

Annexure B

City of Johannesburg Metropolitan Municipality Library and Information Services By-Law of 2016

To promote the development of public library and information services, to promote public access to and use of public library and information services; to provide for guiding principles for public library and information services; to provide for policy and minimum norms and standards for public library and information services; to provide for the establishment and functions of the Public Library and Information Services unit; to promote co-operative governance and co-ordination of responsibilities for public library and information services; and to provide for matters connected therewith.

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CHAPTER 1
INTERPRETATION, APPLICATION AND OBJECTS

Definitions

1. In this Act, unless the context indicates otherwise:

“**City council**” means:

- a) The Metropolitan Municipality of the City of Johannesburg established by Provincial Notice No 6766 of 2000 dated 1 October 2000, as amended, exercising its legislative and executive authority through its municipal Council; or
- b) Its successor in title; or
- c) A structure or person exercising a delegated power or carrying out an instruction, where any power in these by-laws has been delegated or sub-delegated, or an instruction given, as contemplated in section 59 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000); or
- d) A service provider fulfilling a responsibility under these by-laws, assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act (Act No. 32 of 2000) or any other law, as the case may be.”

“**Constitution**” means the Constitution of the Republic of South Africa, 1996;

“**Library**” means any public library administered and maintained by the Council

“**Librarian**” means an official employed by the Council who exercises control of and manages a library or a section thereof, and includes any assistant to a librarian;

“**Library Community Forum**” also referred to as the “**committee**” means a mandatory committee set up under the supervision of the Librarian comprising library members from the libraries catchment area.

“**Library material**” means any book, periodical, manuscript, chart, map, video cassette, slide, filmstrip, microfilm, audio cassette, audio-compact disc, computer software or any other material or service supplied by a public library;

“**Minor**” means any person below the age of 18.

“**Member**” means any person who has successfully applied for membership to a library

“**Pensioner**” means any person over the age of 60 years.

“**Public library and information services**” means a library established, funded, developed or maintained by the Municipality for the purpose of providing services for the benefit of the public;

Application of the By-law

2. This by-law applies to public library and information services in the Municipality.

Objectives of the By-law

3. The objectives of this by-law are:

- a) to promote the development of public library and information services in the Municipality;
- b) to provide for guiding principles for public library and information services;
- c) to promote access to and use of public library and information services;
- d) to promote the transformation of public library and information services;
- e) to provide for policy and minimum norms and standards for public library and information services; and
- f) to promote co-operative governance and co-ordination of responsibilities for public library and information services in the Municipality.

4. Vision

4.1. A library shall be established in every ward in the Municipality within three years of the promulgation of this by law;

- 4.2. The Municipality shall set aside 5% of its total annual budget for the library and information services sector;
- 4.3. Each of these libraries shall have:
- (a) A main library space of a minimum of 100 square metres;
 - (b) A study room of a minimum of 100 square metres;
 - (c) A multipurpose seminar room of a minimum 100 square metres;
 - (d) A minimum of one well maintained computer, no more than 5 years old, per 1000 citizens registered to vote in the ward;
 - (e) Clearly visible signage showing the type of library; services provided by that library; library hours; and the closest local community; branch; or regional public library;
 - (f) Safety and Security provided by Metro Police Officers who contact details are prominently displayed;
 - (g) Maintained gardens where appropriate provided by City Parks with the regional city parks manager visiting the site monthly;
 - (h) Public bathrooms for library members at a minimum of four toilets;
 - (i) A minimum ratio of 50% of materials being by African authors;
 - (j) Materials available in a range of the official languages; as well as other languages in use within the ward; and
 - (k) An individually allocated annual library capex and opex budget per library that is publicly displayed in each respective library.

Management and Staffing

5. Management of all libraries falls within the mandate of the City Council

5.1. Management Structure:

- 5.1.1. The City Council Section 79 Committee on Social Development shall meet collectively with all Regional Library Managers every three months, in order to discuss strategy and evaluate progress on the implementation of this by-law and library policies.
- 5.1.2. Regional Library Managers shall;
- a) meet collectively with the librarians of all libraries within their region on a monthly basis in order to receive recommendations and feedback on operations, and resolve any issues.
 - b) utilise data received to inform a strategic plan aligned with the Integrated Development Plan which will direct the Council on future library policy.
- 5.1.3. Librarians of all libraries must call regular monthly meetings of the Community Library Forum as established in Section 4.2.2 of these by-laws to discuss community plans and strategies for the library. The agenda for these meetings will be informed by input from library staff as well as members of the public.
- 5.1.4. Daily records of crowd numbers, new memberships, sign outs, suggestions etc. must be kept by libraries in order to evaluate public attitudes and relevance of the library. Data must be shared with the Community Committee and Regional Library Manager for analysis and evaluation and form the basis of future strategic policy.

5.2. Staffing:

- 5.2.1. A librarian is the steward of the library and therefore informs the culture and practices of that library. For this reason it is imperative that a minimum set of competencies be outlined for anyone wishing to carry out this role. One holding such a position should:
- a) Be qualified with a Diploma in Library and Information Services, or equivalent qualification.
 - b) Be fully computer literate and have received training in the necessary library; as well as word processing, web browsing and elearning software.
 - c) Shows proven management and administration skills, as well as a proven interest in reading and community development from past experience.
 - d) Be trained in cultural sensitivity and interpersonal skills in order to ensure that the public have a pleasant library experience.
 - e) Be able to converse in at least 2 of the languages spoken in the ward.
- 5.2.2. The librarian shall be responsible for:

- a) Creating and updating a social media presence online,
 - b) Offering assistance to members of the library and general public to source material,
 - c) Establish a Community Library Forum which will facilitate monthly community input on library plans and strategies.
 - i. The Librarian shall chair the forum and the monthly meetings conducted;
 - ii. Any member of the Library may attend and participate in the forum meetings;
 - iii. The minutes of these minutes shall be displayed on the library bulletin board.
- 5.2.3. The Council shall budget for and organise an annual conference attended by all librarians of the City and all members of the Section 79 Committee on Community Development; for the purposes of knowledge sharing; discussing international best practices; developing policy proposals; reviewing, monitoring and proposing amendments to this by-law; personal and professional development; agreeing a calendar of activities for the year ahead.
- 5.2.4. For the library to respond appropriately to community knowledge and information needs the following staff makeup, subject to the size and usage of a particular library, is recommended per library. At least:
- a) 2 Professional Librarians;
 - b) 1 Relief staff member (a trained librarian); and
 - c) a minimum of two Volunteers' to assist during peak times.
- 5.3. A social contract and suggestion box:**
- 5.3.1. Every Public library is required to formulate and display prominently a Social Contract that governs acceptable and unacceptable behaviours and practices within the library space. This Social Contract will be informed by the Constitution of the Republic, Community Needs Assessments, and existing legislation.
- 5.3.2. A medium for public feedback must be easily accessible and prominently displayed within the library. This can be in the form of a suggestion box, comments book, or comments on social media.
- 5.3.3. All suggestions should be responded to within 30 days. These suggestions should be discussed at the Library Community Forum Meeting.
- 5.4. Management deliverables:**
- 5.4.1. City Council shall be responsible for ensuring that the Library and Information Services sector receives adequate funding and other resources in order to ensure sustainability and growth in the sector. The City Council is also responsible for actioning the recommendations of Regional Managers, Community Library Fora, and the Conference of City Librarians.
- 5.4.2. Regional Library Managers are responsible for:
- a) Being in regular communication with librarians and community library Fora;
 - b) Mobilising the resources required for the implementation of Community Library Forum plans;
 - c) Designing and implementing campaigns aimed at literacy development and a culture of reading in communities; and
 - d) community building.
- 5.4.3. Librarians will be responsible for creating an open and inclusive environment for members of the community.
- 5.5. Oversight and markers for performance evaluation - Punitive measures:**
- 5.5.1. All employees of the Library and Information sector will be subject to bi-annual performance reviews. Any inadequacies will be remedied through mentorship and targeted training.
- 5.5.2. Gross or consistent maladministration will result in dismissal.

Community Involvement

6. Community involvement is a mandatory part of the administrative and management structure of the library. To facilitate such community involvement a Community Library Forum must be established for every library as per section 5.2.2 (c).
- 6.1. The Forum should facilitate the participation and inputs of a diverse selection of library members across the age, gender, sex, occupation, ability spectrum.
 - 6.2. The Forum must include, at minimum;

- a) 1 librarian,
- b) 5 representatives from the community.

6.3. The Forum will be responsible for:

- 6.3.1. Ensuring that the library is tailored to the needs of the community in which it is based.
- 6.3.2. Literacy programmes which involve surrounding nursery, primary and high schools to facilitate a culture of reading.
- 6.3.3. Developing a systematic communication structure to library members with regards to library plans, activities and services. This may be executed by sending out emails, and/or communication using library notice boards.

7. Systems and Operations

7.1. Library space uses

7.1.1. The Library may be used as a venue to host community events or hired out for private functions, provided that:

- a) a written or online application is made to the Librarian and approved by the Regional Manager,
- b) it does not affect or interrupt the normal functioning of the Library during the times stipulated in section 6.2.

7.2. Library hours

7.2.1. The Library will be required to be open to the public for a minimum of fifty (50) hours a week, including at least one day of the weekend, and open until 8pm on at least two days of the week.

7.3. Software and access

7.3.1. All Libraries must run on a single city-wide library management software programme. This is to ensure that library resources are properly recorded and usage can be mapped for optimum utility.

7.3.2. A city libraries website shall be established and maintained on a regular basis; making publicly available:

- a) the libraries by-law;
- b) any city policies pertaining to libraries;
- c) names and contact details for each member of the Section 79 Committee on Community Development;
- d) Names and contact details of Regional Library Managers;
- e) Types of libraries, services offered and operating hours;
- f) Library addresses and contact details;
- g) Online membership applications;
- h) Inter-library material loans;
- i) Libraries blog for community engagement;
- j) Community Library Forum Members and Contact Details for each library;
- k) Community Library Forum Meeting Minutes and Meeting Dates;
- l) Community Library Forum proposed plans and budgets;
- m) Calendar of citywide library activities;
- n) Individual Library Budgets as approved by the City; and
- o) Any other information requested by Community Library Forums.

7.3.3. A complete and regularly updated library catalogue must be made accessible to the public online and on self-search terminals within the library; with the funct

7.4. Admission

7.4.1. Any member of the public may gain access to the library during the times in which it is open, provided:

- a) they abide by the rules that govern the library, and
- b) the numbers of people within the library are not so great so as to pose a public safety threat.

7.5. Membership

7.5.1. Application for membership to all of the Municipality libraries must be done on a form provided by Council which requests pertinent details. This membership process must also be made available online.

- 7.5.2. Onsite or online applications must be processed immediately so that users may gain access to borrowable information on the same day.
- 7.5.3. Membership is free of charge and grants access to all library services.
- 7.5.4. Pensioners and the disabled may check out a greater number of books free of charge, should they so prefer.
- 7.5.5. Homebound residents within the Municipality may call their nearest library to:
 - a) have a staff member come to their home to facilitate their application process, and
 - b) deliver and pick up books.
- 7.5.6. A minor must have their application completed by an adult who will assume responsibility for the library resources loaned to the minor.
- 7.5.7. Application for library membership serves as an agreement that the applicant will abide by the rules governing the library.

7.6. Loan of Library Material

- 7.6.1. It is assumed that all Library resources are available to be borrowed,
 - a) Any exceptions will be determined by the Librarian
 - b) Special journals and reference books must be clearly marked as not for use outside the library in a place where the books are situated as well as at the front desk.
- 7.6.2. Any borrowed material is the responsibility of the library card owner and said person will be liable for any damage to or loss of library material.
- 7.6.3. Any damage to library material prior to borrowing must be brought to the attention of the librarian and a record must be made of the particulars of the damage.
- 7.6.4. The librarian reserves the right to not allow particularly damaged material to leave the library premises.

7.7. Inter-library loans

- 7.7.1. Should a resource not be available at a particular library but is catalogued as available at another Municipality library, an inter-library loan may be requested at no cost to the member, by filling out a form either online or at the library.
- 7.7.2. Member will be notified as soon as the material is delivered to the library at which the request was made.
- 7.7.3. Failure to procure the materials within five working days will require an acceptable explanation from the Regional Library Manager to the member.

7.8. Return of Library Material

- 7.8.1. Any borrowed library material must be returned by the last day of the 14 day loan period.
- 7.8.2. Should the book not be on hold by another library member, the loan period may be extended for another 14 day period their telephonically, online or onsite. After this period, the book must be brought to the library to be return or renewed.
- 7.8.3. Should the member fail to return or renew library material held on their card, a fine will become payable from the first day of delinquency onward.
- 7.8.4. After a week, written or telephonic notice will be sent from the library to the card holder either physically or electronically, who must then return or account for the library material within three days.
- 7.8.5. Should library material be damaged while in the possession of the library member, that member shall incur the cost to repair or replace the damaged property of the library.
- 7.8.6. Should library material be lost or misplaced, the library card holder against whose card it was borrowed is liable to replace the item or pay a fine valued at the cost of the lost item.
- 7.8.7. In the event that a member wishes to return library materials after hours, a drop of bin will be placed in an appropriate location.

7.9. Reservation of Library Material

- 7.9.1. Borrowable library material may be reserved for any member of the library for a maximum of 24 hours. After this time the reservation will be cancelled.

7.10. Holds on Library Material

- 7.10.1. Should a member require material that has already been loaned out, a hold may be placed to ensure that;
- a) The material is not renewed by the member in whose possession it is at the time of the hold.
 - b) The member placing the hold gets first priority when the material becomes available.

7.11. Computer Stations

- 7.11.1. Any person may utilise the computers available at the library, at no cost, provided that the user:
- a) log in with the required details
 - b) abide by all rules and regulations governing the library
 - c) Observes the maximum period of use which is one hour at times when computer stations are in demand.
 - d) Abstains from loading personal software on to any hardware comprising the computer station.
 - e) Assumes responsibility to bear the cost of repairing any damage caused intentionally or negligently to the computer station while being operated by him or her
 - f) Agrees to and abides by any computer/internet usage policy, which shall be prominently displayed.

7.12. Handling of Library material

- 7.12.1. Any person handling library material must:
- a) Keep the material in a clean condition and endeavour to prevent damage being caused to the material by defacement marks, creases or mutilations.
 - b) No person suffering from a notifiable medical condition proclaimed in terms of section 45 of the Health Act, 1977 (Act No. 63 of 1977), may borrow or handle library material, if such handling or contact would expose others to the danger of infection or any form of health hazard.
 - i. These provisions also apply to any person supervising or in charge of another person known by such person to be suffering from a medical condition, contemplated in that subsection.
 - ii. A notice with examples of notifiable medical conditions must be displayed at a prominent place in the library
 - iii. Any person in possession of library material which to that person's knowledge has been exposed to a notifiable medical condition, must immediately inform a librarian that the library material has been so exposed.

7.13. Conduct within the library

- 7.13.1. The Library should be respected as a community hub and interactive multipurpose educational space.
- 7.13.2. Spaces within the library will be demarcated for quiet study and discussion in order to cater to a variety of needs within the space.
- a) Mobile phones will be permitted in the Library only if they are on silent.
 - b) Calls may not be taken inside the quiet study area.
- 7.13.3. Food cannot be consumed within the library.

7.14. Any person who:

- a) is excessively loud in conversation in any manner which causes disturbance to another within the Library or;
- b) Uses abusive or objectionable language or;
- c) Behaves in a disorderly, objectionable or abusive manner which disturbs any other person within the library or;
- d) Causes damage to any part of the Library building or its contents or;
- e) Furnishes false information for the purposes of gaining access to the library or its benefits or;

- f) Enters or remains in a library while knowingly suffering from any notifiable medical condition proclaimed in terms of section 45 of the Health Act, 1977 or,
- g) Enters the library while under the influence of intoxicating liquor or habit-forming drugs or;
- h) Smokes or eats in any part the library or;
- i) Engages in any criminal activity within the library or;
- j) Contravenes any other provision of this By-law, may be ordered by a member of the Library staff or the Metro police officer on duty, to leave the library and if that person refuses to do so, may be removed from the premises by the use of reasonable and necessary force.

8. General:

8.1. Library Infrastructure and Facilities:

- 8.1.1. Libraries should be within close proximity of transport nodes, no more than 500 meters away from public transport routes.
- 8.1.2. The Municipality should provide clear directions and street signs to libraries making them easy to locate. Library directions should also be available on the libraries' website.
- 8.1.3. Each library should have:
 - a) A welcome and information desk;
 - b) Bulletin boards for community notices and updates of daily activities;
 - c) Adequate lighting that facilitates easy reading, a minimum of 500 lumens per square meter;
 - d) Adequate ventilation that caters to all; and
 - e) Adequate number of tables and chairs to cater to library usage.
- 8.1.4. Library infrastructure and facilities should be maintained in accordance with the Minimum Standards for the Public Library Services of the City of Johannesburg Policy.

8.2. Finance:

8.2.1. Funding Processes:

- a) Public Libraries should be provided access to interdepartmental funding for projects and services related to the relevant department.
- b) Public Libraries should include sustainable funding policy to ensure long term viability.

8.2.2. Budgeting Processes:

- a) The public library should be provided with adequate and rational budgetary appropriations in order to perform its strategic and operational mandate.
- b) The budget should reflect the needs of the community, informed by an extensive community needs survey.
- c) The budget should reflect the internal and operational functions of the library informed by an extensive library audit.
- d) The budget should be adjusted annually at the Annual Conference for City Librarians.
- e) The budget should be publically accessible by way of an up-to-date printed document at the reception as well as an online.
- f) Prior to implementation the budget should be available for evaluation and amendment at community fora.

8.3. Materials:

- 8.3.1. Supply of library materials should be user-driven, with the library stokers paying close cognisance of community demands and using this demand to inform and drive material purchases.
- 8.3.2. To ascertain user-demand librarians should:
 - a) Conduct quarterly community analyses and needs assessments
 - b) Provide visible and accessible recommendation platforms.
- 8.3.3. In the case of sourcing materials for a language demanded by the community with a scarce supply of resources librarians should:
 - a) Contact the National Library to provide its catalogue of reprinted African literature classics in indigenous languages.

- b) Take active steps in promoting the development of primary digital content which caters to community and indigenous language needs
- 8.3.4. Every library should make local archival material available to members of the community in either hard or soft copies.

8.4. Community Library Forum Guidelines:

- 8.4.1. In order to ensure sustainable community involvement, the Community Library Forum must attempt to:
- a) Create an environment that caters for special need individuals within communities. For example, rolling out braille books as well as audiobooks for the blind; early childhood learning materials; toys, puzzles; learning software for children; and so on;
 - b) Develop a system of citizenship education by having regular seminars; and ensuring free and open access to information and knowledge as well as the provision of free brochures;
 - c) Enact economic and policy objectives around employment deprivation as well as community engagement within the political process and social benefits;
 - d) Offer a wide range of activities, with special focus to reach out to marginalised groups, for example careers counselling and a jobs desk for the unemployed.
 - e) Partner and network with other education stakeholders and the local publishing industry.
 - f) Ensure the promotion and access to literature in community indigenous languages.
 - g) Encourage volunteers in communities as well as academic institutions to heighten the momentum in the promotion of regular book clubs.
 - h) Ensure access to library material in remote areas through mobile literacy services.