conditions apply:

   (a) when Goods and/or Services are judged to be in short supply due to market conditions (short supply);

   (b) when a single source (for the purpose of this policy this shall include sole source transactions) for the supply of a particular Good and/or Service is being recommended because it is more cost effective or beneficial for the City (single source);

   (c) where a City Contract has expired or will very shortly expire and unforeseeable circumstances have caused a delay in issuing a new RFP or RFT so that a Contract extension is required (contract extension).

(2) Council must approve any requests for negotiations with a single source as set out in subsection (1)(b) of this Policy # 11, where the cumulative value of the Policy 11 exceeds a multi-
year value of the proposed procurement is $250,000 or greater. For greater clarity, the total cumulative value of a Policy 11 shall not exceed $250,000 in any given year or multiple consecutive years.

(3) All approved forms shall be forwarded to the Manager of Procurement. The Manager of Procurement will be responsible for reporting the use to Council on a quarterly basis.

<table>
<thead>
<tr>
<th>TOTAL CUMULATIVE VALUE ($, Canadian, Not including tax)</th>
<th>APPROVAL TO INITIATE POLICY # 11 PROCESS</th>
<th>APPROVAL TO ENTER INTO CONTRACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10,000 or greater</td>
<td>General Manager</td>
<td>Policy # 2 – Approval Authority</td>
</tr>
<tr>
<td>$250,000 or greater for single source type purchases</td>
<td>Council</td>
<td>Council as per Policy #2 – Approval Authority</td>
</tr>
</tbody>
</table>

(4) The Goods and/or Services shall be procured through a Purchase Order, a formal Contract or any other process as approved by the Director of Financial Services & Corporate Controller.

(5) Where consultancy services are being procured and are in excess of $100,000, a formal Contract shall be required.

(6) All formal Contracts shall be in a form satisfactory to the City Solicitor.

POLICY # 12 - Cooperative Procurements SECTION 4.12

(1) The City may participate with other government bodies, public authorities, conservation authorities, municipalities, academia, schools, hospitals (MASH sector) and not-for-profit organizations in cooperative acquisition ventures for Goods and/or Services when it is in the best interests of the City to do so. Such cooperative procurements shall require the prior written approval of the Manager of Procurement.

(2) The procurement procedures and policies of the entity initiating the procurement process will be followed.

(3) The City will issue its own purchase order or contract for their respective Goods and/or Services to the successful vendor or where applicable to the lead participating agency for all cooperative procurements.

(4) In the absence of an applicable City Contract and with the approval of the Manager of Procurement, the Client Department may purchase Goods and/or Services using established contracts issued by other government bodies, public authorities, conservation authorities, municipalities, academia, schools, hospitals (MASH sector) and not-for-profit organizations.
these contracts, the selection of the vendor must have been made through a competitive procurement process and the resulting contract must permit the City to purchase from that vendor under the same terms and conditions.

(5) Where the Province of Ontario requires the City to meet a provincial standard for any Goods and/or Services, and has established a prequalified vendor of record list for such Goods and/or Services, the City may invite only those prequalified vendors to participate in the RFQ, RFT or RFP.

POLICY # 13 - Authority to Execute Contracts SECTION 4.13

(1) The General Manager of the Client Department and the City Manager, shall execute acquisition Contracts and all necessary associated documents on behalf of the City for all RFT and RFP awards approved in accordance with Policy # 2 – Approval Authority. The applicable General Manager shall be the General Manager of Finance & Corporate Services in the case of a corporate-wide Contract.

(2) Where a Contract is required for a procurement which was not initiated by a RFT or RFP, but was otherwise authorized and approved in accordance with Policy # 2 – Approval Authority, the person having the applicable Approval Authority for the procurement shall also have the authority to execute the Contract and all necessary associated documents on behalf of the City.

(3) For all other Contracts that received Council approval, the City officials named in the Council resolution shall execute such Contracts on behalf of the City. Where City officials have not been named in the Council resolution, the Mayor and Clerk shall execute such Contract.

(4) The person(s) who have executed a Contract on behalf of the City in accordance this Policy # 13 shall also have the authority to execute any documents for an assignment or corporate change request related to such Contract.

(5) All Contracts shall be in a form satisfactory to the City Solicitor and shall contain content which is acceptable to the Client Department.

(6) All Authorized Delegates will complete the Notification of Signing Authority Form, which shall not be effective until approved and executed by the General Manager or City Manager, as the case may be, and forwarded to the City’s Finance & Administration and Special Projects Division for reference.

POLICY # 14 – Standardization SECTION 4.14

(1) The Manager of Procurement shall have the authority to negotiate with the original equipment manufacturers and licensed distributors of approved standardized products.
(2) The Standards and Approved Products Committee shall be responsible to prepare an annual information report to Council outlining the rationale for any Standardization of Goods added to the City’s Approved Products Listing, the number of Goods standardized and any standardized Good resulting in a single source purchase.

(3) Where a standardized Good can be procured from more than one vendor that Good shall not be considered a single source purchase.

(4) Standardization Approval Summary Table

<table>
<thead>
<tr>
<th>Standardization Type</th>
<th>Total Cumulative Value ($)</th>
<th>Duration of the Standard</th>
<th>Approval Required</th>
<th>Expiry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standardization does not result in a single source purchase.</td>
<td>Less than $100,000</td>
<td>No more than 5 years</td>
<td>Manager of Procurement or The Standards and Approved Products Committee*</td>
<td>At the conclusion of the contract term.</td>
</tr>
<tr>
<td>Standardization does not result in a single source purchase.</td>
<td>Less than $100,000</td>
<td>Greater than 5 years</td>
<td>Council or The Standards and Approved Products Committee*</td>
<td>As approved by Council or The Standards and Approved Products Committee.</td>
</tr>
<tr>
<td>Standardization does not result in a single source purchase.</td>
<td>$100,000 or greater</td>
<td>Any</td>
<td>Council or The Standards and Approved Products Committee*</td>
<td>As approved by Council or The Standards and Approved Products Committee.</td>
</tr>
<tr>
<td>Standard results in a single source purchase.</td>
<td>$10,000 or greater</td>
<td>Any</td>
<td>Council or The Standards and Approved Products Committee*</td>
<td>As approved by Council or The Standards and Approved Products Committee.</td>
</tr>
</tbody>
</table>

*Approvals made by The Standards and Approved Products Committee shall only be within the committee’s mandate as approved by Council.*
POLICY # 15 - Participation of Elected City Officials in the Procurement Process SECTION 4.15

(1) Elected City officials may participate in the procurement process in the narrowly defined circumstances described in this Policy #15 for those specific procurement projects identified by Council.

(2) Elected City officials may participate as members of a steering committee for significant procurement projects identified by Council.

When Council identifies a significant procurement project for which elected City officials are to participate as members of a steering committee, Council will also address the following issues:

(a) the extent of the elected City officials’ involvement in the procurement process to ensure that they are able to provide input prior to the issuance of the procurement documents and to oversee the procurement process, but not function in a decisionmaking capacity;

(b) the selection of elected City officials who are able to comply with Policy # 17 - Conflicts of Interest and who do not otherwise have a perceived or actual conflict of interest that would impair their ability to be impartial; and

(c) the number of elected City officials to participate.

(3) Elected City officials may not participate in the procurement process where they are required to be in an evaluation capacity. Their involvement in the approval capacity of the procurement process is limited to what is stipulated in Policy # 2 - Approval Authority.

POLICY # 16 - Disposal of Surplus and Obsolete Goods SECTION 4.16

Governed by the “Disposal of Surplus Goods Policy” as approved by the Hamilton Public Library Board.

POLICY # 17 - Conflicts of Interest SECTION 4.17

(1) Employees of the City shall not have a pecuniary interest, either directly or indirectly, in any City Contract or with any person acting for the City in any Contract for the supply of Goods and/or Services for which the City pays or is liable, directly or indirectly to pay unless such interest has been declared pursuant to the Code of Conduct for Employees Policy, as amended or replaced from time to time, and the employee otherwise complies with such policy.

(2) In addition to complying with the Code of Conduct for Employees Policy as set out under subsection 4.17(1), employees of the City are required to declare any pecuniary interest, either direct or indirect, in writing to their General Manager with a copy to the Manager of Procurement indicating the specific nature of the conflict.
(3) Members of Council are required to declare any pecuniary interest direct or indirect, and its general nature, which may result in a conflict of interest pursuant to the Municipal Conflict of Interest Act and the member of Council shall otherwise comply with that Act.

(4) Any Contract with the City may be voided in which a member of Council or any employee of the City has an undeclared direct or indirect pecuniary interest.

(5) All City employees and others participating in the development of the Specifications and/or evaluation for any Request for Tenders, Request for Prequalifications and Request for Proposals will be required to complete and sign a Conflict of Interest Form.

POLICY # 18 - Vendor Complaint Resolution SECTION 4.18

(1) The City of Hamilton encourages the most open, competitive procurement processes and the objective and equitable treatment of all vendors.

(2) Vendors may feel aggrieved and may seek to dispute the recommendation of an award of a Contract. To maintain the integrity of the process, vendors who believe they have been treated unfairly may take the following steps, prior to the award of the Contract:

   (a) Request a meeting with the Manager of Procurement within five business days after the earlier of the following dates set out below has occurred:

      (i) the date the vendor is notified that its Bid is non-compliant; and

      (ii) the date the vendor is notified of the results of the evaluation of all Bids.

   The vendor’s request shall be in writing and shall provide a detailed statement of the grounds of the complaint, including copies of relevant documents, and identify the form of relief requested; and

   (b) If no resolution satisfactory to both parties has been achieved, the vendor will have three business days from the date of the meeting with the Manager of Procurement to make a formal written request to meet with the General Managers of the Client Department and of Finance and Corporate Services regarding the vendor’s complaint. The General Managers will make the final decision regarding the vendor’s complaint, which decision may be made orally or in writing. If the General Managers’ decision means that the City can proceed with the award of the Contract, then the award may occur at any time after such decision is made.

(3) The scheduling of any meeting with the Manager of Procurement or applicable General Managers shall take place within three business days of the Manager of Procurement’s receipt of the vendor’s written request to meet so as not to delay the award of a contract. The Manager of Procurement shall provide the vendor with proposed dates and times for the meeting. The vendor shall be required to respond with their availability and attend a meeting at one of the proposed day and times otherwise have their complaint denied.
(4) The request for any meeting with the applicable General Managers may be denied. For instance, where the applicable General Managers have determined that it would be inappropriate or where there is no merit to the complaint.

(5) Where a vendor has been banned from competing for or being awarded any City Contract for a period of one year in accordance with subsection 4.1(7) of Policy #1 - Policy for Vendor Eligibility;

(a) the vendor may challenge the one year ban only to the appropriate standing committee of Council where there are extenuating circumstances respecting why the initialling was not done within one business day of the City’s request; and

(b) the appropriate standing committee will provide to Council a recommendation with respect to the vendor’s complaint.

POLICY # 19 – Non-compliance with the Procurement Policy SECTION 4.19

(1) Subject to Policy #2 - Approval Authority, the General Manager of the Client Department in consultation with the Manager of Procurement will authorize the use of a Non-Compliance with the Procurement Policy Form which outlines the circumstances behind the non-compliance issue. This process is to be used when there is a violation of the Procurement Policy consisting of one or more of the following:

(a) the contracting of a vendor to provide Goods and/or Services, not in accordance with the requirements of the Procurement Policy;

(b) the receipt of an invoice by the City from a vendor, for Goods and/or Services previously acquired outside the procurement process required under the Procurement Policy;

(c) where it can be proven that the actions or non-actions of an employee, or employee group results in the requirement to initiate a procurement process pursuant to Policy #10 – Emergency Procurements or Policy #11 – Noncompetitive Procurements;

(d) splitting of purchases contrary to the Procurement Policy requirements;

(e) any and all other violations of the Procurement Policy.

(2) Notwithstanding subsection (1) of this Policy #19, an employee who fails to act in accordance with the provisions of the Procurement Policy, will be subject to appropriate disciplinary action up to and including termination of employment.

The General Manager of the Client Department will review such violations (through the Non-Compliance with the Procurement Policy Form) and shall consult with the Director of Employee & Labour Relations for consideration of any disciplinary action to be taken as appropriate.

(3) The Director of Financial Services & Corporate Controller will be responsible for reporting the use of all Procurement Policy Non-Compliance Forms to Council on a quarterly basis.
POLICY # 20 – Review of the Procurement Policy SECTION 4.20

(1) The Manager of Procurement shall submit to the Procurement Sub-Committee and to the appropriate standing committee of Council a biennial report recommending any changes to the Procurement Policy to meet the needs and requirements of the City to operate in an efficient and cost effective manner and in accordance with all applicable laws.

(2) All changes to the Procurement Policy require the approval of Council.

(3) Changes to Procurement Procedures and Guidelines require the approval of the City’s Director of Financial Services & Corporate Controller.

(4) On a periodic basis the City’s Internal Auditor will review the Procurement Policy to assess its effectiveness.

POLICY # 21 – Anti-Sweatshop Procurement SECTION 4.21

(1) The City of Hamilton does not encourage the use of consumer goods or products manufactured, assembled or produced in factories where persons and, in particular, children are used as slave or forced labour or in other exploitive manners which restricts the person’s freedom or impedes the child’s development. The City will consider the supply of consumer goods or products manufactured under such exploitive manners as a negative practice of the vendor.

(2) The City will not knowingly accept consumer goods or products manufactured, assembled or produced in a Sweatshop or under Sweatshop Conditions.

(3) The determination of compliance with this Policy # 21 shall be in the absolute discretion of the Manager of Procurement. The Manager of Procurement may, but is not obligated to, request further information and documentation from the vendor to confirm compliance; and may base his or her determination on information provided by Canadian or international certification or compliance agencies or groups, workers or labour unions or organizations, manufacturers, consumer groups, international organizations, ILO or United Nations sources and other parties.

(4) If any consumer goods or products supplied under a RFQ/RFP/RFT are determined by the Manager of Procurement to be manufactured, assembled or produced in contravention to this Policy # 21 and/or the certificate required hereunder, the City reserves the right, at its absolute discretion, to:

   (a) return all the goods to the vendor and require the vendor to replace, within 30 days from the date of notification by the City, the non-compliant goods or products with goods or products, of at least equal value, complying with this Policy # 21 and all other requirements and specifications of the RFQ/RFP/RFT, all at no cost to the City; or
(b) require the vendor, within 30 days from the date of notification by the City, to provide the City with conclusive evidence that the consumer goods or products have not been manufactured, assembled or produced in contravention of this Policy # 21, failing which the City may terminate the Contract without any compensation and without notice to the vendor.

(5) If the City terminates a Contract with a vendor as a result of a breach of this Policy # 21, the City shall cease to be liable to the vendor or to any other person for any unpaid amounts that would otherwise have been payable under the terms of the Contract and shall not be under any obligation to return to the vendor any product supplied by the vendor under the Contract.

(6) Child Labour Produced Goods Unacceptable

The City fully subscribes to the United Nations Convention on the Rights of the Child and, in particular, Article 32 of the Convention that requires that a Child shall be protected from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the Child's health or physical, mental, spiritual, moral or social development. The City reserves the right to terminate any Contract unconditionally and without liability or compensation whatsoever to the City in the event that consumer goods received from a vendor are discovered to have been manufactured, produced or assembled in a Sweatshop or in non-compliance with the national labour laws and regulations with respect to child employment and/or noncompliance with the United Nations Convention on the Rights of the Child.

(7) A vendor shall certify the following on the Form of Quotation/Form of Proposal/Form of Tender to be included in an RFQ/RFP/RFT, as the case may be:

“We hereby represent and certify the foregoing:

(a) all goods or products supplied under this RFQ/RFT/RFP have not been manufactured, assembled or produced, either wholly or in part, in a Sweatshop, as defined in the City of Hamilton’s Procurement Policy or by child labour;

(b) that any goods or products found to be supplied in contravention of the City’s Anti-Sweatshop Policy will be returned to us, at our cost and at no cost whatsoever to the City, and that the City has the option to have the goods or products replaced by us with product of at least equal value, meeting specifications of the RFQ/RFT/RFP, or the City may terminate the Contract without any compensation whatsoever to us.

We hereby acknowledge that the City has been induced to consider this RFQ/RFT/RFP on the basis of this representation and certification.

We further acknowledge that the City shall have the right to reject our Quotation, Bid, or Proposal, terminate any Contract made, and collect any of its losses or damages arising out of our breach of the City of Hamilton’s Procurement Policy.”
POLICY # 22 – In-House Bid Submissions  SECTION 4.22

(1) In-house Bid submissions will be considered when contemplating a transfer of services from internal services to external services or vice versa.

(2) The General Manager of the Client Department submitting an in-house Bid shall obtain Council approval prior to submitting such a Bid. The Client Department’s report to Council seeking such approval shall include as a minimum:

(a) the members of the in-house Bid submission team;
(b) which costs will be included in the Bid and how costs will be determined; and
(c) the rationale for submitting an in-house Bid.

(3) The RFP or RFT documents to be utilized, as applicable, shall clearly indicate: (a) an in-house Bid is being considered for the RFP/RFT; and (b) any advantages that the in-house Bid will have over other bidders by virtue of it being an in-house Bid.

(4) The integrity of the evaluation process will be maintained when evaluating an in-house Bid as follows:

(a) no member of the in-house Bid submission team nor any employee whose employment is affected by the transfer of services shall have any communications with a member of the evaluation team or an elected official concerning the subject RFP or RFT, as the case may be, except in accordance with the communication and any interview provisions contained in the applicable RFP/RFT;
(b) no member of the evaluation team or an elected official shall have any communications with a member of the in-house Bid submission team nor any employee whose employment is affected by the transfer of services, except in accordance with the communication and any interview provisions contained in the applicable RFP/RFT;
(c) no member of the in-house Bid submission team nor any employee whose employment is affected by the transfer of services shall participate in the development of the subject RFP/RFT nor shall such persons have any communications with any person participating in the development of the subject RFP/RFT;
(d) the same rules shall govern the submission of the in-house Bid as will apply to any other bidder, unless expressly provided otherwise in the RFP/RFT document; and
(e) the evaluation of Bids shall be objective and the process shall avoid any unfair bias towards either the in-house or external Bids.

SCHEDULE A – Statement of Ethics for Public Procurement

The following ethical principles should govern the conduct of every City employee delegated with the authority to procure.
o Believes in the dignity and worth of the service rendered by the organization, and the societal responsibilities assumed as a trusted public servant.

o Is governed by the highest ideals on honour and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.

o Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable.

o Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.

Responsibility to the City:

o Follow the lawful instructions or laws of the employer.

o Understand the authority granted by the employer.

o Avoid activities which would compromise or give the perception of compromising the best interest of the employer.

o Reduce the potential for any chances of preferential treatment by actively promoting the concept of competition.

o Obtain the maximum benefit for funds spent as agents for the City.

Relationship with vendors:

o Maintain and practice, to the highest degree possible, business ethics, professional courtesy and competence in all transactions.

o Purchase without prejudice, striving to obtain the maximum value for each dollar of expenditure.

o Preclude from showing favouritism or be influenced by vendors through the acceptance of gifts, gratuities, loans or favours.

o Adhere to and protect the suppliers business and legal rights to confidentiality for trade secrets, and other proprietary information.

Relationship with the City:

o Remain free of any and all interests and activities, which are or could be detrimental or in conflict with the best interests of the employer.

o Refrain from engaging in activities where a City employee has a significant personal or indirect financial interest.

o Exercise discretionary authority on behalf of the employer.

o Avoid acquiring interest or incurring obligations that could conflict with the interests of the City.
SCHEDULE B – Exemptions

Items listed below are exempt from the requirements of the Procurement Policy, save and except for Policy # 2 - Approval Authority.

(1) Employer’s General Expenses

(a) Insurance premiums.
(b) Debt payments.
(c) Purchase of investments. This exemption does not include any ancillary services.
(d) Grants, loans and levies.
(e) Licenses (for example, vehicle, elevators, radios).
(f) Real property payments including land, buildings, leasehold interests, easements, encroachments and licenses, or the like.
(g) Insurance claims, legal settlements and grievance settlements. This exemption does not apply to the procurement for Goods to be replaced.
(h) Adjusting services for the investigation of liability and property claims.
(i) Binding orders, judgments or decisions of an arbitrator, tribunal or court. Given that these payments are mandatory, approval from the General Manager of the Client Department which is funding the payment is required instead of the approvals set out in Policy # 2 –Approval Authority.
(j) Refundable travel expenses.
(k) Temporary staffing agencies and services.
(l) Assessments and tools where positions and/or individuals are assessed for recruitment and selection purposes, including tools and assessments which would assist in the accommodation of individuals.
(m) Payments required by Council approved compassionate programs.
(n) Other City and employee related expenses, such as: memberships in professional organizations (professional dues), staff attendance at seminars, testing or examination fees, workshops, courses, training, trade shows or conferences. This shall not include any training specifically designed for the City.

(2) Professional Services

(a) Medical Professional Services.
(b) Experts retained for the purposes of, or in contemplation of, litigation.
(c) Confidential Items (for example Forensic Audits).
(d) Outside Legal Counsel where retained by the City Solicitor or the Director of Employee & Labour Relations. An annual report shall be issued to Council by the City Solicitor and by the Director of Employee & Labour Relations detailing outside legal counsel pursuant to (2)(d).

(e) Mediators and Arbitrators.

(3) Special Services

(a) Providers of community services (including counselling, individual assessments, training, community support services, licensed child care centres, early years centres, transportation of children identified with special needs or having a therapeutic need to attend a licensed child care centre, Domiciliary Hostels Program, Long Term Care Facilities nursing, homemakers, funeral services, planned parenthood and prenatal care and education, as part of City-approved programs and projects).

(b) Accommodations provided as part of City-approved programs and projects for the homeless and others living in poverty.

(c) Vouchers provided by Community Services and Public Health Services as part of City approved programs and projects.

(d) Financial reviews conducted on a contingency basis for the purposes of recovering amounts paid and/or owed, such as tax recovery services.

(e) Public/guest speakers, individuals or ensembles that offer creative content for presentation to others.

(4) Utility Billing

(a) Electricity.

(b) Postal services, postage.

(c) Water and Wastewater.

(d) Natural gas.

(e) Communications, for example: voice and data network communications.

(f) The removal, relocation, identification or engineering related to utility infrastructure that exists on road allowances, right of ways and other City properties. This includes subsurface and above-surface infrastructure.

(g) Railway companies related to removal, relocation, construction supervision (flagging) and maintenance.

(h) The purchase, sale, delivery and storage of Energy Commodities and the consideration of price hedging for Energy Commodities shall be in accordance with the City’s Energy Commodity Policy as amended, repealed or replaced from time to time.
(5) Government agencies, regulatory bodies, licensing agencies, other public authorities and non-for-profit organizations accountable to the Ontario government and municipalities to which the City is required to remit to or pay a fee.

(6) Other

(a) Antiques and artifacts (shops, sales, repairs, but not including restoration).

(b) Acquisition of art.

(c) Publications (including newspapers, periodicals, magazines or books), CDs, DVDs and all copyrighted material.

(d) Maintenance fees for software and computer hardware for information systems previously acquired. This exemption does not apply to new modules nor to new or additional licenses.

(e) Goods for the purpose of retail sales (re-sale) by the City (not including items that bear the City of Hamilton logo or insignia). This exemption does not include food and beverage items.

(f) Media advertising, including trade shows.

(g) Commodity purchases using a commodity price hedging agreement in accordance with the City’s Commodity Price Hedging Policy.

(h) Venues (including food and beverage where off site catering is not permitted) for banquets, meetings, events, receptions and training.

(i) Hosting, sponsorship and/or rights fees for conventions or sports events incurred by Tourism Hamilton Inc.

(j) Admission to tourism attractions and destinations for recreational day camps for children and youth.

(k) All real property transactions except:

(i) Revenue generating leases; or

(ii) Where a procurement process is to be engaged (i.e. RFP, RFI, etc.) including when Council approval has been obtained, the Procurement Section shall be consulted prior to that process being issued.

(l) Alcoholic beverage purchases by the golf courses.

(7) Sponsorships

Sponsorships solicited by the City shall be in accordance with the City’s Policy for Commercial Advertising and Sponsorship as amended, repealed or replaced from time to time.
Approval History: January 2014
4.11 Disposal of Surplus Goods Policy

Policy Level: Library Board
Author: Director Finance
Review Period: 4 Years
Approval Date: September 2018

Policy Purpose
The purpose of this policy is to outline rules for the appropriate disposal of surplus goods. The goal of the policy is to ensure surplus items are disposed of in an ethical manner, cost effectively and in the best interests of the Hamilton Public Library and the City of Hamilton.

Key Points Summary
- Goods that are no longer needed at one branch will be distributed to other library locations, if appropriate, prior to being declared surplus.
- The Chief Librarian or designate is authorized to declare a good as surplus.
- If a good is declared surplus, there are various disposal methods that are authorized.
- When disposing of goods, staff are to complete the Policy 16 Form and file with the Business Office.

Policy Details

Process and Authorized Disposal Methods:
Goods that are no longer needed in one Hamilton Public Library location will be distributed to other library locations, if appropriate, prior to being declared surplus. The Chief Librarian or designate is authorized to declare a good as surplus. When a good is declared surplus the following are authorized disposal methods:
- Offered to the City of Hamilton for use
- Donated to a non-profit agency or charity
- Library specific goods (i.e. Library shelving) may be donated to other libraries or a similar entity such as a school
- By recycling
- By taking to a municipal landfill or destroying if recycling is unavailable
- By sale to public or private sector entities; by external advertisement, formal request, auction or public sale (where it is deemed appropriate, a reserve price may be established)

Generally, disposing of goods, by sale will only be undertaken when the estimated value of the items exceeds the total cost of selling the items (including costs of staff time). When donating items to external agencies, the receiving agencies will generally be responsible for the costs of pick-up.

When disposing of goods staff will complete the Hamilton Public Library Policy 16 Form and file with the Business Office who will then file with the City Procurement Department. Policy 16 Forms are not required for: library collections, Local History and Archive items, obsolete supplies
or severely damaged items. Criteria for the deselection of library materials and Local History and Archive items are covered by the Library’s Collections Policy.

The value of any declared surplus good cannot be used to offset the value of procurement when determining the procurement process to follow

Restrictions:
Disposal of surplus goods will be done consistent with the Hamilton Public Library’s Conflict of Interest Policy. There will be no disposition of goods to employees of the Hamilton Public Library or the City of Hamilton, members of the Library Board or Council, or their family members unless such good(s) are sold through external advertisement, formal request, auction or public sale and no conflict of interest exists.

Approval History: May 2014, September 2018

4.12 Records Management Policy
Policy Level: Library Board
Author: Director, Digital Technology and Creation
Review Period: 4 years
Last Revised: January 2018

Policy Purpose
To ensure that physical and electronic records created or received by Hamilton Public Library (HPL), in the course of carrying out library business, are managed appropriately throughout the records’ life cycle to facilitate the accessibility, accuracy and security of information to meet operational and legislative requirements.

Key Points Summary
• This policy applies to physical and electronic records that are created or received by the Library Board, employees or volunteers of HPL, including records received from external sources, in the course of carrying out library business.
• This policy does not apply to the digital or physical materials acquired for public collections, or to historical and archival items acquired for the Local History and Archives collections.
• Records will be managed to ensure they are available, accessible, and maintained to meet legislative requirements, and to support operations.
• Records (permanent, archival, official, and transitory) will be retained, preserved, protected, secured and disposed of appropriately.
• The CEO/Chief Librarian and the Directors are accountable and responsible for the administration of, and compliance with, the Records Management Program.

Definitions
Archival Record: Records determined to have historical and cultural value to the library to warrant continuous preservation. These records are transferred to Local History and Archives at the end of their retention periods.

Classification Scheme: A document/schema that identifies and classifies records, usually by business function across different departments or groups, and provides the record’s description, control, links, disposition methods and access status.

Disposition: The final action carried out on a record after its retention period has ended. This may include retaining, archiving, or destroying the record.

Life Cycle: Similar to a biological life cycle, a record’s life cycle is a record’s creation or receipt, use, maintenance, retention, and disposition.

Permanent Record: Records determined to have historical, administrative, legal, or other value to the library to warrant continuous preservation.

Record: Recorded information in any format or medium, created, received, and maintained as evidence in pursuance of legal obligations or in the transaction of business. This may include paper and electronic records, minutes, correspondence, financial statements, maps, drawings, photographs, etc.

Records Management: The field of management responsible for managing records in an efficient and systematic manner throughout its life cycle.

Record Series: A group of identical or related records that are normally used and filed as a unit and that permit evaluation as a unit for retention scheduling purposes.

Retention Period: The period of time during which records must be kept before disposition. The retention period is often broken into active and inactive stages, and is determined by legislative, regulatory, and operational requirements.

Retention Schedule: A timetable that identifies record series and the length of time they must be retained and their final disposition.

Transitory Records: Records of a temporary nature that have limited usefulness. Transitory records are not required to meet legislative obligations or to sustain administrative or operational functions.

Policy Details
In the course of managing records, Hamilton Public Library will comply with legislated requirements and professional standards including: the Municipal Freedom of Information and Protection of Privacy Act, the Public Libraries Act, the Employment Standards Act, Occupational Health and Safety Act, and the Income Tax Act.

All records created by Hamilton Public Library or in the organization’s custody are the property of the library and are managed as a corporate resource, regardless of medium or format.

Limited collection: Where there is no legislative requirement to retain records or there is no compelling business reason to do so, HPL will limit its collection of information and what is contained in records. For example, when verifying identification, library staff will check identification but not record information such as driver’s license numbers.

Hamilton Public Library will ensure that all records created by the library or in its custody are:
Available, accessible and maintained to support management and strategic decision-making and to meet operational and legislative requirements;

- Secured and properly protected against damage or unauthorized access;
- Retained and not destroyed before the defined retention periods;
- Disposed of in accordance with established retention schedules; and destroyed in a secure manner that considers confidentiality requirements.

**Scope**

This policy applies to the life cycle of all records in all formats, digital or physical, and will be applied consistently across all media.

This policy applies to all records that are created and/or used by the Board, employees of the Library and volunteers. It also applies to records from external sources such as other governmental bodies, businesses and the public when such records are maintained by the Library as a part of its administrative and operational functions.

This policy does not apply to items in the Library’s digital or physical materials collections acquired solely for use by the public.

This policy does not apply to historical and archival materials or items acquired by the Library as part of its Local History and Archives collections.

**Disposition of Records**

Records that have reached the end of their retention period and are no longer needed for another valid reason will not be retained and will be destroyed.

Transitory records, unless they have become necessary for legal or administrative purposes, will not be retained and will be destroyed.

Records that are classified as permanent or archival records have long-term value to the library, such as for recording its corporate, service and cultural history. These records will be preserved and protected to ensure their safety, availability, and recovery. As such, Permanent records will be maintained by the department the record is created by, while archival records will be transferred to the Local History and Archives department and will follow the Local History and Archives Policy.

Records will not be retained beyond their retention period without a valid reason authorized by the Chief Librarian/CEO or designate.

The destruction of records will be done in a secure and confidential manner and will be carried out in accordance with established procedures.

**Official Records**

Only one official record, either physical or digital, will be maintained for the purpose of ensuring retention requirements.

Where an original physical record is not required by law, or is not classified as a permanent record for preservation, the digital record will become the official record for retention purposes. The physical record will be then considered transitory and will, therefore, be disposed of.
Duplicate records that are identified in the retention schedule (such as copies used as supporting documents to a report, or when the original record is submitted to the City of Hamilton) are considered exceptions and are not transitory. They will be retained in accordance with the retention schedule.

**Records in Electronic Format**
The electronic/digital records within a record series are an alternative format or delivery of the records themselves, with no change in the transaction or content of the record.

Electronic records are governed under the same rules of the library’s records management policy, which addresses format, content, organization, retention, disposition, and backup. The introduction of new technology will require updates to procedures and practices pertaining to electronic records which otherwise will be reviewed and changed following the same revision timeframe as this policy.

**Accountability**
The CEO/Chief Librarian is responsible for ensuring that records management requirements are being met and that they reflect the library policies and priorities.
The Director, Digital Technology and Creation is accountable to the Chief Librarian/CEO for the general administration of the records management function.
Directors are accountable to the Chief Librarian/CEO for the administration of their respective records series as established in the retention schedule.
Directors are accountable to the Chief Librarian/CEO for ensuring compliance with the Records Management Policy and procedures in their respective areas.

**Approval History:** April 2010, January 2018

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**4.13 Security Camera Policy**
Policy Level: Library Board
Author: Director of Finance & Facilities
Review Period: 4 years
Last Revised: October 2017

**Policy Purpose:** The Hamilton Public Library Board strives to maintain a safe and secure environment for customers and staff while protecting individual rights to privacy.

The Library recognizes the use of security cameras at Library facilities as part of the Library’s overall strategy to ensure the safety of persons and property. This policy and accompanying procedures will adhere to privacy requirements set out in the Municipal Freedom of Information
and Protection of Privacy Act (MFIPPA). In addition this policy has been developed to follow the guidelines set out by the Information and Privacy Commission of Ontario.

**Key Points Summary:**

- This Policy applies to all types of camera surveillance systems, surveillance monitors and camera recording devices that are used for security purposes at Library managed facilities. This policy does not address instances where library staff record a specific event (such as a program, or presentation).
- Security camera systems are a resource used by the Hamilton Public Library Board within the Board’s jurisdiction to promote the safety of customers, staff and community members. Where deployed for that purpose, these systems also help to protect library property against theft or vandalism and can assist in the identification of intruders and of persons breaking the law.
- In the event of a reported or observed incident, the review of recorded information may be used to assist in the investigation of the incident. The Library will maintain control of and responsibility for the security camera system at all times.
- Employees and service providers are expected to review and comply with this Policy, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and other relevant statutes in performing any duties and functions that are related to the operation of the security camera program.
- The Chief Librarian will issue administrative procedures in support of this policy.

**Definitions:**

**Personal Information** (taken from MFIPPA)- Recorded information about an identifiable individual, including,

(a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
(b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
(c) any identifying number, symbol or other particular assigned to the individual,
(d) the address, telephone number, fingerprints or blood type of the individual,
(e) the personal opinions or views of the individual except if they relate to another individual,
(f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
(g) the views or opinions of another individual about the individual, and
(h) the individual’s name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.
IPC – Information and Privacy Commission of Ontario. IPC oversees compliance with the privacy protection provisions of MFIPPA and conducts investigations into privacy complaints. IPC also provides guidance regarding Ontario’s access and privacy legislation.

MFIPPA – Municipal Freedom of Information and Protection of Privacy Act. The purpose of the Act is to provide a right of access to information under the control of institutions and to protect the privacy of individuals with respect to personal information about themselves held by institutions.

POLICY DETAILS:
Collection of Personal Information Using a Security camera coverage System
Any recorded data of an identifiable individual qualifies as "personal information" under MFIPPA. Security cameras can be used to collect personal information about identifiable individuals. The Library has determined that it has the authority to collect this personal information in accordance with the MFIPPA. Pursuant to section 28(2) of the Ontario MFIPPA, no person shall collect personal information on behalf of the Library unless the collection is expressly authorized, used for the purposes of law enforcement or necessary to the proper administration of a lawfully authorized activity.

Planning Considerations for Security Cameras
Before deciding if a facility warrants security cameras, the Library will:
1. Conduct consultations with relevant stakeholders as to the necessity of the proposed security camera program at the facility.
2. Endeavour to ensure that the proposed design and operation of the video security surveillance system reasonably minimizes privacy intrusion.

Design, Installation and Operation of Security Cameras
When designing a security camera system and installing equipment, the following must be considered:
1. Given the open and public nature of the Library's facilities and the need to provide for the safety and security of employees and visitors who may be present at all hours of the day, the Library's security camera coverage systems may operate at any time in a 24-hour period.
2. The ability of authorized personnel to adjust cameras shall be restricted so that authorized personnel cannot adjust or manipulate cameras to overlook spaces that are not intended to be covered by the security camera coverage program.
3. Equipment shall never monitor the inside of areas where the public and employees have a higher expectation of privacy (e.g. change rooms and washrooms).
4. Reception/recording equipment must be located in a strictly controlled access area. Only authorized personnel shall have access to the controlled access area and the reception/recording equipment.
5. The annual maintenance program for reception and recording equipment will ensure that the equipment is operating properly. Library staff will endeavour to promptly follow-up issues or concerns regarding the performance of equipment.
Notice of Use of Video Systems
In order to provide notice to individuals that video is in use:

1. The Library shall post signs, visible to members of the public, at all entrances and/or prominently displayed on the perimeter of the grounds under security camera coverage. On at least one sign at each location with security camera coverage the following information will include:
   - the legal authority for the collection of personal information;
   - the principle purpose(s) for which the personal information is intended to be used;
   - and the title, business address, and telephone number of someone who can answer questions about the collection.

2. Additional signs will be used to support awareness of the security camera program.
3. Information about the security camera program will be included on the Library’s website.

Security Camera Monitors and Records

1. Staff at each location may be authorized to monitor real-time camera feeds as is reasonably necessary to implement this Policy. Every reasonable attempt will be made to ensure security camera monitors are not in a position that enables the public and/or unauthorized staff to view them.
2. Only the Chief Librarian, Director of Finance & Facilities or other authorized delegates may review recorded information from the system.
3. Security camera footage will not be used to monitor customers’ use of Library spaces or employee performance. Circumstances which warrant review will be limited to security incidents that have been reported, or in the investigation of a potential crime, or identifying individuals associated or potentially involved with a crime.
4. All storage devices will be located in a controlled-access area. Access to the storage devices will be limited to authorized personnel. Logs will be kept of all instances of access to, and use of, recorded material to enable a proper audit trail.
5. The Library will take all reasonable efforts to ensure the security of records in its control/custody and ensure their safe and secure disposal.
6. Security camera systems will be set-up to ensure regular recordings are cleared or overwritten on a regular basis. Normally, systems will be set-up to maintain records for up to 30 days. In some cases system capacity may limit the time records are maintained. In the event that authorized staff need to remove information from the system (still images, video footage) for authorized reasons, the resulting record(s) will be maintained for at least one (1) year.
7. When records are released to law enforcement officials, where possible, authorized staff will limit the release of information about individuals deemed not to be involved in the investigation. This includes, but is not limited to, zooming images in on suspects in question, obscuring identifiable features of other individuals and limiting the time frame of video coverage provided.
Logs
Each location must maintain a log on the Library’s Intranet that records all activities related to security cameras and records. Activities include all information regarding the use, maintenance, and storage of records and all instances of access to, and use of, recorded material, including the name of the person accessing the system. All logbook entries will detail staff name, date, time and activity.

Access Requests Process
All requests to view security camera coverage will be recorded in the Log and will be directed to the Chief Librarian or designate. Requests will be reviewed based on Library policy and relevant legislation including MFIPPA.

Law Enforcement Access Request
If access to a security camera coverage record is required for the purpose of a law enforcement investigation, the requesting Officer must complete the Disclosure of Personal Information Form and forward it to the Chief Librarian, or designate. The Chief Librarian or designate will provide the recording for the specified date and time of the incident requested by the Law Enforcement Officer, subject to MFIPPA exemptions.

The Chief Librarian, or designate, will record the following information in the facility's log:
1. The name of the Officer and badge number
2. Investigation number and reason for the request
3. The date and time of the original, recorded incident including the designated name/number of the applicable camera and DVR
4. The name of the authorized personnel at the time of the incident
5. The time and date the copy of the original record was sealed
6. The time and date the sealed record was provided to the requesting Officer
7. Whether the record will be returned or destroyed after use by the Law Enforcement Agency.

Viewing Images
When recorded images from the cameras must be viewed for law enforcement for investigative reasons, this must only be undertaken by an authorized personnel, in a private, controlled area that is not accessible to other staff and/or visitors.

Inquiries from the Public Related to the Security Camera Policy
A staff member receiving an inquiry from the public regarding the Security Camera Policy shall direct the inquiry to the Chief Librarian's Office.

Accountability - Roles & Responsibilities
Chief Librarian - The Chief Librarian is responsible for the overall Library video security surveillance program and is responsible for the Library’s privacy obligations under the Ontario Municipal Freedom of Information and Protection of Privacy Act and the Policy. Upon request, a
report on the security camera program will be provided to the Board. Only the Chief Librarian and specifically designated staff will have the authority to review recorded camera coverage and authorize the release of images from the system for investigations or other purposes.

**Director of Finance & Facilities** - The Director of Finance & Facilities or designate is responsible for coordinating security threat assessments and advising on installations. Ensures installations and operations are done in accordance with this Policy. The Director of Finance & Facilities works with the Director of Digital Technology to ensure camera systems have appropriate security measures in place and the technical aspects of the system are periodically audited. The Director of Finance & Facilities ensures that authorized Facilities and Security staff are familiar with this Policy and that training is provided to all authorized personnel. The Director of Finance & Facilities oversees the day-to-day operations of security camera systems at the Central Library.

**Branch Manager** - The Branch Manager of a facility having security cameras is responsible for the day-to-day operation of the system in accordance with the Policy. The Branch Manager’s responsibilities include ensuring proper signage is in place, logs are maintained, monitors are only positioned in appropriate locations and that only authorized staff have access to the system. The Branch Manager ensures that authorized staff are familiar with this Policy and have adequate training. The Branch Manager ensures problems with the system or policy violations are promptly reported. The Branch Manager refers all requests to view recorded camera coverage to the Chief Librarian or designate.

**Personnel Authorized to Operate Video Equipment**
Only authorized personnel shall be permitted to operate security camera coverage systems.

**Unauthorized Access and/or Disclosure (Privacy Breach)**
Any Library employee who becomes aware of an unauthorized disclosure of a video record in contravention of this Policy, and/or a potential privacy breach has a responsibility to ensure that the Chief Librarian is immediately informed of the breach.

The following actions will be taken immediately in accordance with HPL's procedures for managing a privacy breach:

- Upon confirmation of the existence of a privacy breach, the Chief Librarian or designate will notify the Information and Privacy Commission of Ontario (IPC).
- HPL staff shall work constructively with the IPC staff to mitigate the extent of the privacy breach, and to review the adequacy of privacy protection with the existing Policy.
- The Chief Librarian, or designate in consultation with the Director of the department in which the breach of Policy occurred, shall investigate the cause of the disclosure with the goal of eliminating potential future occurrences.
- The departmental Director shall inform the Chief Librarian, or designate, of events that have led up to the privacy breach.
• The staff member shall work with the departmental Director and the Chief Librarian, or designate to take all reasonable actions to recover the record and limit the record’s disclosure.

• The Chief Librarian, where required, shall notify affected parties whose personal information was inappropriately disclosed.

• A breach of this Policy may result in disciplinary action up to and including dismissal. A breach of this Policy by service providers (contractors) to the Library, may result in termination of their contract.

Review/Approval History: December 2004; April 2010; March 2013

4.14 Cash Handling Policy

Policy Level: Library Board
Author: Director, Finance & Facilities
Review Period: 4 years
Last Revised: October 2017

Policy Purpose: The purpose of the Cash Handling Policy is to define the acceptable levels of control for Cash Handling operations for all Library locations to ensure clear and consistent practices within the Library for the handling of cash. This policy is designed to avoid mishandling or fraudulent activity in the handling of cash and to prevent and minimize the risk to employees when handling cash.

Key Points Summary:
• Promote proper and consistent cash handling practices across the Library;
• Establish a system of internal controls for cash handling to prevent mishandling of such funds;
• Assist in strengthening the security over cash receipts;
• Ensure an appropriate segregation of duties exists;
• Ensure appropriate safeguarding of cash

Definitions:

Bank Deposits – defined as consisting of coin, currency, cheques, and money orders.

Cash - defined as coin, currency, cheques, money orders and credit/debit card transactions.

Cash Float – funds used for the purpose of making change for a cash transaction.

Cashier - defined as any employee who performs the function of receiving, transmitting, safeguarding and/or depositing Library cash.

Point of Sale System – A computer used in place of a cash register to record transactions, handle credit and/or debit payments and print receipts and reports.
**PeopleSoft Financial System** – Accounting software utilized by the Library to record financial transactions.

**Refund** – A refund is defined as the exchange of monetary funds, debit transactions, credit card transactions or payment by cheque by the customer to the Library for goods or services that, after processing and settlement, has been mutually agreed to by the customer and Library that the repayment of a sum of money is required.

**Segregation of Duties** – Internal control concept in which the same employee does not have responsibility for incompatible activities such as handling cash and recording and reconciling transactions.

**Transaction Log** – Manual record used to record transactions.

**Void** - A void is defined as no exchange of monetary funds, debit transactions, credit card transactions or cheque payment by the customer to the Library for goods or services that, after it has been authorized but before it has been settled, has been mutually agreed to by the customer and Library that said transaction should not be processed.

**POLICY DETAILS:**
This policy applies to all Library staff, volunteers, students, and business partners who accept cash funds on behalf of the Library and whose financial transactions are captured within the Library’s financial systems.

This policy does not include controls pertaining to the use of petty cash funds.

Failure of staff to comply with this Cash Handling Policy could result in disciplinary action.

**Segregation of Duties**
No single person shall handle a transaction from beginning to end. No single person should have responsibility for both collecting cash and:

- Opening the mail;
- Depositing cash receipts;
- Recording or approving journal entries within the PeopleSoft Financial System;
- Performing bank reconciliations;
- Issuing invoices or posting payments within the PeopleSoft accounts receivable module;
- Initiating, approving or recording accounts receivable write-offs or other adjustments;
- Reconciling the numerical continuity of manual customer receipts, where applicable; and
- Using discretion as to whether a related charge will be levied and / or the amount of the
Where segregation of duties is not practical, additional compensating controls and mitigation practices such as managerial oversight are required to reduce the risk of loss.

**Receiving and Recording Cash Payments**
An incomplete record of cash transactions and adjustments provides an opportunity to misappropriate cash and omit the shortage from the accounting records.

All cash payments should be entered into the cash register or point of sale system immediately upon receipt from the customer. Where it is not practical to use a cash register or point of sale system, the cash payment should be recorded using pen in a transaction log which documents at a minimum the date, amount, type and purpose of the payment received.

A receipt should be printed from the cash register or point of sale system and provided to the customer for all payments received. A manual receipt should be prepared where it is not practical to use a cash register or point of sale system.

**Refunds and Voided Transactions**
Lack of documentation and management oversight provides an opportunity to process an unfounded refund or void transaction for cash and misappropriate the funds. All refunds and voided transactions should have the following supporting documentation:

- Transaction date;
- Customer name, address, phone number and signature;
- Original customer receipt (where available);
- Reason for the refund or voided transaction;
- Amount and form of payment;
- Signature of the cashier issuing the refund or void; and
- Signature of the supervisor approving the transaction.

Total refunds and voided transactions appearing on the cash register summary tape, point of sale system report or manual transaction log at the end of the cashier’s shift should be reconciled to the supporting documentation outlined above.

Management should investigate refunds and voided transactions for which no supporting documentation exists. Refunds should be returned using the same payment method as the original payment. For example, if the original payment was made using a VISA credit card, the refund must be returned to the same VISA credit card.

**Receipts Reconciliation**
Lack of management oversight and a proper receipts reconciliation process creates an opportunity to misappropriate cash and conceal the shortage. Cash, cheque, debit and credit
card receipts on hand should be counted and reconciled to amounts recorded in the cash register, point of sale system or transaction log.

Cash appearing on the cash register summary tape, point of sale system report or manual transaction log covering the shift period should be compared to the actual amount of cash on hand once the float balance is removed. Cash shortages or overages should be identified and explained. The receipts reconciliation should be documented, re-performed and reviewed by management and signed by both the cashier and management as evidence that the reconciliation is complete and accurate. Where it is not practical for management to review the receipts reconciliation, a second employee who did not participate in the particular cash handling activities may act on management’s behalf.

Management should summarize cash shortages and overages by date and amount. Management should review this summary at least on a monthly basis in order to identify trends or significant cumulative discrepancies. Significant shortages and overages should be brought to management’s attention, investigated, documented and resolved. At a minimum, documentation should contain a description of steps taken to investigate the shortage or overage and what action (if any) was taken by management.

**Bank Deposits**

Large amounts of cash stored on-site for an extended period of time provides an opportunity to misappropriate, skim or lap funds.

All funds should be deposited intact. No cash receipts should be retained or expended to pay invoices or miscellaneous expenses, replenish petty cash or make loans or advances. Cash back for debit or credit card purchases must not be allowed. Cash awaiting deposit should be stored in a secure location with limited access.

Cash appearing on the cash register summary tape, point of sale system report or manual transaction log covering the deposit period should be compared to the actual amount of cash on hand. Differences that were not previously identified as part of the receipts reconciliation process should be brought to management’s attention, investigated, documented and resolved. The deposit reconciliation should be reviewed by management and signed by both the employee and management as evidence that it is complete and accurate.

**Bank Reconciliation**

Lack of a bank reconciliation process creates an opportunity to misappropriate cash from the bank deposit and not detect the discrepancy.
Funds deposited should be recorded in the PeopleSoft Financial System and reconciled to bank statements at least on a monthly basis.

Point of sale system transactions should be automatically downloaded into the PeopleSoft Financial System. Manual journal entries are required to record cash register and transaction log activity into the PeopleSoft Financial System. Each branch should forward pertinent documentation to the Business Office in order to prepare journal entries.

The Business Office should perform, document, review and sign off on bank reconciliations by the end of the month following the month being reconciled. Any discrepancies between funds deposited and bank activity should be investigated and resolved with assistance from the branch.

**Safeguarding Cash**

Inadequate physical security provides an opportunity to misappropriate cash from the float, daily cash receipts and/or bank deposit. It may be difficult to identify when and why cash shortages occur or the person responsible if access to cash is not limited. Cash should be kept secure at all times. This includes but is not limited to:

- Keeping all cash in a locked cash register, cash drawer or cash box;
- Locking the cash register, cash drawer or cash box when cash is left unattended; and
- Affixing cash registers and boxes to a fixed surface to prevent removal.

Cash should be counted in a non-public, secure area, out of sight.

Physical access to the safe or storage areas where cash is kept should be restricted to a limited number of people. Access may be restricted by limiting those with access to keys or knowledge of the combinations. Access should be granted based on the employee’s job duties.

**Cash Float**

Continuous access to the cash float for an extended period of time without management oversight provides an opportunity to misappropriate, skim or lap funds. A cash float is issued for the purpose of making change for a cash transaction. Money from the float should not be retained or expended to pay invoices or miscellaneous expenses, replenish petty cash or make loans or advances.

The cash float should be stored in a secure location with limited access at all times. Access to the cash float should be limited to the cashier and their direct supervisor during a given shift. The cashier should count the cash float at the start and end of their shift. At a minimum, the float should be re-counted by management or their designate at the end of the cashier’s shift as part of the receipts reconciliation process. Shortfalls in the float balance should be brought to management’s attention, investigated, documented and resolved.

Review/Approval History: Last Revised July 7, 2010
4.15 Health and Safety Policy

Policy Level: Library Board  
Author: Director Human Resources  
Review Period: 4 Years  
Approval History: March 2018

The Hamilton Public Library Board will provide and maintain safe and healthy working conditions for all employees in keeping with the requirements of the Occupational Health and Safety Act and other relevant legislation. To fulfill this commitment the Library will:

1. Meet or exceed health, safety and ergonomics standards, applying the precautionary principle as needed.
2. Recognize the importance of consulting and cooperating with its Joint Health and Safety Committee when developing and implementing programs and procedures.
3. Provide training and education specific to job requirements.

Scope
This policy applies to all employees, including but not limited to, contractors, volunteers and Board members of the Hamilton Public Library.

Conditions
The following conditions will guide the development and implementation of all health and safety programs and procedures:

1. Protecting the health and safety of all employees is a commitment of the highest priority.
2. Management will take a leadership role in promoting a safe and healthy work environment.
3. Responsibility is shared by management, employees and the union to reduce injuries and illness by ensuring that jobs are performed in a safe and healthy manner.
4. Develop management systems and practices with employee involvement and cooperation to minimize injuries and illness.
5. Focus on the prevention of injuries and illnesses taking a scientific-based approach to principles and acceptable standards.
6. Make information about health and safety programs accessible to all employees.
7. Inform employees about any known health, safety and ergonomic hazards in their work.
8. Health and Safety programs and practices will be reviewed as needed or annually to ensure they are in keeping with legislative and corporate standards.

This policy statement is intended to provide direction for the development of all health and safety programs and procedures.  
Revision History: March 2014, March 2018
5. POLICIES RELATING TO STAFF

5.1 Code of Conduct & Conflict of Interest Policy

Policy Level: Library Board
Author: CEO/Chief Librarian- Director Human Resources
Review Period: 4 Years
Approval Date: November 2015

Scope
This Code of Conduct and Conflict of Interest Policy applies to all HPL employees, including but not limited to regular, temporary and contract employees, volunteers, students and interns (collectively referred to as “Employees”).

Core Principles
Core values of the Hamilton Public Library are: Intellectual Freedom, Inclusiveness, Innovation, Respect and Accountability. Each employee occupies a position of trust in dealing with others inside and outside the Library. Whatever the area of activity or degree of responsibility, the Library Board expects each employee to act in a manner which will enhance the Library’s reputation for ethical performance and professionalism in all its dealings.

The Hamilton Public Library is an organization funded primarily by the City of Hamilton and is charged with the management of public funds and programs, and therefore, employees must avoid not only actual conflicts of interest and breaches of trust, but also the appearance of conflicts of interest or breaches of trust.

Library employees often work in spaces where their actions are visible to members of the public. Staff need to ensure that both their actions and the appearance of their actions reflect well on the Hamilton Public Library. Focusing on meeting the needs of customers, including making them feel welcome in our spaces is essential to building trust and confidence in HPL.

Employees of the Hamilton Public Library are guided by the following principles:

1. We understand that we all have a role to play in ensuring the community has confidence and trust in HPL. We will behave with high ethical and customer service standards and be accountable for our actions.
2. We will be respectful of each other and towards members of the community we serve. We will treat all with dignity, respect and without discrimination.
3. We will adopt the perspective of advocate for our customers, ensuring we understand their needs and assist them to the best of our ability. If we are in doubt that we have not given a full answer or solution we will get appropriate assistance from other staff.
4. We will promote and foster a safe, secure and healthy work environment and public space for all.
5. As public servants we will not engage in any conduct or business practice which might bring the reputation of HPL into ill-repute or damage or diminish the reputation of the Library in the eyes of members of the community.
6. We will avoid actual and potential conflicts of interest or breaches of trust. We will be proactive in disclosing actual or potential conflicts with the appropriate individuals and seek proper advice if we are unsure.

7. We will abide by the law and adhere to all Hamilton Public Library policies and procedures. In following policy and procedures we will use good judgement and consider the individual needs of customers.

Customer and Service Commitment
At HPL our goal is to deliver an exceptional library experience. Library staff commit to:

- Providing professional, knowledgeable and best in class customer service.
- Be engaging with our customers and our community. We welcome feedback to continually improve our service delivery.
- Striving to meet your expectations for timely delivery of materials and provision of relevant services and programs. We are life-long learners and ready to help you with questions or concerns.
- Providing welcoming and inclusive spaces and be sensitive to your individual needs. We will maintain your confidentiality and privacy.

Conflicts of Interest & Breaches of Trust
Conflicts of interest and breaches of trust may take many forms. It is impossible to list them all. Remember, if you are unsure ask your manager/supervisor. In most cases, prompt and early disclosure of potential conflicts of interests will permit the problem to be resolved.

- **Definition of Family:** For the purposes of this policy family is defined as: spouse (including common law and same sex), or relative (including child, dependant, parent, foster or adopted parent, grandparent, grandchild, brother or sister, son-in-law, daughter-in-law, brother-in-law, sister-in-law).

- **Personal Benefit:** Employees shall not engage in any behaviour or conduct which may be seen to be an attempt to gain, through their positions as Library employees, or through their knowledge or contact gained as a Library employee, any personal advantage, advancement, favour, influence, benefit, discount or other interest, for themselves, their family or friends.

- **HPL’s Reputation:** Employees shall not engage in any activities or business practices which might bring the reputation of the Library into ill-repute or damage or diminish the reputation of the Library in the eyes of members of the community.

- **Protecting Confidentiality:** Protecting the confidentiality of customers, employees and business partners is a responsibility that all staff need to take very seriously.
  - Employees will not access personal customer information (i.e. borrowing records, computer logs...) unless it is required to conduct legitimate library related business.
  - Employees will not disclose personal customer information unless it is required to conduct legitimate library related business and/or is permitted under the Municipal Freedom of Information and Protection of Privacy Act.
Employees shall not release a customer's personal record or any other "personal information" about a customer without permission from the individual involved. This includes the right to privacy of a specific family member from inquiries made by other family members. Employees need to be knowledgeable of Library policies and procedures around parent’s access to children’s account information, picking up holds of family members and other related circulation functions that provide limited and defined exceptions where disclosure is appropriate.

Library staff need to be knowledgeable of Library policies and procedures related to assisting Police in cases of emergency or a criminal investigation.

**Waiving Fines and Fees:** In following policy and procedures employees will use good judgement and consider the individual needs of customers. Library procedures include circumstances when staff can adjust fines or fees based on the circumstances of the customer.

- Procedures for waiving or reducing monies owed to the Library must be adhered to so an appropriate record of the transaction is maintained for audit purposes.
- Employees will not exceed the staff limit to waive fines by creating multiple transactions below the threshold set out in policy. Where a larger waive seems justified staff should refer to the Manager or designate. Staff should use good judgement and may allow a checkout to continue by overriding the limit in cases where the matter has been referred to a Manager.
- Employees will not waive fines or otherwise adjust their own records or those of family members.

**Respecting Library Property including Library Collections:** Library collections, computers, furniture, supplies and equipment are held in trust by HPL for the purpose of fulfilling our mission to the people of Hamilton.

- Employees will not use library supplies or equipment for personal use, except where permitted by library policy. For example, the Staff Technology Use Policy allows for limited personal use of library computers in certain circumstances.
- Employees will access library collections for personal use by ensuring they are properly checked out on the integrated library system (ILS).
- Employees will not use access to the ILS or other systems to extend loan periods, adjust hold queues or fines for themselves or other employees. This restriction does not include staff that are accessing the system for legitimate business purposes, such as, setting up a display or resolving customer complaint or system problem.
- Upon termination of employment, an employee shall promptly deliver to HPL any and all property, technology, data, manuals, notes, records, plans, or other documents, including any such documents stored on any video or software related medium, held by the employee concerning HPL’s services and programs, know-how, developments, and equipment. This includes property made or prepared by the employee and relating in any way to the affairs of HPL. With permission, employees may retain samples of their work if such work is in the public domain. However, this paragraph shall not apply to any original research or to any articles or papers for which the
employee is an author or co-author, for which the employee shall retain all intellectual property rights.

- **Doing Business with HPL and Contract Approval:** Employees shall not, personally or through companies in which they or their family are involved:
  - Bid on Library contracts for the supply of goods or services
  - Work on Library contracts, for the supply of goods or services, other than in their capacities as Library employees.
  - Approve any contract, agreement or other document on behalf of the Library for any business in which they or their family is personally involved.

- **Hiring and Supervision of Employees:** Employees shall not be involved in any decision to hire or engage their family members for any employment with the Library whether temporary, full-time, part-time, casual or seasonal.
  - Employees shall not influence or attempt to influence any decision relating to the hiring of family members.
  - Employees shall not permit themselves to be placed in supervision over another Library employee who is a family member without disclosing the nature of the relationship to the appropriate supervisor.

- **Gifts and Benefits:** Employees shall not accept any gift, benefit, money, discount, favour or other assistance from any business which has a contract with the Library Board to supply goods or services, unless the gift, benefit, money, discount, favour, or assistance is one which, due to the nature of the business, is available to the general public.
  - No employees shall accept any gifts, hospitality, and invitations to special events which exceed $100 in value.
  - Nominal gifts or hospitality below $25 may be accepted under appropriate conditions.
  - Gifts or hospitality ranging from $25 to $100 may be accepted under appropriate conditions as long as they are documented and disclosed. Employees will disclose the receipt of such gifts to the Chief Librarian and Director of Finance and Facilities. The Chief Librarian will disclose to the Library Board Chair.
  - **Appropriate conditions** for this policy is defined as: it is in the context of a business meeting or interaction, or in the context of a recognized charitable event; and it is an infrequent occurrence; and it legitimately serves a business purpose; and it is appropriate to the business responsibilities of the individual employee; and the gift or hospitality is not an attempt to seek special favours or advantages from the employee or HPL.

- **Speaking Fees and Publications:** No employee shall charge or knowingly accept a fee for taking part in a public speaking engagement such as a public radio/television broadcast, web site broadcast or conference to which he or she was invited as a direct result of his or her position as an employee. No employee shall charge or knowingly accept a fee for writing or publishing articles or books in any print or online publications, if such articles or books directly relates to the employee’s position at HPL or uses insider information about HPL. The
same restrictions apply for the creation of audio, video and other media types. The rules specified in the Gifts and Benefits section apply to Speaking Fees and Publications, however, some additional exceptions apply:

- Accepting free admission from the seminar or conference organizers for the balance of the seminar or conference is not a violation of this Policy.
- Any fee that is received for work done during normal working hours, or at any time where the employee is representing the Library, shall be turned over to the Library, unless the value of the fee does not exceed expenses (incurred for attending the event) which are not reimbursed by the Library.
- Employees may charge or accept a fee for speaking engagements during time off work (e.g. vacation time) providing such employees are not representing or purporting to represent the Library.

- **Outside Employment**: Employees shall not take outside employment, including self-employment, if such employment: causes a real or apparent conflict of interest; or is performed in such a way as to appear to be an official act of or to represent HPL; or interferes with regular duties in any way, or involves the use of Library premises, resources or equipment including but not limited to Library e-mail, telephones, cell phones, or supplies.
  - Where it appears that a conflict of interest might arise in accepting outside employment, employees must notify their supervisor in writing of the nature of such outside employment prior and receive written permission prior to the acceptance of such employment.

- **Community Board Activity**: Employees are encouraged to volunteer in the community on their personal time and this may include serving on local boards or agencies; however, no employee shall accept an appointment to the Board of a community agency or association that deals with matters related to the activities of HPL, without the written permission of the Chief Librarian or designate. Written permission of the Chief Librarian or designate is not required if the employee is appointed to the Board of the agency or association by HPL to represent HPL’s interests.
  - Any Library employee serving on a community board shall take all reasonable actions to avoid any real conflict or apparent conflict between Board activity and HPL’s interests. Where a real or apparent conflict exists, the employee shall declare the conflict and shall not take part in, or be present for, any Board discussion or decision about the issue raising the conflict of interest. If the conflict of interest is significant, the employee shall resign from the board.

- **Compliance with Laws and Regulations**: Employees shall not, during the course of the conduct of their employment duties, knowingly violate, or permit the violation of, or fail to report the violation of, any federal or provincial statute or regulation. Staff will adhere to all policies of the Hamilton Public Library. Library procedures exist to provide guidance to staff in circumstances where potential crimes need to be reported to the Police.
• **Software Piracy**: HPL forbids software piracy, defined as using any unlicensed copy of a software package that has not been purchased for Library purposes. It includes taking a copy of a licensed software package for one’s own use or passing a copy on to another person for their use (See the Staff Technology Use Policy.)

• **Public Duty**: Some positions in the organization are more subject than others to conflicts of interest. Managers, Directors and employees who give professional advice or assistance, or participate in enforcement and/or inspection activities, shall take every reasonable action not to place themselves in conflict of interest situations, or exhibit behaviour or commit acts which could bring disrepute to HPL or undermine HPL’s reputation.
  
  o Since public criticism can also undermine HPL’s reputation, employees are expected to refrain from public criticism of HPL or of other Library employees through all venues including social networking. This does not remove employees’ rights as citizens to comment generally on matters of public interest, but in exercising this right, Library employees must not identify themselves as such or purport to be speaking on behalf of the HPL.

**Compliance**

Employees are reminded of the importance of disclosure. In most cases, prompt and early disclosure of potential conflicts of interests will permit the problem to be resolved.

By signing the Employee Code of Conduct & Conflict of Interest Policy, employees acknowledge and accept responsibility to act and behave in a manner that is consistent with the expectations prescribed in this Policy. Employees collectively benefit from an overall atmosphere of high ethical conduct that flows from this commitment. Employees who are found to be in a conflict of interest or breach of trust, or who fail to disclose circumstances with the potential for a conflict of interest or breach of trust will be dealt with seriously and disciplinary action up to and including termination will be taken.

**References & Related Links**

• City of Hamilton:
  o [Code of Conduct for Employees Policy](#)
  o [Schedule A: Conflict of Interest](#)
  o [Schedule B: Fees, Gifts and Hospitality](#)
  o [Disclosure of Gifts and Hospitality Form](#)
  o [Schedule C: Financial and Business Integrity](#)
  o [Schedule D: Outside Employment and Integrity](#)

• Municipal Freedom of Information and Protection of Privacy Act
• Ontario Human Rights Code
• Accessibility for Customers with a Disability
• Advocacy and Political Participation Policy
• Diversity and Inclusion Policy
• Privacy Policy
• The Rights of Children and Teens in the Public Library Policy
• Security Camera Policy

**Approval History**: December 2002; November 2015;
5.2 Hiring Policy

Policy Level: Library Board
Author: Director Human Resources
Review Period: 4 Years
Approval Date: June 2018

Purpose
The purpose of this Policy is to set a consistent and equitable standard for the recruitment and selection of employees at the Hamilton Public Library. This will help to create a diverse and qualified talent pool to support the Library’s current and future business needs. Effective recruitment, selection and promotion practices optimize the efficiency of human resources, and maximize the number of promotion and career development opportunities for existing employees.

Key Points Summary:
- The Hiring Policy exists to ensure consistent and equitable processes are followed
- This is to create a diverse and qualified talent pool
- HPL is committed to transparent and merit-based selection
- The following criteria inform the selection process: seniority, knowledge, education, experience, qualifications, ability and skill to fill the vacancy immediately

Policy
The Hamilton Public Library is committed to transparent and merit-based selection in all of its hiring decisions. All applicants are given an equal opportunity for employment in compliance with the provisions in the Ontario Human Rights Code, the Accessibility of Ontarians with Disabilities Act and any other applicable legislation.

The Hamilton Public Library recognizes that its effectiveness as a publicly-funded organization is determined largely by the quality of its workforce. To this end, an impartial and objective recruitment and selection process best ensures the employment of the most qualified and experienced personnel available. The Hamilton Public Library Board is committed to ensuring that the best-qualified candidates are selected for positions within the Library system.

It is the policy of the Library to hire employees on the basis of merit and the following criteria will govern during the selection process: seniority, knowledge, education, experience, qualifications, ability and skill to fill the vacancy immediately shall be selected. A relative of an existing employee, who is identified as being the best candidate, may be hired if there is no direct on-the-job supervisory link between the parties.
The Hamilton Public Library will not tolerate acts of favouritism, discrimination or influence in the selection process. Elected officials, appointed officers or employees of the Library shall not attempt to influence the hiring of any applicant.

As per our policy, all candidates selected for positions that require employees to work closely together with children and vulnerable adults, whether with or without supervision, will require a Vulnerable Sector Screening as a bona fide occupational requirement.

To facilitate effective recruitment and selection, all hiring will be coordinated through the Human Resources Department. For permanent positions, the Human Resources Department is responsible for assembling the most qualified and experienced candidates available, and for providing professional assistance and counsel to the hiring Department or selection panel. The Chief Librarian/CEO is responsible for the final hiring decisions.

Approval History: May 2010, June 2013, June 2014, June 2018

5.3 Rehiring Retirees Policy
Author: Human Resources Director
Policy Level: Library Board
Review Period: 4 Years
Approval Date: June 2018

Purpose
The purpose of this policy is to identify circumstances whereby a former employee who has retired from the Library can subsequently return to work for the Library. The policy is based on the need to maintain a consistent and transparent hiring process for departments to follow when contemplating resource options which include the re-hiring of retirees.

Key Points Summary
- The Rehiring Retiree Policy exists to ensure consistent and equitable processes are followed
- To ensure that it does not become a substitute for encouraging the development of well-qualified staff
- To ensure it is time limited and for a specific set of skills required

Scope
This recruitment policy applies to all regular full-time, part-time, contract positions and Library Page (casual) staff who, following official retirement, elect to seek re-employment with the Library. Official retirement refers to the former employee advising the Library in writing that they are retiring from the organization.

Rehiring Retirees Protocol
As an equal opportunity employer, the Library values diversity and is committed to principles found in the Ontario Human Rights Code.

The Library is committed to effective succession planning and does not intend to use the Library retiree re-employment as a substitute for developing well qualified staff. The Library will not rehire its retirees for the sole purpose of convenience.

Re-employment must be in response to a Library need, for example: the retired employee possesses skills and institutional knowledge that the hiring department cannot otherwise readily obtain in the community; or the hiring department anticipates that the retired employee will assist their replacement in acquiring the necessary skill and knowledge through a knowledge transfer not otherwise available.

Retention of the retiree must not exceed a total of six (6) months. Any period beyond six (6) months requires approval of the respective Director to a maximum of an additional six (6) months.

**Responsibilities**

**Human Resources** – The Director of Human Resources is authorized to ensure that the information within this policy is applied and that all actions comply with the Employment Standards Act, Ontario Human Rights Code as well as any additional provincial legislation and Collective Agreements.

**Managers** – To ensure that this policy is followed when conducting any recruitment searches. Managers are required to work with Human Resources prior to any offers of employment.

Related Policies: Hiring Policy

**Approval History:** May 2014, June 2018

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### 5.4 Staff Development and Training Policy

**Policy Level:** Library Board  
**Author:** Director Human Resources  
**Review Period:** 4 Years  
**Approval Date:** February 2017

**Purpose**

To be successful at an individual, team or corporate level, employees need the right knowledge, skills, attitudes and competencies to support Hamilton Public Library’s (HPL’s) Mission, Values, and Strategic priorities. This policy provides a framework for staff development and training activities. Learning, personal and career development activities, and knowledge sharing are responsibilities of all employees and have a broader focus than training alone. Training is just one component of a complete learning and development strategy. Employees’ learning, personal
and career development activities are tied to the Goal Setting and Performance Review process that is described in HPL’s Performance Management Policy.

**Policy**
The Hamilton Public Library recognizes the benefits of investing in staff development and training in order to

- build a competent, diverse, and professional workforce;
- increase employee engagement and job satisfaction;
- maintain public confidence in the quality of HPL’s service delivery;
- position HPL as an attractive employer in the job market;
- create a skilled and versatile workforce that can adapt to changing needs;
- reduce risk and exposure to liability due to non-compliance with legislated requirements;
- foster employee career growth, high performance, and innovation, and
- act as an important input to workforce planning including succession planning.

Employees interested in a career with the Hamilton Public Library should be prepared to develop a Learning and Development Plan for their own learning and professional development and to seek feedback about that plan from their manager or supervisor and the Human Resources Department. While it is acknowledged that not all employees may have a desire to move into a higher level role or managerial or supervisory role, continuous learning and development is important to stay current with changing trends and technology in an employee's existing role.

Learning and Development Plans will reflect the employee's individual needs and the operational needs of the Library. Employee Learning and Development Plans will outline what competencies require improvement or further development, what actions need to be taken by the employee and the employer, and the target completion date. A Learning and Development Plan may also include what future roles the employee would like to move toward at the Library, and those career goals will guide parts of the Plan.

Learning and Development Plans are a key component of HPL’s Goal Setting and Performance Review process. Goal setting and performance review meetings are held to ensure that employees understand what is expected of them and what supports are available to them. Learning and development planning is a process that involves both employee and manager input. The Library provides resources for the training and developmental support of employees.

**Statement of Principles**
Hamilton Public Library is committed to

- fostering a learning culture where learning and development opportunities are provided to help employees develop and apply new competencies and work flexibly to meet the constant changes of day-to-day operations;
- ensuring learning activities align with strategic priorities and current operations and projects as adult learning is most effective when learning directly relates to job responsibilities and is immediately relevant;
• encouraging and assisting staff to develop their skills and knowledge to improve individual performance and to promote job satisfaction;
• ensuring fair and equitable access to development opportunities for employees at all job levels and in all job functions, so that they may develop in their existing role, and/or grow into their next position;
• ensuring that sound educational and instructional design principles are applied in all approved education and staff development programs;
• making use of existing staff expertise where appropriate to staff development goals, and promoting knowledge sharing as common practice among employees;
• recognizing that learning and development is a joint responsibility shared by the Library and the employee;
• providing necessary resources including time for learning, funding, qualified leadership, physical spaces suitable for learning functions, and appropriate technology, and
• assessing training options to ensure value for money spent, negotiating with vendors to encourage learning content alignment with the Library’s operational needs and goals, and evaluating transfer of training by the employee on the job.

Responsibility
Responsibility for staff development and training at Hamilton Public Library is multilayered and is shared among the following parties:

• The effectiveness of any staff development activity depends on the active and purposeful participation of the individuals involved. Employees have a clear responsibility to develop their skills to enhance performance in their current position and to be ready to assume further responsibilities.
• Senior Administration and Management have overall responsibility for the development of Library staff.
• The Coordinator, Staff Development and Training, and the Director, Human Resources support the programs that are part of the Learning Institute at HPL and have overall accountability for the extent, quality, effectiveness and equitable nature of staff development, for planning and overseeing the development, scheduling and funding of internal staff development and training initiatives, for review of external opportunities relevant to Hamilton Public Library goals and for assessing options and negotiating with vendors such as trainers or coaches or consultants.

Definitions
Staff development refers to the provision of resources and the scheduling of activities to advance employees’ knowledge, understanding and skills through the Learning Institute at HPL and to meet succession planning needs.

The Learning Institute at HPL offers opportunities designed to support a comprehensive and continuous process of professional growth, including opportunities for exposure to varied ideas and diversity of experience. Learning Institute programs foster staff development through
means such as onboarding, training, mentoring, coaching, and optional and required internal and external learning programs including lunch and learn sessions, conferences, workshops, coursework, leadership development programs, e-learning programs, webinars, participation on system committees and special projects, professional summits and knowledge sharing opportunities.

**Education** in this policy refers to formal education qualifications referred to in job descriptions and obtained through study at academic institutions. Educational qualifications are highlighted in HPL’s Educational Qualifications Policy.

**Approval History:** August 5, 2010; June 2016, February 2017
### 5.5 Senior Leadership Team (SLT) Level Policies

To comply with legislation and regulations the Senior Leadership Team is responsible for ensuring up-to-date policies and procedures are in place. On the staff Intranet a Policy and Procedures manual is maintained that includes SLT level policies/procedures and Board level policies. SLT level polices are developed to be consistent with Library Board policies and position statements.

**List of Senior Leadership Team Level Policies**

<table>
<thead>
<tr>
<th>Category</th>
<th>Policy Title (Existing Policies being combined)</th>
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| Policies Regarding Customers | • Banning of Customers  
• Comments on Service  
• Inclement Weather  
• Information Services  
• Personal Photography  
• Professional Filmography  
• Visiting Library Service (VLS) |
| Library Management Policies | • Pest Prevention and Containment (*Bed Bug or Insect Returned Materials; Bed Bug Prevention and Containment*)  
• Biohazardous Materials Recovery & Handling  
• Bomb Threat and Suspicious Packages  
• Collection Agency  
• Committees and Teams  
• Disruption of Service  
• Flag Etiquette  
• HPLnet Staff Intranet  
• Inspection from Ministry of Labour  
• Insurance Coverage for Staff and Visitors While on Library Property  
• Lost and Non-HPL Material (*Lost Material, Non-HPL Material Returns*)  
• Media Releases and Public Service Announcements  
• Panic Alarms  
• Power Failures  
• Program Guide  
• Publicity and Poster Standards  
• Refunds  
• Reporting Child Abuse or Neglect  
• Secondary School Volunteer Commitment  
• Security  
• Smoke-Free |
| Policies Relating to Staff | • Absences due to Inclement Weather  
• Access to leadership Development Programs  
• Attendance Policy |
<table>
<thead>
<tr>
<th>Policies Relating to Staff Continued</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Business, Conference Attendance and Travel <em>(Business Travel, Conference Attendance, Parking, Personal Vehicle use for Library Business, Workshop and Seminar Attendance)</em></td>
</tr>
<tr>
<td>• Casual Staff Policy <em>(Hours of Work and Scheduling Casual Staff, Job Duties and Performance of Casual Staff, Orientation and Training for Casual Staff, Record Keeping for Casual Staff, Recruitment and Hiring of Casual Staff, Termination of Casual Staff, Vacation and Leaves for Casual Staff)</em></td>
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<tr>
<td>• Dress Code</td>
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<td>• Educational Policy</td>
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<tr>
<td>• Educational and Other Work Placements</td>
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<tr>
<td>• Employee Files</td>
</tr>
<tr>
<td>• Employee Identification</td>
</tr>
<tr>
<td>• Employee Recognition</td>
</tr>
<tr>
<td>• Employment Equity</td>
</tr>
<tr>
<td>• Employment of Relatives</td>
</tr>
<tr>
<td>• First Aid</td>
</tr>
<tr>
<td>• Fragrance Sensitivity Guidelines</td>
</tr>
<tr>
<td>• Job Sharing</td>
</tr>
<tr>
<td>• Ladder Safety</td>
</tr>
<tr>
<td>• Long Distance Telephone</td>
</tr>
<tr>
<td>• Meal Allowance</td>
</tr>
<tr>
<td>• Memberships and Professional Fees</td>
</tr>
<tr>
<td>• Performance Management</td>
</tr>
<tr>
<td>• Personal Protective Equipment (PPE) <em>(PPE, Prescription Safety Glasses, Safety Shoes)</em></td>
</tr>
<tr>
<td>• Reference Checks for Former Employees</td>
</tr>
<tr>
<td>• Scheduling Guidelines</td>
</tr>
<tr>
<td>• Sign-in - Central and Branches</td>
</tr>
<tr>
<td>• Staff Borrowing Privileges</td>
</tr>
<tr>
<td>• Staff Technology Use</td>
</tr>
<tr>
<td>• Staff/Union Notification</td>
</tr>
<tr>
<td>• Staffing Shortages</td>
</tr>
<tr>
<td>• Sunday Schedules</td>
</tr>
<tr>
<td>• Tuition Assistance</td>
</tr>
<tr>
<td>• Union Business on Library Time</td>
</tr>
<tr>
<td>• Vacation Scheduling Guidelines</td>
</tr>
<tr>
<td>• Vulnerable Sector Screening</td>
</tr>
<tr>
<td>• Work Refusals (OHSA)</td>
</tr>
<tr>
<td>• Workplace Accidents</td>
</tr>
<tr>
<td>• Workplace Harassment</td>
</tr>
<tr>
<td>• Workplace Hazardous Materials Information System (WHMIS)</td>
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<tr>
<td>• Workplace Protocol</td>
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<tr>
<td>• Workplace Violence Prevention</td>
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**Annual Staff Policy Sign-off**

In addition to orientation, training and reviews of policies at staff meetings, staff are required to annually signoff on the following policies. On the Intranet a list is maintained that requires all staff to annually review and sign-off on these selected policies:

| Accessibility for Customers with a Disability | Staff Technology Use Policy |
| Code of Conduct and Conflict of Interest       | Vulnerable Sector Screening Policy |
| Employee Identification Policy                 | Workplace Violence Prevention Policy & Program |
| Health and Safety Responsibilities             | Workplace Harassment Policy |
| Privacy Policy for Library Customers           |