



**BY-LAWS AND POLICIES
OSHAWA PUBLIC LIBRARY BOARD**

By-laws and Policies

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MISSION STATEMENT AND GOALS

The Oshawa Public Library enriches the lives and potential of the people of Oshawa by connecting them to the world of information and each other.

GOALS

To facilitate the dissemination of information of all kinds which may be of interest, use, or concern to the members of the Library's community by organizing and making readily accessible a collection of materials on a broad range of subject matter in a variety of formats.

To act as the collective memory of the community by bringing together and preserving a record of the human experience, past and present, local and global, in printed, recorded, and electronic form.

To provide services and build collections which are responsive to the needs of users, by understanding the nature of the Library's community and monitoring change.

To provide comprehensive library service to the Library's community by co-operating in networks with other providers of information resources in the community and beyond.

To ensure access to all kinds of information the members of the community may find useful, by resisting the censorship of ideas and upholding freedom of information in principle and in practice.

To promote understanding of the role of the public library in the community and the personal and corporate benefits of Library use, by such means as programmes in the Library, outreach projects, and advertising of the Library's collection and services.

To facilitate successful use of the Library's collection and services by providing well-trained staff with a strong service commitment and the ability to employ their skills to assist many different users.

To serve the informational and cultural interests of the community by presenting programmes and speakers, and by providing facilities for community meetings and other activities of local groups or organizations whose purpose is compatible with the Library's mandate and written policies.

CODE OF ETHICS

Preamble/Rationale

As community leaders, Board members are held to a higher standard of behaviour in all aspects of their conduct at all times and must fulfil their duties in a way that maintains and enhances public confidence and trust in the Library.

The Board commits itself and its members to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as Board Members.

The Board commits itself to following the statutory provisions regulating Conduct as stated in the Libraries Act and the Municipal Affairs Act.

The Board commits to following the statutory provisions regulating conduct as stated in the Public Libraries Act, R.S.O. 1990, Chapter P.44, the Municipal Act, the Municipal Conflict of Interest Act, and the Municipal Affairs Act.

I. Appropriate Use of Authority

Board members act only as a unit. The individual trustee sitting on a Board does not act alone or on behalf of the board unless specifically given the authority by the whole board to do so. It is the board that is the legal entity.

- A. Individuals serving as library board trustees must endorse the mission of the library and care about the library.
- B. As a member of the library board, your fiduciary duty is to act honestly and in good faith and in the best interests of the library. This means that the interests of the library take precedence over your personal interests or those of any other group with which you are associated.
- C. Board members' interaction with the CEO or with staff must recognize the lack of authority in any individual Board member or groups of Board members except as noted above.
- D. Board members' interaction with the public, press or other entities must recognize the same limitation and the similar inability of any Board member or Board members to speak for the Board, with the exception of the Chair or designate.
- E. Board members will make no judgments of the CEO or staff performance except as that performance is assessed against explicit Board policies or by the official process.
- F. Board members must recognize the difference between confidentiality and secrecy. Confidentiality is sometimes required by the Board in its governance role, and Board members must respect the processes in place to keep confidential matters confidential.

II. The Board and the Community

Board members must be loyal to the interests of the diverse community they serve. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other Boards, organizations or staffs. This accountability supersedes the personal interest of any Board member acting as an individual consumer of the organization's services.

- A. The Board's vision for the library is expressed in the mission statement. Setting the goals and objectives of the library service is part of the Board's role.
- B. The Board is responsible for ensuring that funding is adequate to achieve the stated goals and objectives.

III. Conflict of Interest

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 (http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m50_e.htm).

- A. 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.
- B. Board members will not use their positions to obtain employment in the organization for themselves, family members or close associates.

IV. Professional Conduct at Meetings

The following outline of the general duties of a Board member has been adapted from the Library Board Development Kit-2010-Section Three - Legal Responsibilities: Standard of Care

Honesty	This common law duty has been codified in business corporations' statutes but not in the <i>Corporations Act</i> . It generally means that a Board member must act honestly, in good faith and with a view to the best interests of the library . It would constitute a breach of this duty to act fraudulently or to make a secret profit.
Loyalty	This duty means that a Board member's personal interest cannot conflict with his or her duty to the library . As well, a Board member cannot personally profit from his or her position.

Diligence	This duty means that a Board member is obligated to make those inquiries that he or she would make in managing his or her own affairs. Once again, this is a subjective test based on the knowledge and experience of the board member. This takes the practical form of being prepared for and attending all board meetings. It is important to note that a board member cannot relieve himself or herself of this duty by relying on other Board members or by doing nothing or by being willfully blind to wrongful acts of the board as a whole, or other Board members individually.
Skill	The skill required of a Board member is measured as the degree of skill expected from a person of the Board member's knowledge and experience. If a Board member has a particular skill or area of expertise, he or she must use that knowledge for the benefit of the library.
Prudence	This duty is merely common sense: a board member must act carefully, deliberately, and cautiously, and must try to foresee the probable consequences of a proposed course of action.

V. Transparency and Accountability

The Oshawa Public Libraries subscribe to the City of Oshawa's policy for accountability and transparency. **The Public Libraries Act** also outlines how the Board is to manage its business particularly in conducting meetings, keeping the public and City Council informed, and in making efficient and effective use of public resources in delivering high quality programs and services.

All decisions made by the Board must be effective, timely, transparent, accountable, accessible and equitable (Oshawa Council Charter).

References:

Public Libraries Act –

www.elaws.gov.on.ca/html/statues/english/elaws_statues_90p44_e.htm

SOLS Library Board Development Kit- 2010- Section Five-Meeting Management pp. 63 –

67 OLBA Leadership by Design, Cut to the Chase

Municipal Conflict of Interest Act –

www.elaws.gov.on.ca/html/statues/english/elaws_statues_90p44_e.htm

One Place to Look (Leadership by Design program) -

www.accessola.org/OLAWEB/OLBA/Leadership_by_design/One_Place_to_Look/

BY-LAWS OF THE OSHAWA PUBLIC LIBRARY BOARD

Preamble

The Oshawa Public Library Board shall seek to provide, in co-operation with other boards, a comprehensive and efficient public library service that reflects the community's unique needs.

The Oshawa Public Library Board governs the Oshawa Public Library system under the Public Libraries Act.

By-law 1: Composition of the Board

By-law 107-2010 of the Corporation of the City of Oshawa was enacted by the Council thereof on December 6, 2010, and amended by By-law 54-2013 on May 21, 2013, to the effect:

That the composition of the Oshawa Public Library Board be and is hereby established at ten (10) members appointed by City Council who are qualified residents in the City of Oshawa and one (1) City Council representative.

A member of the Oshawa Public Library Board may apply for reappointment at the conclusion of each term to a maximum of two consecutive terms, plus, one preceding partial term for a member initially appointed to fill a vacancy in mid-term.

By-law 2: Calling of the First Meeting of a New Board

The Chief Executive Officer of the Oshawa Public Library shall within one month of the appointment of a new Board in each term, and, on written notice to all persons appointed as Board Members by Council, call a meeting of the said Board; and thereafter the Board shall regulate the time and place and the notice to be given for the holding of the meetings of the Board, the Quorum at meetings of the Board, and the procedure in all things at the meetings of the Board.

By-law 3: Election of Officers

At the first meeting of a new Board, the Chief Executive Officer shall act as chair until the Board has elected one of its members as Chair. The Chair will conduct the election of the Vice-Chair.

By-law 4: Standing Committees

On the direction of the Oshawa Public Library Board, the following standing committees shall be established, each with a chair and vice-chair elected by the Board:

The Finance Committee
The Governance Committee

The Board may create special or ad hoc committees as required. This includes the Strategic Planning Committee, and the CEO Evaluation Committee.

Any board member may choose to attend a standing or ad hoc committee meeting.

Standing committees may be required to perform other tasks as assigned by the Board.

The Chief Executive Officer shall attend all committee meetings and is responsible for the minutes.

Revised February 18, 2016
Approved by Board Motion

By-law 5: Rules of Procedure

- a) Robert's Rules of Order shall cover all matters of procedure not provided for in these by-laws or by statute or regulation.
- b) Any of the rules of procedure may be suspended by a vote of two-thirds of the members of the Board present.
- c) Any question when once decided by the Board at a regular meeting shall not be reconsidered within a period of six months unless otherwise determined by affirmative vote of at least two-thirds of all members of the Board present.
- d) No member other than the one introducing the motion shall speak more than once, or longer than five minutes, on the motion, without permission of the Chair. Any member, however, may make an explanation of a material part of his/her speech which has been misinterpreted but may not introduce new matters. The mover shall have (except in the case of an amendment) the privilege of speaking last on the motion.

By-law 6: Amending the By-Laws

By-laws may be amended by an affirmative vote of at least two-thirds of all members present at any meeting of the Board, provided that written notice of intention has been given at the previous regular meeting of the Board and is referred to in the notice of the meeting and provided that such proposed amendment is not in conflict with any statutory provision or regulation then in force.

By-law 7: Establishing or Amending Board Policy

Policies may be made or amended by a majority vote of the total number of members, (e.g. in a board of 10 members, there must be at least 6 affirmative votes) whether present or absent provided that written notice has been given to the office of the Chief Executive Officer at least seventy-two hours before a regular meeting for inclusion in the printed agenda. This provision may be suspended by an affirmative vote of at least two-thirds of all members of the Board present.

By-law 8: Open Meeting and Exceptions

The Public Libraries Act (1990) Section 16 provides that:

- (3) Despite any other act, Board meetings shall be open to the public, except that where the Board is of the opinion that intimate financial or personal matters may be disclosed at a meeting and that the desirability of protection against the consequences of their public disclosure outweighs the desirability of holding the meeting in public, the Board may hold that meeting in the absence of the public.
- (4) Despite subsection (3), the Chair may exclude any person from a meeting for improper conduct.

In-Camera meetings

As referred from the Ontario Municipal Act, section 239, section 1-6:

239. (1) Except as provided in this section, all meetings shall be open to the public. 2001. c.25, s. 239(1).

Exceptions:

- (2) 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 municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition of land for municipal or local board purposes;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act.

Other Criteria

- (5.0) 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 council, board, commission or other body is designated as head of the institution for the purposes of that Act. 2001, C. 25, s 239 (3).

Educational or training sessions

- (3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
1. The meeting is held for the purpose of educating or training the members.
 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1).

Resolution

- (4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,
- (a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
 - (b) in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection. 2001, c. 25, s. 239 (4); 2006, c. 32, Sched. A, s. 103 (2).

Open meeting

- (5) Subject to subsection (6), a meeting shall not be closed to the public during the taking of a vote. 2001, c. 25, s. 239 (5).

Exception

- (6) Despite section 244, a meeting may be closed to the public during a vote if,
- (a) subsection (2) or (3) 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 municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board. 2001, c. 25, s. 239 (6).

Delegations at Meetings

See Board Policy 008 – Board Meeting Policy

Terms of Reference for the Finance Committee

The Finance Committee shall:

1. Receive and review Financial Statements and make recommendations to the Board on issues that affect the financial management, fiscal viability, risk potential and internal financial controls of the library;
2. Review the annual Operating Budget and Capital Budget as it relates to the Strategic Plan and priorities established by the Board;
3. Review the Audited Financial Statements and ensure that there is an effective annual external auditing process;
4. Investigate any other financial matters brought to its attention and advise the Board;
5. Consists of up to Five (5) members. One member of the Committee should have financial and/or accounting experience. The Library Board Chair serves as ex-officio (non-voting) member.

Terms of Reference for the Governance Committee

The Governance Committee shall:

1. Review, revise and recommend amendments to the by-laws and policies of the Oshawa Public Library, as need arises, in order to ensure conformity with Provincial statutes and Municipal By-laws and any Collective Agreements currently in place;
2. Recommend amendments to the by-laws and policies, in order to ensure compliance with and maintain the principles stated in, the Oshawa Public Library Mission statement and; in keeping with the standards set by the Ontario Library Association and/or the Canadian Library Association as appropriate;
3. Forward all recommendations and/or proposed changes to the Chief Executive Officer for review;
4. Have the authority to act on behalf of the Board during the summer when the Board does not meet. Any actions must be reported and ratified at the September Board meeting;
5. Consists of up to Five (5) members. The Library Board Chair serves as ex-officio (non-voting) member.

Terms of Reference for the Strategic Planning Committee

The Strategic Planning Committee shall:

1. Recommend to the Board long range plans and goals conforming with the directives of the Oshawa Public Libraries mission statement and Strategic Plan;
2. Consists of the Board Chair, Vice-Chair, and one other member.

Terms of Reference for the CEO Evaluation Committee

The CEO Evaluation Committee shall:

1. Be responsible for ensuring an annual review is conducted of the CEO as per OPL Policy 200.1;
2. Consists of the Board Chair, who will act as Chair of the Committee, the Vice-Chair of the Board and one other member.

*Revised February 18, 2016
Approved by Board Motion*



Policy #:	OPL-001
Policy Title:	Nominating Committee (Ad hoc)
Creation Date:	April 1999
Revision Date:	March 12, 2012

POLICY

A nominating committee of three members shall accept nominations for the positions of Chair and Vice-chair and bring a slate of candidates to the Board for approval.

The Chair and Vice-Chair will be elected for a two year term. The Chair and Vice-Chair may serve a second term.



Policy #:	OPL-002
Policy Title:	Acknowledgement of Service Oshawa Public Library Board
Creation Date:	April 1999
Revision Date:	June 15, 2011

POLICY

At the beginning of each term a portrait photograph of the full Board shall be taken. An enlargement of a suitable size for public display in the Library shall be framed and a brass plaque attached identifying those pictured.

PROCEDURE

1. a) The photograph shall be hung on the main floor of the McLaughlin building at the north end of the west passage wall between the circulation and reference areas and shall remain there for the duration of the Board term.
b) At the member's expense, the Library shall have a personal copy of the photograph made for any Board member who wishes one.
2. A framed portrait photograph of each Board Chair shall be hung in the McLaughlin Library at the end of his or her term of service in this position.
3. Upon the successful completion of service on the Board, a departing Board member shall receive a framed certificate of appreciation from the Chair.
4. At its discretion the Board may choose to recognize publicly a member's exemplary service to the Library.



Policy #:	OPL-003
Policy Title:	Orientation of New Board Members
Creation Date:	April 1999
Revision Date:	June 21, 2012

POLICY

The Chair shall be responsible for holding orientation sessions for new members of the Board.

PROCEDURE

1. These sessions shall include information on statutes, by-laws, procedures for meetings, Board policies, Board Code of Ethics and Board strategic plans.



Policy #:	OPL-004
Policy Title:	Board Minutes
Creation Date:	April 1999
Revision Date:	June 15, 2011

POLICY

Minutes will be taken at each board meeting and circulated to Board members.

PROCEDURE

1. Prior to a Board meeting, the minutes of the previous meeting shall be circulated to Board members, together with the agenda, financial statement, Committee reports and the Report of the Chief Executive Officer.
2. After being approved, the minutes shall be available for the public on the Library's website.



Policy #:	OPL-005
Policy Title:	Access to Board Policy
Creation Date:	April 1999
Revision Date:	September 19, 2013

POLICY

A copy of the Oshawa Public Library's mission statement, goals, code of ethics, by-laws and policies shall be readily accessible to the public.

PROCEDURE

1. The mission statement, goals, code of ethics, by-laws and policies shall be posted on the Library's website and at an appropriate location at each of the Library's branches.



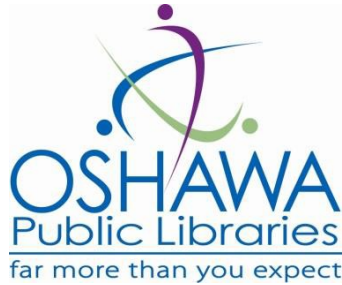
Policy #:	OPL-006
Policy Title:	Board Conference Expenses
Creation Date:	April 1999
Revision Date:	June 15, 2011

POLICY

A member designated by the Board to attend a conference shall be reimbursed for expenses incurred.

PROCEDURE

1. The Board conference expenses shall be paid for from the Library's training budget.
2. The rates of reimbursement (e.g. mileage, meals) shall be those applying to staff.
3. Trustees designated by the Board as official delegates to conferences are required to submit a minimum one-page report to the Board. (*Board Motion 43-02*)



Policy #:	OPL-007
Policy Title:	Signing Authority
Creation Date:	April 1999
Revision Date:	August 29, 2016

POLICY

The Oshawa Public Library Board delegates signing authority for financial transactions.

Cheque Signing / Banking Authorities

The following persons are authorized on behalf of the Oshawa Public Library Board to sign cheques and any agreements or other documents or instruments with the bank.

Chief Executive Officer and the Treasurer. In the absence of either the Chief Executive Officer **or** the Treasurer, either the

Chair of the Library Board **or** the Vice-Chair of the Library Board

In all transactions two (2) signatures are required

Electronic Transfers

From time to time funds may be transferred out of the Library's bank accounts for such payments as direct deposit of employees' payroll, payroll withholding remittances, tax remittances, pre-authorized cheques or transfers between bank accounts and/or investment accounts of the Library. Such transfers will be made in accordance with this and other Board policies, under the authorization of the following:

<u>Type of Transfer</u>	<u>Authorized by:</u>
Employees' direct deposit of salary/wages and payroll withholding remittances	CEO, delegated to the Treasurer
Pre-authorized cheques/debits	CEO, delegated to the Treasurer
Fund transfers between Library bank accounts and Library investment accounts	CEO, delegated to the Treasurer

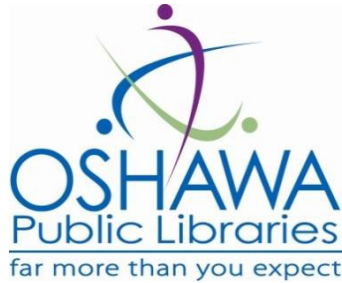
Contract Signing Authorities

The following persons are authorized on behalf of the Oshawa Public Library Board to enter into and to bind the Library to the terms of contracts and agreements relating to the general operation and development of the Library.

Chief Executive Officer and the Treasurer. In the absence of either the Chief Executive Officer **or** the Treasurer, either the

Chair of the Library Board **or** the Vice-Chair of the Library Board

In all transactions two (2) signatures are required.



Policy #:	OPL-008
Policy Title:	Board Meeting Policy
Creation Date:	May 17, 2012
Revision Date:	February 21, 2013

POLICY

The Board is committed to the principle of accountability, openness and transparency to the public, its staff, the media and the stakeholders. (See Bylaw 8)

PROCEDURE FOR BOARD AND COMMITTEE MEETINGS

1. Notice of Meeting

A schedule of all meetings (date, time and location) will be available from the office of the Executive Assistant, and will be posted on the Library's website. Changes in the schedule will be posted on the website.

2. Attending Board Meetings

Meeting means any regular, special, committee or other meeting of the board¹.
Except as stated in Bylaw 8, all meetings are open to the public.

3. Conduct During Board Meetings

Individuals attending regularly scheduled meetings will be asked to arrive in advance of the meeting start time. Attendees will have observer status only, meaning that they may not provide comments or questions during the meeting.

All cell phones must be turned to silent mode. Recording devices, videotaping, photography and cameras are prohibited. The Chair may require anyone who displays disruptive conduct to leave.

4. Agendas and Board Materials

¹ Ontario Public Libraries Act R.S.O. 1990, CHAPTER P.44, 16.1 (1)2002, c. 17, Sched. C, s. 24 (5).

Agendas and supporting material will be available on the Library's website prior to the meeting. A binder containing supporting material will be available at meetings. (See Board Policy 004)

5. Board Minutes

Minutes of each Board or Committee meeting will be posted on the library's website following the approval of the minutes at the next regular meeting of the Board or Committee.

6. Addressing or Presenting to the Board

Individuals or groups who wish to make representation to the Board must make this request in writing to the Board Secretary at least seven (7) business days prior to the meeting, stating the purpose of their request, the group they are representing, and their contact information. Deputations shall be limited to five (5) minutes. The Board will only hear delegations and presentations on topics that are within the jurisdiction of the Library Board.

The Board Chair, in consultation with the Chief Executive Officer, will determine the appropriate response to requests to present or provide information to the Board, including and not limited to:

- A written response to the request
- A special meeting or annual opportunity to hear presentations
- Scheduling time at a future Board meeting

7. Meeting Process

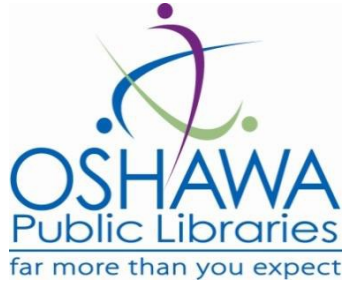
See Bylaw 8

8. Procedure for Closed Sessions (known as "in camera")

See Bylaw 8

9. Special Meetings

1. The Chair may call special meetings of the Board.
2. If three (3) Trustees so request in writing, the Board Secretary shall call a special meeting of the Board. Notice of a special meeting of the Board shall be given either by delivery, fax, e- mail or telephone. The notice of a special meeting shall state the purpose for which it is called.



Policy #:	OPL-009
Policy Title:	Public Appointments to Committees
Creation Date:	March 19, 2015
Revision Date:	

POLICY

From time to time a member of the public may be asked to sit on a Board Committee to act in an advisory capacity, subject to Board approval.

PROCEDURE

1. The appointed member shall be bound by the Oshawa Public Library Board Code of Ethics and the provisions under Bylaw 8: Open Meetings and Exceptions.
2. The position is a non-voting one.
3. The appointment will be for six (6) months or less, subject to change by the Board.
4. The appointed member cannot hold a position of Chair or Vice Chair.

Approved March 19, 2005



Policy #:	OPL-100
Policy Title:	Membership in the Oshawa Public Library
Creation Date:	April 1999
Revision Date:	June 15, 2011

POLICY

Membership in the Oshawa Public Library is a prerequisite for borrowing privileges and is normally intended to be limited to legal residents of Ontario.



Policy #:	OPL-102
Policy Title:	Children in the Library Policy
Creation Date:	April 2005
Revision Date:	June 2010

POLICY

The Oshawa Public Libraries welcomes all children to the Library. The Library cannot assume responsibility for the safety and supervision of children left unattended on library premises.

PROCEDURES

The safety and supervision of children is the responsibility of a parent or caregiver and will not be assumed by the Library.

1. Children age 10 and under must be accompanied by a parent or caregiver while on Library premises.
2. Parents and caregivers are responsible for ensuring that children in their charge behave appropriately in the Library.
3. Failure of the parent or caregiver to control or amend a child's inappropriate behaviour may result in adult and child being required to leave the Library.
4. Where it is apparent that it is contrary to a child's wishes or welfare to remain unattended in the Library, staff may contact the parents or guardians or, if deemed necessary, Durham Regional Police.
5. If it comes to the attention of staff that children are frequently being left in the Library, the parents or guardians may be contacted and requested to make more appropriate child care arrangements.



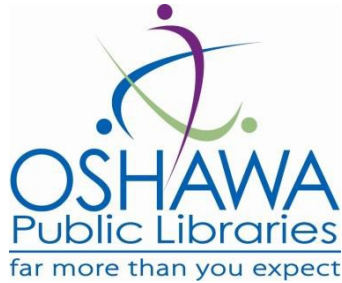
Policy #:	OPL-103
Policy Title:	Oshawa Public Library Programmes
Creation Date:	April 1999
Revision Date:	June 15, 2011

POLICY

1. The Oshawa Public Library offers library programmes that are educational, cultural, or recreational events intended to provide information likely to be of interest or value to members of the Library's public.
2. The Library is mandated to provide information by various means and in various formats and to make available all points of view including those which are unpopular or controversial. The Library may decline to offer programmes serving an interest which is in conflict with the Library's principles concerning access to information, freedom of expression, and the value of the public library institution. Offering a programme does not constitute endorsement of the ideas contained therein.
3. Programmes shall not be offered by the Library when the main purpose or effect is commercial gain by a separate interest
4. The design and delivery of programmes are the responsibility of Library staff.

PROCEDURES

1. Programmes offered by the Library are designed to showcase the collection, explicate a service, or further a Library mandate or Department role. Such programmes may utilize the skills, experience, knowledge, or talents of individuals from outside the Library. The genesis, purpose, nature, and conducting of such Library programmes and the eligibility and registration requirements comply with Board policies.
2. Programmes designed and/or offered in co-operation with other agencies or individuals may serve a broader but Library-compatible goal of community information or public service. The Library reserves the right to read an organization's by-laws before deciding whether it wishes to offer a programme co-operatively.



Policy #:	OPL-104
Policy Title:	Use of the Internet and Computer
Creation Date:	September 20, 2005
Revision Date:	June 15, 2011

POLICY

In keeping with its goals to facilitate the dissemination of information which may be of interest, use or concern to the members of the Library's community, the Oshawa Public Library provides unfiltered public access to the Internet through the World Wide Web.

1. The Internet is an unregulated, worldwide environment, which provides access to ideas, information and commentary from around the globe. It contains information and opinions that range from reliable and authoritative to controversial or offensive. Oshawa Public Library does not monitor and has no control over the information accessible through the World Wide Web and is not responsible for determining that information is acceptable, reliable, and suitable to customers' needs.
2. The Library endorses the:
Canadian Library Association's Statement on Intellectual Freedom,
http://www.cla.ca/Content/NavigationMenu/Resources/PositionStatements/Statement_on_Intell.htm
Ontario Library Association's Statement on the Intellectual Rights of the Individual.
http://accessola2.com/data/1/rec_docs/381_ola1.pdf.

The Library is governed by such legislation as the:

Canadian Copyright Act,

<http://laws-lois.justice.gc.ca/eng/acts/C-42/>

Criminal Code of Canada,

<http://laws-lois.justice.gc.ca/eng/acts/C-46/>

Public Libraries Act,

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90p44_e.htm

Freedom of Information and Protection of Privacy Act,

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90f31_e.htm

as well as other legislation which may govern the dissemination of, or access to, information.

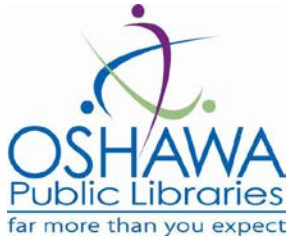
3. Certain copying or distribution of materials found on the Internet may infringe upon copyright or other intellectual property rights. The Oshawa Public Library is not

responsible for such infringements. The Copyright Act is available for consultation in the Library.

PROCEDURES

1. Internet use will be managed in a manner consistent with the Library's Guidelines for Use, which is posted in the Library. The Library reserves the right to modify these guidelines when and where appropriate.
2. A Patron may use only his/her own valid Oshawa Public Library card to access the Library's workstations. Visitors may, upon presentation of appropriate identification, use the Library's workstations.
3. Children must have the express permission of a parent or guardian to access the Internet at the Library.
4. Misuse of computer equipment and software, either attempting to/or circumventing the Library's security measures, illegal or inappropriate use of Internet access or failure to follow posted rules and procedures will result in loss of Library privileges and may lead to prosecution.
5. Library staff will assist patrons with computer use as time and expertise allows.
6. It is the right of the Library to restrict the installation of plug-ins and helper applications. This is to preserve the security of the network and intended use of the workstations.
7. Oshawa Public Library does not gather information on patron use of the Internet, online databases or Microsoft products, except for generic statistics used to measure use, which will assist in future service planning.
8. The Library reserves the right to end a computer session.

Board Motion: 17/11/05



Policy #	OPL-105
Policy Title:	Collection Development Policy
Creation Date:	November 17, 2005
Revision Date:	January 2012
Created By:	Collection Development Committee

POLICY

Intellectual Freedom

1. The Oshawa Public Libraries endorses the Ontario Library Association's Statement on the Intellectual Rights of the Individual (Appendix #1) and the Canadian Library Association's Statement on Intellectual Freedom (Appendix #2) which reads in part:

"It is the responsibility of libraries to guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular or unacceptable. To this end, libraries shall acquire and make available the widest variety of materials."
2. In providing collections that represent a wide range of ideas, creative thought, information and viewpoints, the Library Board recognizes Section 2 (b) of the Canadian Charter of Rights and Freedoms which guarantees freedom of thought, belief, opinion and expression.
3. The Oshawa Public Libraries recognizes the right of any individual or group to reject library material for personal use. The Oshawa Public Libraries does not concur with any individual or group who endeavours to restrict the freedom of others to make use of that same material.
4. Except where legislated by government or law, children are entitled to access all materials provided by the Oshawa Public Libraries. Parents and legal guardians have the sole right and responsibility for supervising the use of Library materials by their children.

BACKGROUND

The Collection Development Policy of the Oshawa Public Libraries is intended to outline Library Board policy for the development, responsibility, and maintenance of the Library collection and to outline processes for members of the public to provide input.

Goals of the Collection

The purpose of the Oshawa Public Libraries' collection is to support the Libraries' overall mission: Enriching the lives and potential of the people of Oshawa by connecting them to the world of information and each other.

Reflecting this mission, the Oshawa Public Libraries' goals in collection building are to create:

- A. A collection which enables the free expression of ideas essential to an informed and responsible citizenry
- B. A broad-based collection in which no established or emergent field of thought is overlooked or unduly favored
- C. A general level collection of materials in various formats to serve our community's needs for recreation, information, life-long learning and personal growth. Direct support of formal curricula is not a goal of collection building. Textbooks will not be purchased for this purpose.
- D. A collection which presents a record of human experience with particular emphasis on Canadian culture and society, including a collection dedicated to local history.
- E. A collection which includes formats to facilitate equity of access to persons with print disabilities. Community demand, availability, technological trends, budget, and impact on existing resources will be assessed before introducing new formats. The introduction of new formats to the collection may result in the Library's decision to discontinue existing formats.

PROCEDURES

1. Responsibility for the Collection

The Oshawa Public Library Board is ultimately responsible for the collection. The Board delegates this responsibility to the Chief Executive Officer, who in turn delegates it to professional staff.

2. Reconsideration of Library Materials

- 2.1 Any Library user who wishes to challenge an item in the collection may submit a written "Request for Reconsideration of Library Material" form (Appendix #3) which will be reviewed by the Collection Development Policy Committee and the Chief Executive Officer.
- 2.2 The final decision concerning Library materials rests with the CEO and the Library Board.

3. Donations and Unsolicited Materials

- 3.1 The Library is pleased to receive gifts of money or materials. The Library does not evaluate materials for tax receipt purposes. Tax receipts for gifts-in-kind will only be issued if those donations have been professionally appraised at the donor's expense.
- 3.2 Donated materials will be subject to the same criteria for inclusion in the collection as purchased materials.
- 3.3 The Library will not accept materials which are not outright gifts. Donated materials will be used or disposed of at the Library's discretion.
- 3.4 Funds given conditional on expenditure for particular materials or types of materials will not be accepted unless the conditions facilitate the Library's own Goals of the Collection as outlined in 4.2 of this policy.

4. Maintenance of the Collection.

- 4.1 The ongoing maintenance of the Library's collection is essential in order to offer a collection that is useful, accessible, and relevant.
- 4.2 Items will be removed from the collection in accordance with the Library's developed Weeding Guidelines. Weeding Guidelines criteria include lack of use, outdated content, wear, and damage.
- 4.3 It will be the Libraries' objective to replace lost, missing, or withdrawn items which continue to be in demand or to play a valuable role in the collection.

5. Requests for Purchase

Suggestions for purchase for the collection from the public are subject to the same criteria for selection as other acquisitions.

Appendix 1

All selections must respect the principles of intellectual freedom expressed in the Ontario Library Association's Statement on the Intellectual Rights of the Individual Endorsed by the membership of the OLA at the 96th Annual General Meeting, 1998.

In affirming its commitment to the fundamental rights of intellectual freedom, the freedom to read and 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 the selection of books, periodicals, 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 any 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 of, 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 material 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.

Approved, OLA Board of Directors, December 2003

Reaffirmed, OLA Board of Directors, December 2005

Appendix 2

Canadian Library Association / Association canadienne des bibliothèques

Position Statement on Intellectual Freedom

Approved by Executive Council ~ June 27, 1974; Amended November 17, 1983; and November 18, 1985

All persons in Canada have the fundamental right, as embodied in the nation's Bill of Rights and the Canadian Charter of Rights and Freedoms, to have access to all expressions of knowledge, creativity and intellectual activity, and to express their thoughts publicly. This right to intellectual freedom, under the law, is essential to the health and development of Canadian society.

Libraries have a basic responsibility for the development and maintenance of intellectual freedom.

It is the responsibility of libraries to guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular or unacceptable. To this end, libraries shall acquire and make available the widest variety of materials.

It is the responsibility of libraries to guarantee the right of free expression by making available all the library's public facilities and services to all individuals and groups who need them.

Libraries should resist all efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups.

Both employees and employers in libraries have a duty, in addition to their institutional responsibilities, to uphold these principles.

Appendix 3

Request for Reconsideration of Library Materials

Title of the item _____

Author _____

Type of material _____

Person making this request _____
(Please print name)

Address _____

City _____ Postal Code _____

Telephone _____

Library Barcode Number _____

I represent:

Myself ()

A group/organization called _____

Please answer the following questions as completely as possible:

1. Have you reviewed the guidelines set out in the Library's Collection Development Policy? (www.oshawalibrary.on.ca) Yes () No ()
2. Have you read/viewed/listened to the entire work you wish the Reconsideration Committee to review? Yes () No ()

If not, which part/s have you read/viewed/listened to?

3. Please state why you believe customers should not have access to this work.

Signature _____ Date _____



Policy #	OPL-105.1
Policy Title:	Local History Collection Policy
Creation Date:	October 20, 2016
Revision Date:	

POLICY

To provide guidelines for the acquisition, content, organization, management, preservation, and promotion of the Oshawa Public Libraries' (Library) Local History Collection.

BACKGROUND

The Oshawa Public Libraries will collect, organize, preserve and provide access to a non-circulating collection of resources that document the history of the City of Oshawa, including its inhabitants, government, environment, businesses, institutions and organizations. In addition, materials related to the history of Durham Region will be maintained in cooperation with other historical, genealogical, archival and library organizations in the area.

Collection Statement

The Local History Collection will include, but not be limited to: published books, photographs, government documents or facsimiles, maps, manuscripts, pamphlets, newspapers, serials, audio-visual materials, institutional or organization records, and scrapbooks of historical materials that relate to Oshawa and its environs. Emphasis will be placed on documenting the creation of city and county government, settlement, industry, commerce, education, recreation, and historically significant individuals as well as the history of civic, religious, cultural and social organizations.

PROCEDURES

Selection Criteria

The following criteria will be used to select items for inclusion in the Local History Collection:

- Relevance to Oshawa and Durham Region history
- Authenticity of record
- Suitability of the subject for the Local History Collection
- Non-duplication of material within the collection, or with other area archives
- Quality of physical form of material
- Ease of use for patrons
- Cost to acquire, process, preserve, and store
- Security requirements to store and/or display
- Restrictions by donor

Items may be accepted in any format, including manuscript, printed, or digital. The Library will not accept three dimensional artifacts, and will refer these items to the Oshawa Community Museum, Parkwood Estate, Canadian Automotive Museum, Ontario Regiment, etc. as appropriate. This

excludes specific bequests.

The Library reserves the right to refuse an offered donation. The Library will not accept material that may harm other materials in the collection, e.g. items that present damage from mold, mildew, water, insects, smoke, or dirt. The Library may decide not to accept items which it cannot properly store, display, or otherwise care for. The Library may assist the donor in finding a more suitable institution for their material.

Additions to the Collection

Since history is created daily, the Library will accept materials that enhance the mandate of the Local History Collection and meet the selection criteria. In order to establish the transfer of ownership, the Library requests that a deed of gift be completed by the donor/representative and the Local History and Genealogy Librarian.

The Library will only accept material with access-limiting restrictions when the restrictions are reasonable and necessary to protect the legitimate rights and interests of the donor. Any restrictions will be recorded on the deed of gift, and will be adhered to by the Library. All restrictions will specify a date when full access will be granted.

The Library reserves the right to decide how donated material will be displayed or stored, how the item may be used by the public, and how long the item will be retained. Materials in the Local History Collection may be scanned and placed on the Internet for viewing or they may be moved from the Local History Collection to other sections of the Library, may be sold, or may be transferred to another library (See Reappraisal and Deaccession).

Cooperative Collection Development

In order to strive for the efficient use of public funding, and to avoid duplication, the Library will work with other community organizations to develop collection criteria and establish cooperative collection development statements. This includes but is not limited to: Oshawa Community Museum and Archives, Parkwood Estate, Ontario Genealogical Society, Canadian Automotive Museum, the Ontario Regiment, General Motors, the Robert McLaughlin Gallery.

Reappraisal and Deaccession

The Local History Collection will be reappraised regularly, and the deaccession of some materials may take place. The Library will offer the deaccessioned materials to appropriate institutions or return them to the donor, depending on requirements of the donor's deed of gift.

Care of Collections

The Local History and Genealogy Librarian at the Oshawa Public Libraries strives to organize, preserve, and provide access to its collection according to standard archival procedures and practices. Finding aids developed for each collection will be accessible to the public. The Local History Collection will be maintained and secured in accordance of the security practices and disaster planning set by the Library to protect the collection from potential loss or damage.

Monetary Appraisals

The Library will not conduct any monetary appraisals for donors.

Policy Review

This policy will be reviewed by the Oshawa Public Libraries Board every five (5) years, or earlier, as appropriate.



Policy #:	OPL-106
Policy Title:	Privacy Policy
Creation Date:	January 25, 2006
Revision Date:	June 5, 2007
Created By:	Manager, Customer & Circulation Services

POLICY

The Oshawa Public Libraries respects the privacy of its customers.

Background

The collection of personal information is regulated by the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). Through MFIPPA, standards for the collection, use, disclosure, retention and disposal of personal information are legislated to protect the privacy of individuals. Personal information is collected under the authority of the Public Libraries Act, R.S.O. 1990, chapter P44, section 23, subsection 4.

PROCEDURES

1. Disclosure of Personal Information

- 1.1 The Oshawa Public Libraries' "Freedom of Information and Privacy Coordinator" role is entrusted to the Library's Chief Executive Officer.
- 1.2 The Oshawa Public Libraries will not sell, exchange or otherwise distribute or disclose customer addresses, phone numbers, email addresses, Library account records or other personal information for non-library purposes to outside parties, except in circumstances detailed in section 2.2.
- 1.3 The Library will employ the service of a collection agency to assist in the retrieval of materials or their monetary value and may at the Board's discretion resort to legal action to recover debts.
- 1.4 The Oshawa Public Libraries may post photographs and/or digital pictures of our customers on the Oshawa Public Libraries website. Images will only be displayed if signed approval from the customer has been received. Photographs and digital pictures of children will only be displayed with the signed approval of the parent or legal guardian.

- 1.5 The Oshawa Public Libraries keeps copies of customer comment and suggestion forms. Forms chosen for the “You Asked Us...” display boards will list only the first name and last initial of the customer.
- 1.6 Occasionally the Oshawa Public Libraries may send promotional e-mail communications to customers with information that may be useful, including information about OPL resources and services. Included in all promotional e-mail communications are instructions on how to unsubscribe.
- 1.7 Email sent to the staff of the Oshawa Public Libraries may be retained along with the email address, as well as any response sent in reply.

2. Library Accounts

- 2.1 All information contained in the membership database, including address, phone numbers and items borrowed, are for use by the Library for the purposes of providing Library services.
- 2.2 Library account information is confidential with the following exceptions:
 - a. Parental/Legal Guardian requests for information regarding their child’s account provided the child is younger than 16.
 - b. Overdue notice: by telephone, mail or email (title information is included in mail or email notification).
 - c. Agencies collecting monies owed to the Library (title information is not included).
 - d. Hold notice: by telephone, mail or email (title information is not included).
 - e. Fee payment: a receipt including title information is given to the person paying the fee.
 - f. Official police investigations where authorized by a subpoena.
- 2.3 Library account information can be accessed online through the Oshawa Public Libraries web site. A valid Library card number and PIN is required to view the account. Address, telephone number, items on loan, blocks and requests for holds are all available once the account has been verified.
- 2.4 Information about items borrowed may be kept on record where a customer has requested their borrowing history to be maintained. This is required for some of the services offered, such as our Reader’s Advisory Service and Homebound Services

to ensure duplication of materials selected is avoided. In all other cases, item information is deleted upon the return of the item, unless the item is damaged or there are fines outstanding on the item.

3. Oshawa Public Libraries Web Site

- 3.1 Staff adheres to strict policies that protect the confidentiality of any personally identifiable information including names, email addresses and telephone numbers.
- 3.2 The need for personally identifying information only arises when customers opt to supply us with this information on a voluntary basis. For example, in connection with submitting comments, suggestions or questions through our online feedback form.
- 3.3 The Oshawa Public Libraries website contains many online resources that can only be accessed by providing a customer Library card number. This is for validation purposes only and no information is retained after the session is ended.
- 3.4 As disclosed in OPL Policy 104, the Internet is an unregulated, worldwide environment, which provides access to ideas, information and commentary from around the globe. It contains information and opinions that range from reliable and authoritative to controversial or offensive. The Oshawa Public Libraries does not monitor and has no control over the information accessible through the World Wide Web and is not responsible for determining whether that information is acceptable, reliable, or suitable to customer needs. The Library is not responsible for customer disclosure of information to external websites.
- 3.5 The Oshawa Public Libraries web site contains links to other web sites. We are not responsible for the content nor the privacy practices of other web sites and encourage customers to examine each site's privacy policy and disclaimers and make their own decisions regarding the accuracy, reliability, and correctness of material and information found.
- 3.6 The Oshawa Public Libraries does not collect information or data via its website through the operation of what are called "cookies". The Oshawa Public Libraries website uses cookies only if the customer clicks on the "remember me" box should they choose to login to the site. This cookie will allow the customers website login information (not the login information for their Library account) to be remembered and automatically filled in to the appropriate boxes on subsequent visits. No information is sent back or retained on the Library's web server.

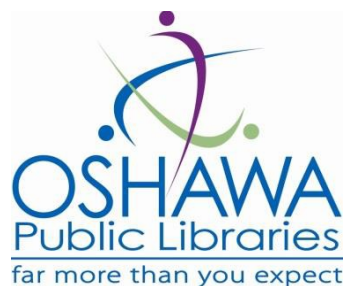
4. Oshawa Public Libraries Computer Workstations

- 4.1 As stated in OPL Policy 104, a customer may use only his/her own valid Oshawa Public Libraries card to access the Library's workstations. Visitors, upon presentation of appropriate identification, may obtain a guest pass to use the

Library's workstations. Library card barcode, session begin & end time and computer used information is retained at the end of a session to allow for the creation of statistics. All history of websites visited or other uses of the workstation created during the session are deleted at the end of the session.

- 4.2 The Oshawa Public Libraries' computer workstations provide entry to many online resources that can only be accessed by providing a customer Library card number. This is for validation purposes only and no information is retained after the session is ended.
- 4.3 As stated in the OPL Policy 104, Oshawa Public Libraries do not gather information on customer use of the Internet, online databases or Microsoft products, except for generic statistics (Library Card number, session start and end time, and workstation or wireless environment) to measure use and assist in future service planning.

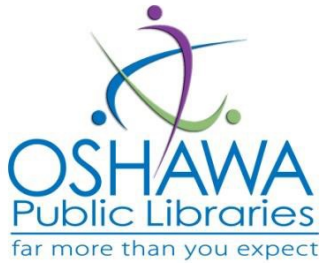
For more information on Privacy and the collection of Personal Information, please refer to the Public Libraries Act, R.S.O. 1990, chapter P44, section 23, subsection 4. and to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).



Policy #:	OPL-107
Policy Title:	Intellectual Property
Creation Date:	April 30, 2013
Revision Date:	September 19, 2013

POLICY

Library-developed property (e.g. Service or technical innovations) remains the property of the Library. Should the author/creators of the innovation cease to be employed by the Library, the library-developed property shall remain the property of the Library.



Policy #:	OPL 108
Policy Title:	Accessibility for Ontarians with Disabilities Act
Creation Date:	December 19, 2013
Revision Date:	

POLICY

The mission of Oshawa Public Libraries is to enrich the lives and potential of the people of Oshawa by connecting them to the world of information and each other.

In fulfilling our mission, Oshawa Public Libraries strives at all times to provide its resources and services in a way that respects the dignity and independence of people with disabilities. We are committed to giving people with disabilities the same opportunity to access our resources and services, allowing them to benefit from the same services, in the same place and in a similar way as other customers.

Under the *Accessibility for Ontarians with Disabilities Act, 2005* all public and private sector organizations must meet the requirements of accessibility standards established by regulation.

PROCEDURE

1. Each Board member will be required to read the documents listed below within one month of their appointment to the Board and sign-off that they have read each document.
2. Any questions concerning the AODA policies should be referred to the Director of Support Services.

DOCUMENTS

1. Customer Service - Standards - Customer Service Policy on Providing Resources and Services to People with Disabilities.
2. Integrated Accessibility Standards Policy.

OPL BOARD – FINANCIAL CONTROLS POLICY

POLICY STATEMENT:

Oshawa Public Libraries is committed to providing quality customer service and best value to the citizens of Oshawa using responsible and prudent fiscal management.

We are committed to providing efficient and professional services as it relates to overall financial management, strategic financial planning, budget, internal audit and accounting services, and financial reporting systems.

POLICY OBJECTIVE:

The objective of this Policy is to:

1. Ensure the financial well-being of Oshawa Public Libraries is in accordance with Library Board by-laws and policies, Provincial and Federal Legislation and Regulations and professional accounting principles.
2. Establish and maintain a system of internal controls, policies and procedures to ensure the integrity and reliability of financial information.
3. Ensure that the financial assets of Oshawa Public Libraries are utilized to its fullest potential and safeguarded at all times.
4. Ensure the liabilities of Oshawa Public Libraries are minimized and controlled to the best ability of staff.
5. Ensure the financial stability of the Library including the management of financial risk, error, misuse and fraud.
6. Ensure the Library Board, the Chief Executive Officer have accurate, timely and authoritative financial advice and information.

Definitions:

Approval of Board - the funding approval authorized by the adoption of the final current and capital budgets or the adoption of specific recommendations/resolutions.

Capital Budget – an annual plan that sets forth each project or other capital expenditure to be undertaken by the Library and specifies the resources necessary to finance the projected expenditures.

Chief Executive Officer (CEO) - the senior appointed officer responsible for the administrative operations of the Library.

Committee – Finance Committee of the Library Board

Contingency Account - the money approved in the current budget to provide for funding of expenditures that were not known or anticipated at the time the current budget was approved by the Library Board.

Current Budget – an annual financial plan providing for the operation of the Library for the current year approved by the Library Board and Oshawa City Council incorporating both estimates of proposed expenditures and revenues.

Department - an organizational unit of the Library.

Departmental Budget – funding to support planned unit spending based on for the current year's unit operating requirements. The overall budget is approved by the Library Board.

Disposal - the selling, trading, assignment, and/or scrapping of surplus assets.

Fixed Asset - vehicles, library collection materials, equipment and computer hardware.

Grant – Additional funds secured by applications to external agencies.

Petty Cash Fund - a sum of money to be maintained and used for miscellaneous payment of money for the purchase of goods or services not exceeding a specified amount.

Purchasing Card – a credit card that is used to purchase goods and/or services. The use of the card may be restricted to selected merchant types and may be subject to spending or and/or transaction limits.

Treasurer - a person appointed to administer or manage the financial assets and liabilities of the library. This includes but not limited to maintaining signing authority, financial records, petty cash and corporate card authorities.

The Library Board approves the current operating and 10 year capital plans. These plans support the funding requirements provided by the City to meet the day to day operating activities of the Library, including the following:

(i) Spending and Commitments

The current and capital budgets approved by the Library Board establish the annual spending authority for the library. The Head of each Department shall make every effort to ensure that spending and commitments do not exceed the approved program budget. Department Heads shall report any anticipated significant over-expenditure or revenue shortfall to the Treasurer as soon as such is known. Spending and commitments include disbursements, financial obligations/contracts, and leases.

Notwithstanding any other provision in this Policy or any other policy or by-law, the Treasurer is authorized to pay the following, provided that funds are available in the budgets as approved by the Library Board:

- a. All salaries, wages and benefits due to any person in the employment of the Library.
- b. All amounts due for goods and services supplied to the Library.
- c. All taxes, fees and levies payable to the federal, provincial or other municipal government, or to any other agency.
- d. All employee and employer pension contributions in respect of salaries and wages, which are payable to any duly registered pension plan on behalf of the respective employee.

The CEO shall be allowed to incur, before the adoption of the current operating budget for the year, interim spending for the sums required in that year for the period from the 1st day of January to the date the estimates for that year are adopted, operating costs up to an amount of 50% of the prior year's budget.

(ii) Budget Changes

The CEO may approve changes within an approved departmental Current Budget upon request of a Department Head, provided that:

- a. Such over expenditures do not exceed \$25,000; and,
- b. All over-expenditures must be offset by under-expenditures elsewhere in the budget, and,
- c. In no case shall the total budget for personnel costs for OPL be increased without prior approval of the Board.

(iii) Authority and Approvals

The Treasurer is responsible for maintaining signing authorities for the provision of goods and services and the payment thereof.

Department Heads shall, in a form to be provided by the Treasurer, maintain a current schedule specifying the delegation of financial signing authority within their Department and the respective authority limits. The schedule shall be signed by the respective Department Head and then by the Treasurer. The original schedule with specimen signatures of the relevant staff of the department shall be forwarded to the Treasurer.

Refer to OPL Procurement Policy for further information.

Expense reimbursements for the CEO exceeding \$200, excluding conference, convention or meeting expenses and travel related expenses for such conferences, conventions or meetings, should be approved by the Board Chair.

No individual Board member has the authority to commit the Library or spend Library funds, unless it relates to reimbursement of board members for conferences, conventions and Board meetings as covered under the OPL Board Policy.

(iv) Management of Financial Information

The Treasurer is responsible for maintaining accurate records and accounts of the financial affairs of the Library. This includes providing the Library Board with such information as it requires or requests.

The Treasurer is responsible for depositing funds in a financial institution to be invested in such financial instruments as provided for in the Municipal Act and Public Libraries Act. All monies collected must be adequately safeguarded and promptly deposited into a Library bank account.

(v) Contracts and Agreements

Any contract or agreement up to \$50,000 may be entered into only with the authorization of the CEO who possesses the authority to legally bind the Library.

Contracts and agreements over \$50,000, excluding employment contracts require approval by the Library Board.

No Committee of the Board has the authority to commit the Library or to approve or expend funds.

The CEO shall be notified of all contracts and agreements containing financial terms or conditions, and all the original documents of insurance and certificates thereof.

Refer to OPL Procurement Policy for further information.

(vi) Bank Accounts

A combination of two, comprised of the CEO, and either the Board Chair or Vice-Chair, are authorized to open bank accounts in any Canadian bank as required and sign cheques. Only the Library Board is authorized to change signatories for these accounts.

All monetary receipts and disbursements, other than petty cash, must be made through a Library operating account.

(vii) Petty Cash and Change Floats

The Treasurer has the authority to establish petty cash funds and change floats for operational requirements in amounts and in locations the Treasurer deems appropriate.

The Treasurer is authorized to reimburse a petty cash fund upon delivery of original receipts and such other documentation as the Treasurer may require.

Petty cash funds and change floats shall only be used for Library business and there shall be no personal use of these monies.

(viii) Corporate and Purchasing Cards

Corporate credit cards are provided to staff that require a credit card to conduct their job responsibilities for Library business and shall not be used for expenses of a personal nature.

Purchasing card assignments and limits are subject to the approval of the Treasurer.

Library staff should use purchasing cards for transactions where they have been determined by the Treasurer to be the most efficient way to handle payments.

(ix) Employee Advances and Expense Reimbursements

Employees may be advanced funds for Library purposes when the nature and approximate amount of the expense(s) has/have been approved beforehand.

Employees may be reimbursed for travel and other business related expenses subject to the required approvals and within the limits of the travel policy. Refer to the employee Travel Reimbursement Policy.

(x) Fixed Assets and Inventories

It is every employee's and Board members' duty to ensure that Library fixed assets

and inventories shall be safeguarded to the extent practical to prevent loss or theft.

The Library's fixed assets shall be recorded by the Treasurer and the records updated for acquisitions and dispositions. The accuracy of these records should be verified periodically.

(xi) Subsidy Applications

The CEO and the appropriate Department Head, in conjunction with the Treasurer, have the authority to apply to Provincial and Federal Governments for grants, subsidies or any other form of funding for the Library's programs and projects.

(xii) Donations

Any donations received by the Library shall be recorded as revenue in a donation account.

Receipt for donations will not be prepared unless specifically requested by the donor and must be signed by the CEO.

Further information on donations can be found in OPL Policy– Donation of Cash, Materials, Items, Products or Services.

(xiii) Insurance

The Treasurer has the authority to work with the City to determine risks and insurance coverage, adjusting claims and related services for the Library.

Administrative Procedures

This Policy shall be read in conjunction with the OPL Procurement Policy and any other Library policies or administrative procedures.

This Policy shall be reviewed by the Treasurer at least every five years; however, the Board may approve amendments at any time.

The CEO has the authority to establish administrative policies and procedures regarding any matter covered by this policy and the OPL Procurement Policy.

Approved by the Board of Directors
December 15, 2016

OPL BOARD - PROCUREMENT POLICY

It is the policy of Oshawa Public Libraries (OPL) that its procurement of goods and services be undertaken in a way that provides the best value for the Library in terms of optimal balance of quality, performance and cost; uses open, accountable, objective, fair, effective and efficient processes; complies with all applicable legislative requirements; and follows acceptable industry practices in its procedures and practices. OPL conducts centralized purchasing for all its locations.

SCOPE: This policy covers all the procurement of all goods and services by the Oshawa Public Library Board (the “Board”) (as defined in section 1 of the *Public Libraries Act*), CEO and all employees of the Oshawa Public Library on behalf of the Library including, but not limited to, the following:

- **Goods** including collections materials and collections processing supplies, computer hardware and software, furniture and equipment, office supplies, facility preventative maintenance and repair products (such as electrical and plumbing supplies), construction and building materials;
- **Professional and Consulting Services** including financial, strategic management, architectural, engineering, information technology, environmental, human resource management, security;
- **Construction and Facility Services** including construction, building cleaning, HVAC maintenance, landscaping and snow plowing/removal;
- **Fleet Equipment** including all vehicles (such as cars, vans, and specialized vehicles), equipment for grounds maintenance, security apparatus.

DEFINITIONS

“Best value” means the optimal balance of quality, performance including delivery precision and cost determined in accordance with a pre-defined evaluation plan. Best value may include a time horizon that reflects the overall lifecycle (Total Cost Management) of a given asset.

“Bid” means an offer or submission received from a vendor in response to a request.

“Bidder” means a person, company or organization that submits a bid in response to any type of procurement process.

“Contract” means a binding agreement between two or more parties. In the absence of any other document, a Purchase Order constitutes a contract.

“Procurement” means the acquisition of goods and/or services required to provide the services and execute the operations of the Library.

“Supplier” means any individual or organization providing goods or services to the Library including but not limited to contractors, consultants, vendors, service organizations.

ASSUMPTIONS

OPL practices will be guided by the *Code of Ethics* of the Purchasing Management Association of Canada.

OPL will endeavour to procure goods and services from responsible suppliers who abide by ethical standards and norms.

OPL will endeavour, where cost effective, to procure goods and services with due regard to the preservation of the natural environment and, where feasible, encourage suppliers to supply “green” products and encourage the development of supplier relationships with current ISO Registered Organizations.

When planning purchases, the standardization of equipment/furnishing will be facilitated wherever possible.

All purchases will be made in compliance with all relevant statutes and regulations including but not limited to the *Municipal Act*, *Municipal Conflict of Interest Act*, *Access for Ontarians with Disabilities Act*, and the *Public Libraries Act*, [The purchase of collections materials is made in compliance with the *Book Importation Regulations*, *Canadian Copyright Act*.]

OPL procurement policy and practices will be consistent with the principles of the City of Oshawa’s Purchasing and Materials Management Policy.

GUIDING PRINCIPLES

OPL will make procurement decisions using an open, accountable, objective, fair, effective and efficient process and by adopting standard approaches to:

- Selecting the appropriate type of procurement process to be used;
- Conducting the procurement process including the structure, format and general content of procurement documents;
- Communicating with bidders throughout the process;
- Evaluating submissions;
- Dealing with bidders’ queries and complaints;
- Providing unsuccessful bidders with feedback, upon request;
- Awarding the contract;
- Maintaining records of the procurement process;

- Maintaining records on the successful bidder's performance under contracts;
- Preference shall be given to the purchase of Canadian Goods and services wherever, all else being equal, it is reasonable in the circumstances to do so.

ACCOUNTABILITY

The CEO and authorized Directors/Managers/Purchaser will act for Oshawa Public Libraries in the procurement of goods and services.

The Library Board empowers the CEO to establish procurement procedures required to enact the policy.

The Library reserves the right to reject any and all submissions in a procurement process.

The exercise of authority to award a contract is subject to the identification and availability of sufficient funds within the approved Oshawa Public Libraries budget.

If a capital project exceeds, or is anticipated to exceed, the approved contingency threshold, the Library Board must be notified to approve additional funds.

The CEO is authorized to execute formal agreements and contracts on behalf of the OPL and may delegate this authority depending on the scope, value and impact of contracts or purchases.

All OPL employees shall comply with the procurement policy, processes and corresponding procedures to ensure that employees who are responsible for the requisitioning and purchasing of goods and/or services are accountable for and competent in their decisions and actions.

Conflict of Interest

Members of the Library Board or employees involved in the procurement of goods and services shall declare any pecuniary interest either direct or indirect in any contract, tender, proposal, or quotation for the supply of such goods or services to the Library.
[Oshawa Public Library Board trustees are subject to the requirements of the Municipal Conflict of Interest Act.]

Gifts and Benefits

Business gifts other than items of small intrinsic value should not be accepted. Reasonable hospitality is an accepted courtesy of a business relationship. The frequency and nature of gifts or hospitality accepted should not be allowed whereby the recipient might be or might be perceived by others to have been influenced in making a business decision as a consequence of accepting such hospitality or gifts.

Employees may not directly benefit from “points cards”.

SPENDING AUTHORITY

The Library Board will approve all purchase packages greater than \$50,000 in value regardless of the type of procurement process undertaken.

The CEO is authorized to approve, or delegate the approval of, all purchase packages up to \$50,000 in value.

The purchase of goods and/or service in excess of \$25 including taxes shall not be authorized unless:

- a) The required goods and/or services have been requisitioned in accordance with the Policy and prescribed procedure;
- b) A method of purchase under this Policy has been used as detailed in Schedule A attached;
- c) The form and content of all documents forming any part of the purchase contract including quotation, tender or proposal documents, terms and conditions, and insurance have been reviewed by either the CEO or the Treasurer.
- d) The purchase has been approved by the appropriate level of authority as detailed in Appendix A.
- e) The purchase order must be issued once the commitment has been made. Any “after the fact” invoices will require documentation with CEO approval in order for the invoice to be processed.
- f) Levels of spending authority are detailed in Appendix A. Exceptions to this policy are listed in Appendix B.

Where in the opinion of the CEO, or designate, and Treasurer an emergency has occurred, the CEO or designate and/or Director may initiate a requisition/ purchase order in excess of the preauthorized expenditure limit to a maximum of \$100,000. Any PO issued under such circumstances together with a source of financing shall be reported to the Library Board Executive immediately and also to the next full meeting of the Board.

COMMITMENT AUTHORITY:

In the case of multi-year supply and/or service contracts/leases, the expenditure limits shall apply to the estimated annual expenditure under the contract.

Approved by the Board of Directors
December 15, 2016

SCHEDULE A
Oshawa Public Libraries
Procurement Policy: Types of Procurement with Application and Authority

Type of Procurement	Definition and Application	Authority
Single Source	Everyday items which do not warrant the time and level of effort required for a request for quotations. The value of the purchase package must be less than \$5,000.	Director/Manager/Purchaser approves within assigned area of accountability and approved budgets.
Request for Quotation	<p>An informal request for prices for goods and services when the requirement(s) can be fully defined.</p> <p>Goods/Services between \$5,000 – \$24,999 require two (2) written quotes.</p> <p>Goods/Services between \$25,000 - \$99,999 require three (3) written quotes.</p>	<p>Director/Purchaser approves within assigned area of accountability and approved budgets.</p> <p>CEO or designate approves contracts of up to \$50,000.</p> <p>Contracts over \$50,000: Purchasing handles process and a recommendation is made to the Board; Library Board approves.</p>
Request for Proposal	<p>A formal invitation to suppliers to describe how their services, methods, equipment or products can address and/or meet the needs of the Library. It is used when a bidder is invited to propose a solution to a problem, requirement or objective and where:</p> <ul style="list-style-type: none"> • The need is best described in a general performance specification; and • Innovative solutions are sought; and • Maximum value can be calculated using detailed requirement(s) that permit the evaluation of proposals against clearly stated criteria and specifications; • Maximum value for the Library can be achieved by an award selection not made solely on the basis of the lowest dollar value that meets requirement(s) of the proposal. 	<p>CEO or designate approves contracts of up to \$50,000.</p> <p>Contracts over \$50,000: Purchasing handles process and a recommendation is made to the Board; Library Board approves.</p>
Tender	<p>A formal bid solicitation where:</p> <ul style="list-style-type: none"> • The requirement(s) can be fully defined; and • The value of the purchase package is \$100,000 or more; and • Maximum value for the Library can be achieved by an award selection made on the basis of the lowest bid that meets requirement(s) of the tender. 	<p>Purchasing handles process and a recommendation is made to the Board; Library Board approves.</p>

Sole Source	<p>A sole source purchase occurs when there is only one available supplier of a required product or service that meets the need(s) of the Library. It may occur in the following situations:</p> <ul style="list-style-type: none"> • The specifications of a product or service are so specific that its purchase is limited to only one source of supply; • Competition is precluded due to the application of legislation or because of patent rights, copyrights, technical secrets or controls of raw material; • The required goods and services are reasonably available from only one source by reason of the scarcity of supply in the market; • There is an absence of competition for technical or other reason; • The requirement is for a utility for which a monopoly exists; • The required goods and services are to be supplied by a particular vendor or supplier having special knowledge, skills, expertise or experience; or • The nature of the requirements is such that it would not be in the public interest to solicit competitive bids as in the case of confidential matters. 	<p>CEO or designate approves contract values of up to \$50,000.</p> <p>Contract values over \$50,000: Purchasing handles process and makes a recommendation to the Board; Library Board approves.</p>
Direct Negotiation	<p>Unless otherwise provided in accordance with this policy, goods and services may be purchased using the "Direct Negotiation" method, only if one of the following conditions applies:</p> <ul style="list-style-type: none"> • There is a need for compatibility with goods and services previously acquired and there are no reasonable alternatives or substitutes; or • An attempt to purchase the required goods and services has been made in good faith using another method and has failed to identify a successful supplier and it is not reasonable that a further attempt be made using a method other than direct negotiation; or • The total cost of the lowest bid is in excess of the funds allocated in the budget and that the changes required to achieve an acceptable bid will not change the general nature of the requirement described in the bid solicitation. 	<p>CEO or designate approves contract values of up to \$50,000.</p> <p>Contract values over \$50,000: Purchasing handles process and makes a recommendation to the Board; Library Board approves.</p>
Joint	<p>Where the CEO determines that it is appropriate, feasible and advantageous to the Library, the Library will participate in a joint procurement process. The primary objectives of Joint Procurement are to take advantage of lower prices, reduced advertising costs and other economies associated with combining the procurement of services, materials, supplies and equipment through the joint competitive bidding process. Two or more local contracting agencies agree to jointly seek bids with respect to certain categories of purchases. The agencies identify in advance their respective specifications for services or goods to be bid. Contracts may be with the group or with participating agencies.</p>	CEO
Consortium	<p>Where the CEO determines that it is appropriate, feasible and advantageous to the Library, the Library will participate in a purchasing consortium in order to leverage more value-</p>	CEO

	<p>added pricing from external suppliers than could be obtained if each organization purchased independently. The primary objective of Consortium Purchasing is to establish group purchase contracts for the financial benefit of its members by consolidated volume purchasing. An Agency represents a collective group of members to prepare formal bid specifications; advertise for, receive and evaluate bids on behalf of the collective; negotiate and award a master contract to the vendor providing for the collective needs and for the prices to be extended to participating members; notify the members of the contract awarded; and manage the execution of the contract. The Agency may be made up of all or some members of the collective acting on behalf of the group.</p>	
<p>Emergency</p>	<p>Emergency procurement occurs when a situation creates an immediate and serious need which may not be reasonably met by any other procedure. Emergency procurement shall be used where there is: Imminent or actual danger to the life, health or safety of the public, an official or an employee while acting on the Library's behalf;</p> <ul style="list-style-type: none"> • Imminent or actual danger of injury to or destruction of real or personal property belonging to the Library; • An unexpected interruption of an essential public service or operation; • A spill of a pollutant as contemplated by law and/or • Mandate of a non-compliance order. 	<p>Where in the opinion of the CEO, or designate, and Treasurer an emergency has occurred, the CEO or designate and/or Director may initiate a requisition/ purchase order in excess of the preauthorized expenditure limit to a maximum of \$100,000.</p> <p>Any PO issued under such circumstances together with a source of financing shall be reported to the Library Board Executive immediately and also to the next full meeting of the Board.</p>

APPENDIX A
Oshawa Public Libraries
Procurement Policy: Spending Authority

Dollar Value	Authority	Examples of Procurement Process
0 – \$999	Director or Manager or Purchaser	Corporate credit card Cheque requisition
\$1,000 – \$9,999	Director or Manager or Purchaser	Purchase order Request for Quotation
\$10,000 – \$19,999	Director and CEO	Request for Proposal
\$20,000 – \$49,999	CEO	Request for Proposal
\$50,000 – \$99,999	Board	Request for Proposal
\$100,000 and over	Board	Tender

Note: Splitting purchases to circumvent the above processes is not permitted.

APPENDIX B
Oshawa Public Libraries
Procurement Policy: Exclusions

This policy includes the purchase of all goods and services except for the following:

- Personnel services such as wages, salaries and benefits;
- Training and education such as conferences, registrations, courses, seminars, workshops, professional memberships;
- General expenses such as licenses, real estate including land, buildings, items of a confidential nature, professional and special services including appraisal, medical freight charges, postage;
- Utilities such as water, sewage, gas, electricity;
- Refundable employee expenses such as travel, mileage, accommodation; and
- Petty cash items less than \$25.