

# Queensland Art Gallery | Gallery of Modern Art

## Responsible Conduct Policy

Approved 16/12/2015

Chris Saines, Director of Queensland Art Gallery

### 1. PURPOSE

The Queensland Art Gallery | Gallery of Modern Art (the Gallery) is committed to providing a safe, welcoming and respectful environment for all visitors to enjoy whilst ensuring the protection of artworks and other assets placed under its duty of care.

This policy defines the conventional standards of behaviour on which fulfilment of this principle is governed and determines how Gallery employees take action when these standards are not complied with.

### 2. SCOPE

This policy applies to:

- Gallery premises and any individual occupying those premises; and
- Communication with Gallery employees undertaken outside Gallery premises by mail, telephone, email, other internet services or any other means.

### 3. DEFINITIONS – includes but not limited to:

**Client Behaviour Incident Report** refers to a report that is prepared following a breach of:

- the Conditions of Entry policy;
- the Responsible Conduct policy;
- Gallery security; or
- when a visitor refuses to cooperate with Gallery staff enforcing the Policies noted above.

**Eviction** refers to a person or group who has been directed to leave the Gallery premises by a Queensland State Government Protective Security Service (SGPSS) officer due to the continual display of unacceptable behaviour and failing to heed initial approaches by Gallery or contracted staff to refrain from such behaviour.

**Employee** refers to all Gallery employees including volunteers.

**Gallery premises** refers to the Queensland Art Gallery and Gallery of Modern Art buildings, including cafes and grounds and off-site storage facility. Surrounding Gallery common areas are subject to the policy if the Gallery has contracted the use of those areas.

**Group** refers to two or more individuals.

**Inconsiderate, inappropriate or offensive behaviour** refers to:

- communication that offends or disturbs others;
- canvassing or hawking – Refer to the QAGOMA “Third party Communication and Marketing policy”;
- protest or demonstration against Gallery events and/or Gallery business partnerships or business objectives;
- being disorderly;
- exhibiting material that is offensive or objectionable to other visitors such as expressions of racial hatred and representations of violence;
- inadequate personal hygiene or dress contrary to minimum community standards;

- interference with personal property; Gallery property at risk, including mistreatment of furniture and eating or drinking in non-designated areas;

**Infringement of security and safety** refers to:

- incidences, activities or behaviours that harm, threaten or create risk of harm to Gallery visitors and/or employees including intimidation and harassment;
- unauthorised entry to:
  - gallery ticketed exhibition spaces or public programs where no payment of the exhibition fee has been made;
  - exhibition spaces and/or artwork locations that have a perimeter boundary marking or sign placed in front advising visitors not to enter or to remain behind the threshold;
  - non-public areas; and
  - unauthorised access to Gallery information systems;
- theft or malicious damage of Gallery property or property belonging to individuals; and
- non-payment of a Gallery service and/or item fee or charge when the service/item has been provided to and utilised by the individual/s.

**QPS** refers to the Queensland Police Service.

**SGPSS** refers to State Government Protective Security Service.

**SPSO** refers to Senior Protective Security Officer.

**Termination of communication** refers to a person whose line of communication has been terminated due to displaying behaviour that is unacceptable and in breach of Gallery policies in communicating with Gallery staff from outside Gallery premises (by being abusive or threatening, for example).

## 4. APPLICATION - STANDARDS OF BEHAVIOUR

The Gallery welcomes all visitors subject to adherence of two commonplace standards of behaviour:

- that the security and safety of people or property is not breached; and
- that proper regard is shown for the needs, sensitivities and rights of others.

Failure to observe these standards is unacceptable. This also applies to contractors working on Gallery premises.

Gallery employees are empowered to determine whether or not behaviour is unacceptable for the purposes of this policy.

## 5. RESPONSES TO INFRINGEMENTS OF SECURITY

### **Role of Gallery employees**

Gallery employees are required to refer all apparent infringements of security to the Protection & Visitor Services Duty Team Leader in the first instance who may involve the SGPSS for escalated incidences.

### **Role of the QLD SGPSS**

The SGPSS is responsible for maintaining security of the Cultural Centre precinct grounds including the Gallery areas. The jurisdiction, function and powers of the SGPSS are defined in the *State*

*Buildings Protective Security Act 1983*. The SGPSS has additional jurisdiction over Gallery premises.

Within the jurisdiction of the SGPSS, Senior Protective Security Officers (SPSOs) have all the powers of a police officer, except the power of arrest. SPSOs are invested with certain powers of search and the authority to demand identification, direct the person/s to leave a State Government building and to detain the person/s, pending arrival of a Queensland Police Service (QPS) officer. At the South Brisbane site the SGPSS maintains a continuous presence, undertaking regular patrols and continuously monitoring closed circuit television cameras in place throughout the Gallery buildings and the Cultural Centre precinct.

### **Involving the Queensland Police Service (QPS)**

The SGPSS have primary responsibility for determining when the involvement of the QPS is warranted and for actually requesting the assistance of, and liaising with, the QPS. Gallery staff may independently request the assistance of the QPS only if difficulty in contacting the SGPSS would increase risk of harm to any person or prevent enforcement of the law.

### **Response to inconsiderate, inappropriate or offensive behaviour**

When a person or group displays inconsiderate, inappropriate or offensive behaviour, Gallery staff are to encourage the person/s responsible to behave in a more respectful manner in line with Gallery policy expectations. Evicting the person/s from Gallery premises or terminating communication with Gallery staff conducted from outside Gallery premises is a last course of action, only ever necessary after conciliatory approaches have failed, or in response to infringements of security and/or Gallery policies.

### **Initial response**

Where client behaviour is in breach of the Conditions of Entry and/or Responsible Conduct Policy, staff are to respond in accordance with the Responsible Conduct Policy Procedures by:

- pointing out the possible adverse impacts of the client's behaviour on others; and
- encouraging the person/s to utilise the Gallery and its services effectively and in an acceptable manner.

### **Second response and eviction**

A person or group on Gallery premises who continues to display behaviour that is unacceptable, and who fails to heed initial approaches by Gallery or contracted staff will be informed by an SGPSS officer that under the Policy they will be evicted from the premises. When a person or group is being evicted from the Gallery they will be advised (by the attending SGPSS officer) why they are being evicted, that the eviction is occurring under the Policy and that they will not be permitted to re-enter Gallery premises until the next day. In the case of a client leaving the premises prior to SGPSS involvement and eviction, staff should complete a Client Behaviour Incident Report as per procedure.

### **Termination of communication with Gallery staff conducted from outside Gallery premises**

A person or group who behaves unacceptably and in breach of Gallery policies in communicating with Gallery staff from outside Gallery premises (by being abusive or threatening, for example) will be informed that communication will be terminated unless the behaviour ceases. Communication will be immediately terminated unless they comply.

### **Client Behaviour Incident Report**

A Client Behaviour Incident Report must be completed following any of the circumstances described above.

***Refer to Appendix A (Client Behaviour Incident – Procedure of actions)***

### **Authority**

The authority to instigate the eviction of a person or group from Gallery premises under the Policy is delegated to the attending SGPSS officer via request from the Protection & Visitor Services Duty Team Leader. Authority to terminate communication by any person/s from outside Gallery premises under the Policy is delegated to all staff.

## 6. BANS

A person or group may be banned from entering the Gallery or communicating with Gallery staff from outside Gallery premises on the following grounds:

- infringements of:
  - security and safety;
  - the Conditions of Entry policy; or
  - the Responsible conduct policy;
- he/she has been the subject of Client Behaviour Incident Reports or has had communication with Gallery staff from outside Gallery premises terminated three times within a 6 month period;

A person or group may be banned only on condition that their identity can be positively established.

### **Authority**

The Gallery Director has the authority to issue bans for any period. The Gallery Assistant and/or Deputy Directors have delegated authority to issue a ban and to determine the duration of a ban up to a maximum of six months.

### **Consequences**

A person or group who has been banned may be issued with a letter on the premises or informed by registered letter of the ban. The letter will include a summary of incidents leading to the ban, the basis of the ban in policy, the duration of the ban and appeal rights and procedures.

The duration of a ban is at the discretion of the Gallery Director or Assistant / Deputy Directors and is determined by circumstances leading to the ban and whether the banned person has been previously banned. The standard period of a ban is two months.

A person or group who attempts to enter the Gallery premises whilst banned will be immediately required to leave. This direction will be provided by either the Protection & Visitor Services Duty Team Leader or the attending SGPSS Officer. A person or group who has been banned who attempts to enter the Gallery premises or is apprehended on the Gallery premises during the term of a ban, provides grounds for extending the ban.

### **Appeals**

A person or group who has been banned may appeal to the Gallery Director to reduce the duration of the ban. The Gallery Director may delegate the matter of the individuals appeal to an Assistant or Deputy Director for consideration but not to the Assistant or Deputy Director who originally issued the ban. The final decision of the appeal will be made by consideration of the available Incident Reports and records, and any case put forward by the person/s seeking the review. The appeal should be settled within one week of its receipt and the client/s informed of the outcome as soon as is practicable.

### **Register of bans**

A register of current bans is maintained and kept within the office of the Head of Protection & Visitor Services. It may be viewed by Protection & Visitor Services staff on request. The Register may include a copy of the ban notice and other information identifying banned people, including photographs.

***Refer to Appendix B (Client Behaviour Incident – Procedure of actions)***

## 7. PROTECTION OF GALLERY PROPERTY

Under the Gallery Conditions of Entry Policy, the Gallery reserves the right to inspect any bag, luggage, item or object, however described, upon entry to and before leaving the Gallery premises. The Gallery may seek compensation for serious damage to, or theft of Gallery property resulting from apparently intentional or reckless actions.

## 8. INFORMATION PRIVACY

The Gallery is committed to protecting the privacy of visitors, the public and its employees under the Queensland State Government's Information Privacy Act 2009. Formal records are generated when infringements of security or a clients' refusal to cooperate with staff enforcing the Policy has occurred. These records assist with the enforcement of the Policy, and inform improvement of the Policy, related Procedures and staff training.

A record made in the enforcement of the Policy is treated as confidential and subject to strict controls.

- Records are registered in the Gallery central files.
- Records are made available within the Gallery only for purposes related to the enforcement of the Policy and only with the approval of the Gallery Director or Assistant or Deputy Directors. Incident Reports are routinely distributed to:
  - Deputy & Assistant Directors;
  - Work Health and Safety Officers;
  - Work Health and Safety Representatives;
  - Protection & Visitor Services Team Leaders; and
  - State Government Protective Security Service (SGPSS) – Cultural Centre Security.
- Records are made available outside the Gallery or the SGPSS (including to law enforcement officials) only with the specific permission of the Gallery Director and only if:
  - this is required under law, if reasonably necessary for the enforcement of the criminal law; or
  - there are reasonable grounds for believing that any person's life or health would be put at risk by not disclosing the information.
- In accordance with the Information Privacy Act 2009 members of the public have access to records created in the enforcement of the Policy.

Gallery staff will discuss and disclose information about individual's conduct only when reporting incidents or debriefing with supervisors or managers.

## 9. TRAINING & DEVELOPEMENT

The Policy will form part of the general induction training program provided to all staff in addition to the on-going security and safety training provided to Protection & Visitors Services staff who will participate in a more detailed orientation to the policy and procedures including:

- the legal and ethical framework underlying the Policy;
- developing a mutual sense of acceptable and unacceptable behaviour;
- engaging with clients behaving unacceptably;
- threat assessment and appropriate action;
- responding to the display of potentially offensive or objectionable material;
- strategies for de-escalating conflict and withdrawing from unsafe situations and interactions;
- incident reports and administration of the Policy; and
- debriefing staff who have been involved in upsetting interactions (supervisors and managers).

Staff who have been involved in threatening or upsetting interactions with clients will be personally debriefed by a supervisor or manager and encouraged to access the Employee Assistance Program (EAP) for further support.

## 10. REVIEW PROCESS

The Responsible Conduct Policy and Procedures will be reviewed every 12 months or when significant legislative or organisational change occurs. The review process will include:

- re-assessing the application of the policy;
- ensuring a shared understanding of the policy and procedures; and
- ensuring the most effective application of the policy at the Gallery.

Reviewing of the Policy will be undertaken by:

- Assistant Director, Operations & Governance;
- Head of Protection & Visitor Services;
- Head of Governance and Reporting; and
- Protection & Visitor Services Team Leaders.

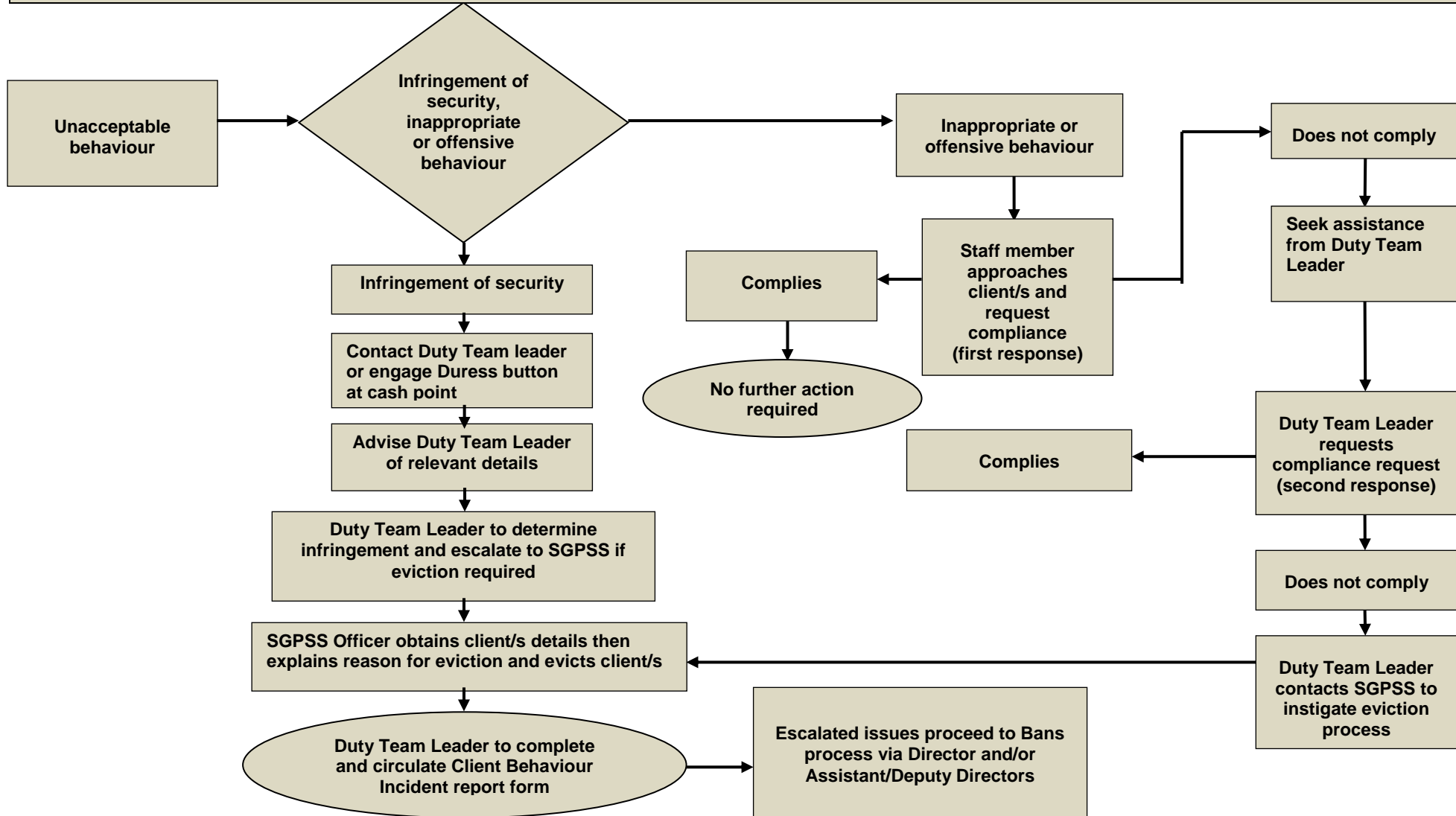
## 11. RELATED DOCUMENTS

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- [Information Privacy Act](#)
- [Queensland Art Gallery Act 1987](#)
- [State Buildings Protective Security Act 1983](#)
- [QLD Art Gallery Conditions of Entry Policy](#)
- [The Gallery’s Third Party Communication and Marketing Policy](#)

## APPENDIX A

### Client Behaviour Incident – Procedure of actions



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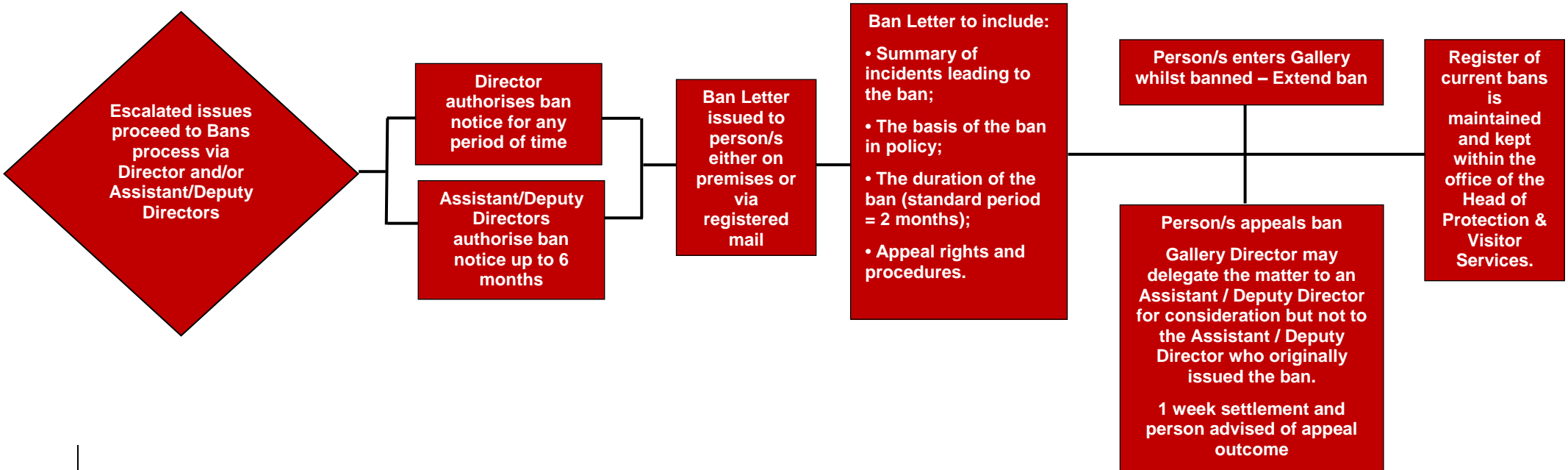
## APPENDIX B

### Bans – Procedure of actions

#### BANS CRITERIA

A person or group may be banned from entering the Gallery or communicating with Gallery staff from outside Gallery premises on the following grounds:

- infringements of:
  - security and safety;
  - the Conditions of Entry Policy; and/or
  - the Responsible conduct policy;
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