

LIBRARY BOARD OF WESTERN AUSTRALIA
PROPOSED CHANGES TO THE *LIBRARY BOARD*
OF WESTERN AUSTRALIA ACT 1951

CONSULTATION SUMMARY

Background

The *Library Board of Western Australia Act* was enacted in 1951 to establish a free public library system in Western Australia. It established the Library Board of Western Australia as a statutory body with management responsibility to oversee this process. The first public library opened in York in 1954 and 53 years later there are now 232 registered public libraries throughout the State.

While the Act has served well, it requires a refresh to reflect the current environment under which the Library Board, the State Library of Western Australia, and Local Government operate for the provision of library services.

A review of the *Library Board of Western Australia Act 1951* is underway with the intention of making a number of changes to the Act.

Consultation has occurred on proposed changes in the following areas:

- Library Board relationship with local government and public libraries;
- Library Board structure and governance; and
- Legal deposit provisions.

Processes

Consultation papers, posted on the State Library website, were prepared to outline the proposed amendments to the *Library Board of Western Australia Act 1951* and provide a basis for discussion about these changes.

- Consultation Paper 1 was prepared for the Western Australia Local Government Association (WALGA);
- Consultation Paper 2 was prepared for LocLib (the Local Government Librarians Association of WA), Metropolitan Library Managers and Country Librarians Group;
- Consultation Paper 3 was prepared for WA publishers, authors and creators of music film, electronic and print publishing; and
- Consultation Paper 4 was prepared for the General Public.

An average of 33 people a week accessed the legislation page on the State Library website. The review was also publicised on the ConsultWA website.

Feedback, received from WALGA, public librarians, other groups and individuals, has been that the public consultation period and process undertaken by staff at the State Library is much appreciated.

Stakeholders and Participants

The Library Board of Western Australia recognises the importance of engaging our partners and the community in consultation to benefit from the experiences and knowledge of those who are most affected by our policy decisions.

The Library Board of Western Australia's consultation into the review of the *Library Board of Western Australia Act 1951* has been open and fair. Views have been sought, valued and considered so that we achieve the best outcome for the people of Western Australia.

Opportunities for discussion were provided through meetings and workshops initiated by the State Library with a focus on the following stakeholders:

- Local Government represented by WALGA (named in *Act*);
- Cities of Perth and Fremantle (named in *Act*);
- Australian Library and Information Association (named in *Act*);
- Public Library staff;
- Publishing community including print, electronic, music and film;
- State Library of Western Australia staff; and
- the general public.

Any other interested parties or individuals not named above were also encouraged to participate.

The CEO and State Librarian also wrote to:

- Australian Library and Information Association (ALIA), Local Government Librarians Association (LocLib), Country Librarians Group, Metropolitan Library Managers
- Department of Education and Training
- City of Fremantle
- City of Perth
- Parliamentary Librarian
- Publishers, and
- History lobby groups.

Email notification of the review process was sent out via numerous lists, including WAIN and the Australian Film Television and Radio School (AFTRS).

Feedback

There was unanimous agreement for the need to update legislation to more accurately reflect current practice, the name change to the State Library of Western Australia and the environment in which the State Library and public libraries now operate.

In addition to meetings and workshops where over 100 people were consulted with, there were about ten written responses received. Various email comments were also posted on aliaWEST and WAIN discussion lists.

Board Structure and Governance

There was general agreement on all recommendations, eg, reduce the number of Board members, remove specific representation from the Cities of Perth and Fremantle, term of three years, etc.

The proposed one-third local government representation of three members (or 33%) on the Board is in recognition of the partnership in the provision of public library services. There was strong feeling, during consultations, that at least one of the three local government representatives comes from country WA. WALGA agreed to three representatives, however State Council resolved that the State Library of Western Australian be advised that the Association supports the proposed amendments to the *Library Board Act* subject to :

- a a commitment to the principle of “free public libraries” be enshrined in the Act;
- b the importance of the equal partnership between State and Local Government for the delivery of public library Services be acknowledged in the Act;
- c agreement that proposed Local Government Board Members will be comprised of one metropolitan; one non metropolitan; and two general members and that an essential pre-requisite for all positions will be an ability to demonstrate significant experience and understanding of public libraries; and
- d acknowledgement of the Intergovernmental Agreement Establishing Principles to Guide Inter-Governmental Relations on Local Government Matters (April 2006).

The Australian Library and Information Association (ALIA), national and WA, through a meeting with the CEO, verbally indicated support for what is trying to be achieved through proposed legislation changes. ALIA agreed that removal of the ALIA representative from the Board is acceptable because of the need for the Library Board to meet the State’s governance requirements as well as to introduce more contemporary board practices.

Subsequent to the meeting with the CEO, individual ALIA members disagreed (four written responses and more during public consultation). They would like to see representation of the library and information profession in WA on the Board because the business of the State Library is libraries and the peak body representing the library profession is ALIA. They argue that having an ALIA representative on the Board will provide independent expertise on the provision of the State Library’s unique core services which are utilised by a much larger cross section of the community than services provided by other agencies. On 14 August, ALIA advised that “there is support in principle for the proposed change as it is acknowledged that in order for Boards to be effective a mix of skills is required ... However ... the ALIA Board, general ALIA members and other relevant stakeholders would be strongly encouraging a qualified librarian to be a part of the representation on the [Library Board of Western Australia].”

The Department of Education and Training (DET) support the retention of their representative on the Board.

One group requested there be a Battye Library representative on the Board.

Other concerns included the appointment of Chairman and Vice Chairman by the Governor (three written responses) which was argued would expose the Board to the potential for political interference.

Relationship with Local Government and Public Libraries

The need to state that core public library services are provided free of charge was practically in all consultations and written submissions. This is already in the definition of "registered public library".

Legal Deposit

There was universal agreement that this is of utmost importance. It was almost unanimous that the best place for legal deposit legislation is in the Act that covers the body that administers legal deposit, as 'stand-alone' legislation could be repealed without consultation.

People realised that it is currently difficult to collect online and irregular publications and electronic materials. There was recognition that a chunk of WA's documentary heritage will be lost if legislation is not in place. One respondent preferred that legal deposit is an 'obligation to deposit' rather than an 'entitlement to receive'. A few raised the implication on workload and the need for the State Library to be adequately resourced, staff-wise and equipment/capital, in order to adequately collect and preserve WA's documentary and cultural heritage.

Other Matters Raised

Another respondent asked that consideration be given to appropriation being delivered direct to service agencies, including the State Library.

Recommendations resulting from consultation

In general terms the consultation has been positive with broad support for the proposed changes. The results of the consultation will be taken into account.

Much of the detail in what was raised will be addressed in the review and amendment of the Regulations once Legislation is passed.

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