



REPORT TO THE LIBRARY BOARD

MEETING DATE: SEPTEMBER 24, 2020

SUBJECT: Fine Free Recommendation

PURPOSE: For Approval

PREPARED BY: Senior Team

PRESENTED BY: Michael Ciccone - CEO

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RECOMMENDATION

1. Approve the revised London Public Library (LPL) Lending Services Policy as attached in Addendum 1C to remove all overdue fine charges for library materials; and
2. Approve the forgiveness of all overdue fines currently owed by London Public Library patrons.

BACKGROUND

At their core, public libraries are both advocates and instruments for the removal of barriers to knowledge, learning and literacy through the services they offer. Recently, however, public libraries are coming to terms with a long-standing barrier to services that they themselves have created: overdue fines.

There is mounting evidence that fines for overdue materials have unwittingly added to social inequity and created a significant barrier to providing public library service to those most in need. Past rationales for having an overdue fine structure - such as teaching responsibility or preventing the loss of materials – are being examined under a new lens and these measures have proven ineffective in addressing their desired outcome.

There is a wealth of research and documentation supporting the movement toward ending overdue fines, one of the most comprehensive being the detailed and heavily researched report from San Francisco Public Library (see Addendum 2). Completed in partnership with the San Francisco Office of the Treasurer and Tax Collector, it provides a fiscal rationale for eliminating fines to support the social justice rationale. In its findings, it states: “Overdue fines restrict access and exacerbate inequality by disproportionately affecting low-income and racial-minority communities, create conflict between patrons and the library, require an inefficient use of staff time, and do not consistently ensure borrowed materials end up back on library shelves.”

Many libraries in the United States have gone fully fine free and the movement is catching on in Canada. Since May, the public libraries of Burnaby, Calgary, Edmonton, Vaughn, Barrie, Oakville, Saskatoon, Burlington and Halifax have all gone fine free. Since the pandemic began, the London Public Library has discontinued overdue fines and has temporarily lifted borrowing restrictions due to fines owed, but, under normal operating procedures, the following would be true:

- More than 1 in 10 registered patrons are not able to borrow materials because they owe fines in excess of the Library maximum allowed. In addition, those

owing fines are reluctant to access the Library's other resources (computers, programs, meeting space, etc.)

- If the 16,000 patrons who owe the Library less than \$40 were welcomed back to the Library and borrowed materials at the average per active patron in 2019 (19.4), they would borrow over 310,000 items – a 9% increase in overall borrowing.

From a financial perspective, fines were a sustainable source of additional operating revenue, but that is no longer the case. As digital collections continue to grow and become a larger percentage of materials borrowed, revenue potential decreases. At LPL, funding currently realized from fines is not sustainable, having declined significantly (over 160%) from 2013 to 2019. Additionally it is estimated that the collection of fine payments by staff is a net loss; costing nearly 33% more in staff cost than the amount of fine revenue collected at the branches. There is a clear responsibility for the Library to be proactive in planning its operating budget without the reliance on overdue fine revenue.

On September 28, 2017, The London Public Library Board approved a recommendation to the Library's Lending Services Policy that eliminated late fines for children 12 years or younger and reduced fines for Teens. We are recommending that the Board approve revisions to the same policy that eliminates late fines for all patrons. In addition, we are seeking approval for the waiving of all fines currently owed. This would not eliminate fees for materials lost or not returned.

Coupled with fine elimination will be the implementation of automatic renewals. Each item borrowed will be renewed a maximum of three times (based on their normal borrowing period), unless the item has been placed on hold by another patron or is part of a specialized collection such as wifi hotspots or musical instruments.

The expected and intended impacts of eliminating fines are:

- Growth in active membership and subsequent increase in use of collections, attendance at programs, etc.
- A more equitable service model, as fewer patrons in vulnerable communities are blocked from accessing our services
- Enhanced ability for Library staff to have more positive interactions with patrons and more time to focus on our core services, as thousands of unpleasant conversations, payment transactions and individual fee waivers are eliminated

Assuming approval of the recommendation, the next steps are as follows:

- Revision to the Monetary Charges Policy to be brought to the Board for approval in Oct 22, 2020

- Develop a fund raising campaign that focuses on removing barriers to coincide with our fine free initiative.
- Plan an extensive marketing and outreach campaign to announce going fine free, the forgiveness of existing fines and to welcome back affected patrons.

ADDENDUM 1A: LENDING SERVICE POLICY - CURRENT

PURPOSE:

London Public Library (LPL) collection connects people to a range of ideas, creative thought and expression, information and viewpoints. The Lending Services Policy ensures that people can use and borrow items from a comprehensive collection of materials, across multiple formats and platforms and that all customers will be served in a fair and respectful manner. The Lending Services policy outlines:

- Criteria for Library membership;
- Borrowing responsibilities of the library card holder;
- Circulation of materials;
- Customer confidentiality; and
- Accountability for the management of lending services.

SCOPE:

This policy governs all Lending Services transactions and applies to all users of LPL. This policy is in accordance with the principles of universal and equitable access and with LPL's Purpose Statement and Community Values.

There is an associated policy that relates specifically to lending services transactions for Visiting Library Services which provides free service to persons who are confirmed to their residence and are unable to visit a library branch location.

DEFINITIONS:

Note: definitions are not changing and are not included in the original

POLICY STATEMENT:

It is the policy of the London Public Library that lending services will be provided under the authority of the *Public Libraries Act*, R.S.O. 1990, Chapter P.44 which:

- Provides the opportunity for members of the public to access and borrow materials; and
- Ensures the care of and accounting for materials in the LPL collection.

1. Borrowing of Materials

- a) Any member of the public who possesses an LPL library card and whose account is in good standing may borrow materials from the Library's circulating collections.

- b) Any member of the public may use all LPL materials in the library, without a library card unless the materials, as pre-determined by LPL Employees, require a library card to access them.
- c) Materials may be borrowed for established periods of time, depending on material type, demand or special circumstances, such as accessibility needs.

2. Library Cards

- a) A library card may be obtained by a person who is:
 - Resident of the City of London, without charge;
 - Resident of communities participating in reciprocal agreements; or
 - Non-resident, outside reciprocal agreements, for a fee.
- b) By signing the card, the person agrees to abide by the policies and procedures of the Library.
- c) The person whose signature is on the card is responsible for all use made of the card.
- d) In signing the card, or, in the case of children, the registration form, the signer accepts responsibility for the choice, use and return of all materials borrowed and for charges on items that are overdue, lost or damaged.
- e) Library card holders who lose or damage their cards **may** be charged a fee.
- f) Library cards are the property of the Library.
- g) Reciprocal agreements with other library systems, regarding the interchange of library services such as use of materials, are established by the London Public Library Board.

3. Fines and Fees

- a) Fines are charged when materials are returned after their due date and are levied against the library card on which they are borrowed.
- b) Fees are charged for damaged, lost and/or unreturned materials and levied against the library card on which they are borrowed.
- c) The LPL does not accept donations of materials in lieu of fines or fees.
- d) Members of the Library Board and the CEO & Chief Librarian (CEO) are required to pay fines and applicable fees.

e) Employees of LPL and Retirees are exempt from paying fines but must pay all other applicable charges and fees.

f) Overdue accounts may be referred to a collection agency.

4. Suspension of Services

a) Library card holders may have their lending services or access to other services suspended if:

- Accumulated fines and fees charged to the library card exceed the limit set by the Library;
- The card holder is banned for a period of time, under the terms of the Banning Policy; or
- The card holder has refused to abide by the Lending Services Policy and procedures.

5. Reconsideration/Concerns

a) An individual who has a concern regarding application of the lending services policy and procedures may request the matter to be reviewed by the Coordinator, Lending Services who will then make a decision on the matter.

b) An individual may request a reconsideration of the decision and may request that this matter be referred to the office of the CEO. The final decision concerning lending services rest with the CEO.

6. Accountability

a) Accountability for delivery of lending services is vested in the office of the CEO which delegates this activity to qualified and knowledgeable staff.

b) Through the CEO, lending services loan periods, fines and fee schedules, procedures and guidelines are established and followed.

Accountability for the application of the *Lending Services Policy* resides with the Library Board. The Library Board will ensure that:

- The policy is applied in the context of the governance policy framework of the Library;
- The terms of the policy are applied;

- Through the CEO, lending services processes, procedures and guidelines are followed; and
- The CEO has acted in accordance with the policy and follows due process in the reconsideration process.

7. Confidentiality of Personal Information

- a) Confidentiality of all personal information held by LPL in matters related to lending services is governed by the *Municipal Freedom of Information and Protection of Privacy* (MFIPPA) and related LPL policy, *Access to Information and Protection of Privacy Policy*.
- b) Collection, storing and management of information for lending services purposes, such as personal electronic addresses, shall be in accordance with the Government of Canada's Anti-Spam Legislation and LPL's *Communications Policy – Electronic Messages*.

ADDENDUM 1B: LENDING SERVICE POLICY – SUMMARY OF CHANGES

SECTION 3 CURRENT:

3. Fines and Fees
 - a) Fines are charged when materials are returned after their due date and are levied against the library card on which they are borrowed.
 - b) Fees are charged for damaged, lost and/or unreturned materials and levied against the library card on which they are borrowed.
 - c) The LPL does not accept donations of materials in lieu of fines or fees.
 - d) Members of the Library Board and the CEO & Chief Librarian (CEO) are required to pay fines and applicable fees.
 - e) Employees of LPL and Retirees are exempt from paying fines but must pay all other applicable charges and fees.
 - f) Overdue accounts may be referred to a collection agency.

SECTION 3 REVISED:

3. Fees
 - a) Fees are charged for damaged, lost and/or unreturned materials and levied against the library card on which they are borrowed.
 - b) The LPL does not accept donations of materials in lieu of fees.
 - c) Members of the Library Board, all employees of LPL and retirees must pay all applicable fees.
 - d) Overdue accounts may be referred to a collection agency.

SECTION 4 CURRENT:

4. Suspension of Services
 - Accumulated fines and fees charged to the library card exceed the limit set by the Library;

SECTION 4 REVISED:

4. Suspension of Services

- Accumulated fees charged to the library card exceed the limit set by the Library;

SECTION 6 CURRENT:

6. Accountability

- Through the CEO, lending services loan periods, fines and fee schedules, procedures and guidelines are established and followed.

SECTION 6 REVISED:

6. Accountability

- Through the CEO, lending services loan periods, fee schedules, procedures and guidelines are established and followed.

ADDENDUM 1C: LENDING SERVICE POLICY – REVISED

LONDON PUBLIC LIBRARY POLICY

Lending Services Policy

Policy Type: Board Operational Linkage

Policy No.: C-CL-02

Effective Date: September 28, 2017

Review: September 2020

PURPOSE:

London Public Library (LPL) collection connects people to a range of ideas, creative thought and expression, information and viewpoints. The Lending Services Policy ensures that people can use and borrow items from a comprehensive collection of materials, across multiple formats and platforms and that all customers will be served in a fair and respectful manner. The Lending Services policy outlines:

- Criteria for Library membership;
- Borrowing responsibilities of the library card holder;
- Circulation of materials;
- Customer confidentiality; and
- Accountability for the management of lending services.

SCOPE: This policy governs all Lending Services transactions and applies to all users of LPL. This policy is in accordance with the principles of universal and equitable access and with LPL's Purpose Statement and Community Values.

There is an associated policy that relates specifically to lending services transactions for Visiting Library Services which provides free service to persons who are confirmed to their residence and are unable to visit a library branch location.

DEFINITIONS:

"Materials" includes all items in the LPL collections, which are available to the public through the integrated library system, such as but not limited to books, pamphlets, magazines, newspapers, DVDs, CDs, microfilm, microfiche, electronic resources.

"Transactions" includes, but is not limited to, obtaining a library card, borrowing materials, reserving materials, placing holds, check out and check in, etc.

"Resident" means a person who residing or owning property within the boundaries of the City of London and to persons residing in communities with whom LPL has a reciprocal borrowing agreement.

“Non-resident Borrower” means a person who does not meet the definition of a resident and can be issued a LPL library card upon presentation of proper identification and payment of a fee.

“Good Standing” means a library card holder who has agreed to follow the requirements set by LPL to borrow materials or access information and whose library card account does not have any “blocks” imposed on it.

“Employees” mean permanent employees, pages, casuals (excluding Sunday Service Casuals) from their dates of hire.

“Retired Staff” is defined as a former employee who has been issued a record of employment indicating retirement as the reason for leaving.

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 - Accumulated fees charged to the library card exceed the limit set by the Library;
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 - The card holder has refused to abide by the Lending Services Policy and procedures.

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INQUIRIES:

- Coordinator, Lending Services

- Manager Customer Services & Branch Operations
- CEO & Chief Librarian

RELATED DOCUMENTS:

- Municipal Freedom of Information and Protection of Privacy Act, R.S.O 1990, Chapter M.56
- Public Libraries Act, R.S.O. 1990, Chapter P.44
- Access to Information and Protection of Privacy Policy
- Accessibility for Users with Disabilities Policy
- Banning Policy
- Collections Management Policy
- Communications Policy – Electronic Messages
- Diversity and Inclusion Policy
- Monetary Charges (including “Schedule of Monetary Charges”)
- Rules of Conduct
- Visiting Library Service Policy

DOCUMENT CONTROL:

Date Passed: March 16, 1983

Dates Reviewed:

- September 13, 1989
- May 16, 1990
- October 17, 1996
- January 29, 1997
- February 23, 2000
- June 24, 2010 (L10/46.1)
- November 22, 2012 (L12/71.3)
- September 28, 2017 (L17/51)
- September 24, 2020

ADDENDUM 2: ARTICLES, RESEARCH, REPORTS AND RESOURCES

ARTICLES AND RESEARCH

- Coelho, Steph. (2020) [Library Fines are Trash and People are Taking Notice](#), Book Riot
- Dixon, J. A. (2017) '[Doing Fine\(S\)?](#)', Library Journal, 142(6)
- Eberhart, George M. (2017) '[Doing Away with Fines](#)', American Libraries Magazine Online
- Unrein, Sabrina. (2020). "[Overdue Fines: Advantages, Disadvantages, and How Eliminating Them Can Benefit Public Libraries.](#)" Syracuse, NY: iSchool Public Libraries Initiative at Syracuse University.

RESOURCES AND REPORTS

- [Compilation of Documents](#) Peter Bromberg, May 2017
- [Federation of Ontario Public Libraries \(FOPL\) Resource List](#)
- [Urban Libraries Council Fine Free Map](#)
- [LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library](#)
- [List of Canadian Libraries Currently Fine Free](#)