

**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE MINISTER ASSISTING THE PREMIER IN THE ARTS**

**AND**

**THE PRESIDENT OF THE LOCAL GOVERNMENT ASSOCIATION**

**REGARDING FUNDING FOR PUBLIC LIBRARIES**

**20011-12 to 2020-2021**

## 1. PURPOSE

- 1.1. This Agreement sets out the basis on which State and Local government will work together to address the library and information needs of the people of South Australia through an effective and responsive public library network.
- 1.2. It is a statement of commitment and intent in relation to the public library network and public libraries and is consistent with the State/Local Government Relations Agreement.
- 1.3. This Agreement sets out a framework for the allocation of State Government funding to support the network and public libraries, complementing the funding allocated by individual Councils to public library services, and for joint reporting on the activities of public libraries within SA.
- 1.4. This Agreement commences on 1 July 2011 and ends on 30 June 2021.
- 1.5. It may be extended for a further five or more years if agreed between the parties.
- 1.6. It recognises the role and responsibilities of the Libraries Board under the *Libraries Act 1982*. The *Libraries Act 1982* confers on the Libraries Board specific objectives, membership requirements, powers and obligations towards public libraries, most notably under Sections 7, 9, 14, 15 and 21.
- 1.7. It recognises the Local Government contribution to public library services made locally by individual councils both through the provision of recurrent funding and the management of services to meet local community needs.
- 1.8. In addition it recognises the partnership arrangements for school-community and joint-use libraries.
- 1.9. The Agreement is not intended to create legally binding relations between the parties or between the State Government and local councils.
- 1.10. This Agreement does not preclude consideration, by the Minister and the Local Government Association, of other significant issues and opportunities for public libraries that may arise over the term of the Agreement.

## 2. DEFINITIONS

- 2.1. In this Agreement unless a different meaning is stated:
  - **Agreement** means this Memorandum of Agreement between the Minister and the LGA
  - **Minister** means the Minister Assisting the Premier in the Arts
  - **LGA** means the Local Government Association of South Australia
  - **Libraries Board** means the Libraries Board of South Australia
  - **PLS** means Public Library Services, a unit of the Libraries Board
  - **SASP** means South Australia's Strategic Plan

### 3. OBJECTIVES

3.1. Through this Agreement, the State Government seeks to fund specific public libraries outcomes that support the SASP objectives of:

- *Growing Prosperity,*
- *Improved Wellbeing,*
- *Fostering Creativity,*
- *Building Communities and*
- *Expanding Opportunity.*

3.2. These outcomes are:

- equitable access to public library collections and services for all South Australians;
- access to the information economy and free public access to the internet through public libraries;
- public libraries as centres to facilitate life-long learning for all South Australians
- access to public library services across Council boundaries.

3.3. Consistent with these outcomes, LGA will facilitate an annual discussion with the State to examine the role of libraries in relation to SASP targets, in particular in building communities, encouraging creativity, and developing community wellbeing. The Minister will seek the support of State agencies in this annual discussion. Agreed outcomes are to be set out in Schedule C to this Agreement and amended from time to time by joint agreement.

### 4. COMMITMENT TO THE PUBLIC LIBRARIES NETWORK

4.1. Funds and other conditions and support for Public Library Services (PLS) and public libraries will be made available subject to the conditions set out in Schedule A.

4.2. The total amount of the funds provided under this Agreement will be provided to the Libraries Board for allocation to PLS and public libraries consistent with this Agreement and the *Libraries Act 1982*. The Board will ensure the efficient and effective use of the funds.

4.3. The purposes for which funding is made available include:

- 4.3.1. materials purchases (book and non-book, including access to electronic databases/services);
- 4.3.2. operating costs of both PLS and public libraries including the provision of an IT network that will support free access to internet services;
- 4.3.3. investment in innovation and improvements to library services, which may be included as schedules to this Agreement

4.4. In relation to 4.3.3, the parties will undertake an annual review, in conjunction with the Libraries Board and PLS, to assess current initiatives and, if applicable, agree on new investments.

- 4.5. The PLS Standing Committee will continue to operate with membership and terms of reference agreed by the Minister, through the Libraries Board, and the Local Government Association. The Committee will report directly to the Libraries Board and may advise the Libraries Board on any issue relevant to the role of the Libraries Board in relation to public libraries (in addition to any roles specified in this Agreement).
- 4.6. The Libraries Board is supported, consistent with the *Libraries Act 1982*, as the key decision-making and advisory body in relation to the public libraries network. Consistent with the State/Local Government Relations Agreement, the Minister will consult with the Local Government Association over any proposals to amend the *Libraries Act 1982* and with the President of the Local Government Association prior to appointment of the Chair of the Libraries Board.
- 4.7. The Local Government Association will apply its best endeavours to ensure all local councils participate in the achievement of the outcomes outlined in this Agreement including continuation and further development of relationships with the State Library of SA which support public library outcomes.

## **5. REFORM & EFFICIENCY**

- 5.1. The parties, in conjunction with the Libraries Board, agree to jointly establish a mechanism to:
  - 5.1.1. explore a vision for the future of the public libraries network and public libraries within South Australia, in particular building on the One Library Management System and digital platforms.
  - 5.1.2. identify complementary roles of public libraries and network support services.
  - 5.1.3. explore the future support required by public libraries and options for efficient and effective delivery of network support into the future.
- 5.2. Recommendations arising from 5.1 will be made available to the Minister and the LGA within the first three years of the Agreement.
- 5.3. The parties will undertake a review of this Agreement on a regular basis. As a minimum two reviews will be undertaken during the term of the Agreement, by December, 2015 and December, 2019.

## **6. ACCOUNTABILITY/REPORTING**

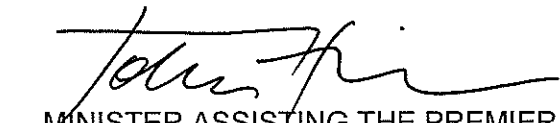
- 6.1. The Libraries Board, in liaison with the Local Government Association, will prepare and publish annually, a report on the delivery of public library services in SA incorporating information regarding funding sources, usage data, and information regarding outcomes with particular regard for SASP targets. The LGA shall use its best endeavours to facilitate provision of information from Councils to assist with the preparation of the report.

## 7. ALTERATIONS

- 7.1. The parties acknowledge and agree that this Agreement will be reviewed periodically pursuant to clause 4.4 and 5.2 and that alterations can be made at any time. Negotiations will occur between the parties prior to any change in the arrangements detailed in this Agreement.

## 8. RE-NEGOTIATION

- 8.1. Negotiations between the parties concerning arrangements for public libraries after the financial year 2020-21 may be commenced from July 2020 and should be concluded by 31 December 2020. Such future agreement may be for any term the parties decide.
- 8.2. Should a new agreement not be finalised prior to expiry of this Agreement the State Government will continue to provide funding to the Libraries Board in relation to financial obligations entered into under the previous Agreement.

  
MINISTER ASSISTING THE PREMIER  
IN THE ARTS

  
PRESIDENT, LOCAL GOVERNMENT  
ASSOCIATION OF SOUTH AUSTRALIA

Dated

9. 8. 2011

Dated

9/8/2011

## **SCHEDULE A: Funding, Terms and Conditions**

- A.1. State Government funding under this Agreement will be provided to the Libraries Board for each year of the Agreement.
  - A.1.1. The funding for each financial year will comprise the allocation for the previous year (with the exception of 2013-14, see A.1.2) plus growth to the portion of funding allocated to PLS salaries and wages consistent with relevant enterprise bargaining agreements covering PLS staff and growth to the remaining funds consistent with the indexation rate as approved by the Treasurer.
  - A.1.2. For 2013-14 the funding will comprise the allocation for the previous year minus \$1million, plus growth to the portion of funding allocated to PLS salaries and wages consistent with relevant enterprise bargaining agreements covering PLS staff and growth to the remaining funds consistent with the indexation rate as approved by the Treasurer.
- A.2. The State Government will ensure suitable rent-free accommodation is provided to PLS and its services.
- A.3. The State Government will also ensure that PLS support for libraries with information technology services is not adversely affected by across government IT arrangements.
- A.4. During the first 12 months of the Agreement, Arts SA and the LGA will review the basis for, and communication of, the annual indexation of State Government funding with the aim of providing transparency.
- A.5. Any funding allocated by the Libraries Board of SA under previous agreements but not expended by June 30, 2011, shall remain available to the Libraries Board of SA to expend on purposes outlined under section 4 of this Agreement.
- A.6. The specific funding allocation to each public library is recommended to the Minister by the Libraries Board on advice it receives from the PLS Standing Committee.
- A.7. The funds for materials and other grants to public libraries and operating costs for PLS will be made available through Arts SA quarterly in advance. Funds for the operating subsidies for public libraries and the community information grants will be paid on 31 October each year.
- A.8. Materials purchased centrally through PLS, and then given to a particular public library, become the property of the Council which manages that library on delivery to the Council. Such materials, along with any purchased locally, will continue to be made available for statewide inter-library loan, free of any charge.
- A.9. Proceeds from the sale or licensing of any intellectual property, software or any assets purchased or developed directly with resources under this Agreement will be applied for public library purposes.
- A.10. The Minister, through the Libraries Board, will ensure that sufficient assets and infrastructure are available for public library purposes to deliver the level of services required under this Agreement.

- A.11. Should this Agreement not be extended or re-negotiated, any funds allocated as a result of this Agreement, remaining with the Libraries Board, will be expended or allocated to public libraries for the purposes as outlined in this Agreement.
- A.12. Should funding for materials be discontinued during or at the conclusion of this Agreement, the Minister, through the Libraries Board, will ensure funds are made available to meet the cost of materials ordered within approved budgets and delivered within six months after the conclusion of funding for materials.
- A.13. The Minister and the Libraries Board will ensure that the services and resources provided by the State Library will remain available and accessible to public libraries. Additionally, the Libraries Board and Local Government will ensure that the services provided by public libraries will remain accessible to all users of library services across the State, whether or not the user is resident in the council district from which the services are provided.

## **SCHEDULE B: Agreed Initiatives / Investments**

### One Library Management System

*B.1 (These clauses will be inserted prior to implementation of the One Library Management System initiative)*



## **SCHEDULE C: SA Strategic Plan Objectives**

C Consistent with Section 3.3 of the Agreement this schedule will be developed and amended from time to time to incorporate:

- A.1. a clear outline of SA Strategic Plan objectives supported by public libraries;
- A.2. a program of actions in areas in which partnerships between State agencies and public libraries will support SA Strategic Plan objectives.