

# Collection Retention and Withdrawal Policy



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Policy owner/sponsor: Executive Director, Library & Information Services

Policy Contact Officer: Collection Strategy Specialist

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## Policy Statement

The State Library Collection comprises the Heritage Collection, the State Reference Library Collection and the Lending Collection. As each collection has a different purpose so the retention and withdrawal criteria for each collection are different.

The Heritage Collection - comprising the Mitchell and Dixon Collections, Rare Books, Special Collections, Legal Deposit and Government Deposit – provides a unique perpetual and authoritative record of life in New South Wales. The Heritage Collection will be retained in perpetuity with material to be withdrawn only in exceptional circumstances.

The State Reference Library Collection provides information resources to the people of New South Wales. The State Reference Library Collection will be retained with material being withdrawn under specific circumstances.

The Lending Collection provides contemporary published materials to be loaned through the New South Wales Public Library network. The Collection will be regularly refreshed with routine withdrawals and additions.

## Target audience

This Policy is intended for both State Library of New South Wales staff and the public to be aware of the Library's collection retention and withdrawal practices.

## Operational requirements

Withdrawal is the process of (i) amending the Library's catalogue to indicate that collection material has been withdrawn from the State Library Collection and (ii) financially 'writing off' the collection material. Once withdrawal is complete, the withdrawn material can be, subject to the *Library Act 1939* (NSW) and in accordance with the *Public Finance and Audit Act 1983* (NSW), disposed.

The retention and withdrawal criteria for the State Library Collection reflect the unique purpose of the collections - the Heritage Collection, the State Reference Library Collection, and the Lending Collection - that comprise it.

The criteria are subject to the *Library Act 1939* (NSW). The Act provides for the establishment, maintenance and management of the Library Council of New South Wales, the State Library of New South Wales and local libraries. Sections 5(2A) and 7E(1) of the Act state conditions under which the withdrawal and subsequent disposal of specific collection material can and cannot occur.

Section 5(2A) applies to collection material that has been acquired by gift inter vivos, devise or bequest. Under Section 5(2A), the Library may not deal with such collection material except where the dealing is prescribed in the gift, devise or bequest or the consent of the Governor has been obtained for the dealing.

Section 7E(1) applies to collection material that is subject to agreements between the seller/donor, or their legal representatives, and the Library. Under Section 7E(1), the agreements between the seller/donor, or their legal representatives, and the Library must be carried out and observed. These agreements may include conditions that apply to the withdrawal and disposal of material. Therefore agreements need to be reviewed before material is approved for withdrawal or disposal.

### Heritage Collections

The Heritage Collections comprise the Mitchell and Dixon Collections, Rare Books, Special Collections, and material collected through Legal Deposit and Government Deposit.

The Mitchell Library Collection is founded upon the original David Scott Mitchell collection. The Mitchell Library Collection is an 'open' collection with additions of material published in New South Wales or relating to New South Wales and the Pacific. This includes a wide range of formats such as books, serials, manuscripts, pictures, maps, social media, and websites.

The Dixon Collection was donated to the Library by Sir William Dixon. The Dixon Collection is a 'closed' collection with no new material being added to the Collection. It includes a wide range of formats such as books, serials, manuscripts, pictures, and maps.

Rare Books and Special Collections include a range of material from medieval manuscripts, incunabula and seminal works to modern private press and artist books. Special Collections are a mixture of 'open' and 'closed' collections and have been formed through bequests to the Library or were purchased as collections of particular subject interest.

Publications received through Legal Deposit, consistent with the *Copyright Act 1879* (NSW) ss 5-7, and Government Deposit, consistent with [Premier's Memorandum 2000-15 Access to published information – Laws, Policy and Guidelines](#), document the publishing corpus of New South Wales and the New South Wales Government.

The Heritage Collection is the Library's most significant and valuable collection – it contains unique irreplaceable material, rare published material and material collected under the Library's legislative mandate as a deposit library. Therefore all material is retained and withdrawal is only authorised in exceptional cases.

The Library, subject to the *Library Act 1939* (NSW) sections 5(2A) and 7E(1), will retain material in the Heritage Collection in perpetuity except where one or more of the following criteria are met:

- the material is no longer usable as it is degraded or damaged
- the material is unable to be rendered or viewed
- the material is no longer in the collection
- new information has been provided regarding provenance and repatriation or restitution is required by law
- the material was accessioned through administrative error
- the material is hazardous to the health and safety of staff or clients.

Where Heritage Collection material meets one or more of these criteria, the material may be considered for withdrawal and subsequent disposal. In considering the withdrawal and disposal, the specific conditions under which the material was acquired will be assessed.

#### State Reference Library Collection

The State Reference Library Collection provides a reference and research service to the people of New South Wales and supplements the collections provided by the New South Wales Public Library network.

The Library, subject to the *Library Act 1939* (NSW), sections 5(2A) and 7E(1), will maintain material in the State Reference Library Collection except where one or more of the following criteria are met:

- the material is no longer usable as it is degraded or damaged
- the material is unable to be rendered or viewed
- the material is no longer in the collection
- new information has been provided regarding provenance and repatriation or restitution is required by law
- the material has been transferred to digital format or it is now available in digital format to which the Library has permanent access
- the material is a superseded edition of material which was acquired primarily for the currency of its information
- the material is 'gift or exchange' material which may be discarded under the terms of the acquisition agreement
- the material is a duplicate copy not required for access or preservation purposes
- the material is to be repatriated or transferred to another library
- the material is a part of a multi-part work or serial title where holdings are limited and incomplete and a full set is held elsewhere
- the material was accessioned through administrative error
- the material is duplicated in other library collections
- the material is hazardous to the health and safety of staff or clients.

Where State Reference Library material meets one or more of these criteria, the material may be considered for withdrawal and subsequent disposal. In considering the withdrawal or disposal, the specific conditions under which the material was acquired will be assessed.

#### Lending Collection

The Lending Collection supports the New South Wales Public Library Network, particularly the Multicultural Service and the Disability Access Service, and include a range of formats. Material in this collection receives very high use and is refreshed through routine withdrawals and additions.

The Library, subject to the *Library Act 1939* (NSW) sections 5(2A) and 7E(1), may withdraw and subsequently dispose of material where one or more of the following criteria are met:

- the material is no longer usable as it is degraded or damaged
- the material is unable to be rendered or viewed
- the material is no longer in the collection
- the material is a superseded edition which was acquired primarily for the currency of its information
- client demand for the content is insufficient to justify retention
- the material was accessioned through administrative error
- the material is hazardous to the health and safety of staff or clients
- the material is to be repatriated or transferred to another library
- the material is a duplicate copy not required for access or preservation purposes.

Where Lending Collection material meets one or more of these criteria, the material may be considered for withdrawal and disposal. In considering the withdrawal and disposal, the specific conditions under which the material was acquired will be assessed.

*Appendix 1* lists the withdrawal criteria in table form for each collection.

### Governance

Staff members may identify material which meets the criteria for withdrawal listed in this policy. Requests to approve the withdrawal of material will be submitted to the Collection Strategy and Development Branch who will manage the approval process.

The approval to withdraw and dispose of State Reference Library and Lending Collection material is given to, subject to the *Library Act 1939* (NSW) sections 5(2A) and 7E(1) and in accordance with financial delegations and acquisition conditions, the:

- Manager, Collection Strategy & Development
- Executive Director, Library & Information Services and Dixon Librarian
- State Librarian and Chief Executive.

The approval to withdraw and dispose of Heritage Collection material is given to, subject to the *Library Act 1939* (NSW) sections 5(2A) and 7E(1) and in accordance with financial delegations and acquisition conditions, the State Librarian and Chief Executive.

### Recordkeeping

Full and accurate records will be kept of all decisions relating to the withdrawal and the disposal of material. This includes decisions made to not withdraw or dispose of material.

### Disposal of material withdrawn from the collection

Once withdrawn from the collection, material may be disposed. Disposal is subject to the *Library Act 1939* (NSW) sections 5(2A) and 7E(1), financial delegations and acquisition conditions. Material can be disposed in one of the following ways:

- transfer or repatriation consistent with New South Wales Government policy on cost neutral transfer of material between government departments
- transfer or repatriation consistent with the guidelines of specific projects such as the Australian Newspaper Plan or the Australian Libraries Collaborative Collection program
- exchange or transfer to another library
- discard
- sale with the proceeds of sale employed to purchase other materials for the collection.

### **Responsibilities**

Under delegation from the Library Council of New South Wales, the State Librarian & Chief Executive is responsible for:

- approving the withdrawal and disposal of State Library Collection material subject to the *Library Act 1939* (NSW) sections 5(2A) and 7E(1) and in accordance with financial delegations and acquisition conditions
- approving the annual summary of information on material withdrawn consistent with criteria established by this policy.

The Executive Director, Library & Information Services is responsible for:

- ownership of the policy
- approving the withdrawal and disposal of State Reference Library and Lending Collection material subject to the *Library Act 1939* (NSW) sections 5(2A) and 7E(1) and in accordance with financial delegations and acquisition conditions

- assessing and acting on serious breaches of the policy
- tabling serious breaches of this policy to the Executive Committee.

The Executive Committee is responsible for:

- ensuring the policy is communicated effectively to managers, supervisors and coordinators
- reviewing serious breaches of the policy and determining a course of action
- ensuring that the policy is reviewed every two years.

The Manager, Collection Strategy & Development is responsible for:

- implementing the policy and related procedures
- approving the withdrawal and disposal of State Reference Library and Lending Collection material subject to the *Library Act 1939* (NSW) sections 5(2A) and 7E(1) and in accordance with financial delegations and acquisition conditions
- preparing the annual summary of information on material withdrawn consistent with criteria established within this policy
- managing processes relevant to this policy.

The Collection Strategy Specialist is responsible for coordinating and facilitating the ongoing review and update of the policy in consultation and collaboration with relevant Library stakeholders.

Library staff are responsible for understanding and complying with this policy.

### **Related Key Legislation and Policy**

Most relevant legislation

- [Copyright Act 1879 \(NSW\)](#)
- [Library Act 1939 \(NSW\)](#)
- [Public Finance and Audit Act 1983 \(NSW\)](#)

Relevant Government and Library policies

- [Premier's Memorandum 2000-15 Access to published information – Laws, Policy and Guidelines](#)
- [Library Collection Acquisitions Policy](#)
- [Library Collection Development Policy](#)
- [Library Financial Delegations Policy](#)

### **Definitions**

*Accession* – To take legal and physical custody of material and to physically and intellectually control the material on the Library's catalogues.

*Australian Libraries Collaborative Collection* - program (TALCC) – established by the State, Territory and National libraries in 2012 to enable the redistribution of low use materials.

*Australian Newspaper Plan* – established by the State, Territory and National libraries in the 1990s to ensure that one copy of every Australian newspaper is preserved and retained in the jurisdiction in which it was published.

*Collection material* – includes accessioned material of all formats, analog and digital, including but not limited to books, newspapers, serials, posters, manuscripts, archives, moving image, audio, pictures, photographs, maps, plans, numismatics, objects, websites, social media, data sets, email, and digital documents and images. It includes websites and social media that the Library has archived using third party equipment and e-resources to which the Library has perpetual access. It does not include turned digital collection material

(except in specific cases where that turned digital material has itself been accessioned) or e-resources licensed under subscriptions.

*Deal* - as used in the *Library Act 1939* (NSW) section 5(2A). For this policy, the meaning has been interpreted to include actions such as performing a transaction or entering an agreement and therefore may include the disposal of collection material.

*Disposal* - the physical removal or deletion of material that has been withdrawn.

*Repatriation* - A method of disposal whereby withdrawn material is sent, for legal or cultural reasons, to a more appropriate organisation.

*Transfer* – A method of disposal whereby withdrawn material is sent to an organisation that has agreed to accept the material.

*Withdrawal* – the amendment of the Library’s catalogue to indicate that material has been withdrawn from the State Library Collection and the financial ‘writing off’ of the material.

### **Document history and version control**

<b>Version</b>	<b>Date approved</b>	<b>Approved by</b>	<b>Brief description</b>
	1999	Library Council of New South Wales	First Retention and Disposal Policy
2.0	30 August 2016	Executive Council	Revised policy 2016

## Appendix 1 – Withdrawal Criteria Table

Criteria	Heritage Collection	State Reference Library Collection	Lending Collection
The material is no longer in the collection	Yes	Yes	Yes
The material is no longer usable as it is degraded or damaged	Yes	Yes	Yes
The material is unable to be rendered or viewed	Yes	Yes	Yes
The material was accessioned through administrative error	Yes	Yes	Yes
The material is hazardous to the health and safety of staff or clients	Yes	Yes	Yes
New information has been provided regarding provenance and repatriation is required by law	Yes	Yes	No
The material has been transferred to digital format or it is now available in digital format to which the Library has permanent access	No	Yes	No
The material is a duplicate copy not required for access or preservation purposes	No	Yes	Yes
The material is a part of a multi-part work or serial title where holdings are limited and incomplete and a full set is held elsewhere	No	Yes	No
The material is a superseded edition of material which was acquired primarily for the currency of its information	No	Yes	Yes
The material is deposit or exchange material which may be discarded under the terms of the acquisition agreement	No	Yes	No
The material is to be repatriated or transferred to another library	No	Yes	Yes
Client demand for the content is insufficient to justify retention	No	No	Yes