

Serving Children and Young Persons in Library Policy

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Objective

The purpose of this document is to identify procedures with regard to the issues of duty of care, discipline, supervision, parent/guardian responsibilities and safety of children visiting service points of Randwick City Library.

Policy Statement

1. Introduction

Children and young persons are core clients of public libraries. Around 10% of Randwick City Library's registered members are under 18 years of age and 55% of all loans for Randwick City Library are materials for young people¹.

The Library offers a wide variety of services to children and young persons at all service points, including:

- Fiction and non-fiction collections in a range of formats
- Early literacy programs (for example Storytime and related activities) for young children and babies
- Access to the Internet
- Information services such as reference assistance and homework help
- Public space for study and entertainment
- Events and performances

As these services evolve, it is important to convey to our customers, particularly parents and guardians/carers of children and young persons, clear and consistent messages about the role and scope of our services and how Randwick City Library can help to enrich children and young people's lives through the provision of quality resources and organised activities and programmes.

This policy is based on the *Children's Policy Guidelines for NSW Public Libraries, updated 15 October 2020*, developed by the NSW State Library to encourage uniformity and consistency in policy formulation across NSW public libraries.

¹ Figures as at April 2021 from SirsiDynix Symphony Library Management System

2. NSW Library Legislation

NSW public libraries operate under the Library Act 1939 and the Library Regulation 2018². Clause 14 of the Library Regulation 2018 defines the proper use of a library, and by extension, the scope of a library's services:

A person must not, without the consent of the governing body for the library, use any library for any other purpose than reading, consulting, or borrowing the library material of the library or using any other library service or information service.

3. Related Library Policies

- Library Internet and Personal Computer Access Policy
- Collection Development Policy

4. Definitions

The term **children** is understood to refer to children aged from birth to twelve years inclusive. The term **young adult** is understood to refer to young people aged from thirteen to seventeen years inclusive.³

It should also be noted under the Children's and Young Person's Act (Care and Protection) 1998 a child is under 16 years and a young person is 16 to 18 years and in relevant situations these definitions will apply.

5. Professional Values

Public libraries acknowledge the democratic rights of individuals to freely pursue their own information interests. This view is articulated in the *UNESCO Public Library Manifesto*⁴, which states that "constructive participation and the development of democracy depend on satisfactory education as well as on free and unlimited access to knowledge, thought, culture and information".

This Statement also states, "A librarian should uphold the right of all Australians to have access to library services and materials and should not discriminate against users on the grounds of age, sex, race, religion, national origin, disability, economic condition, individual lifestyle or political or social views."

The Library Council of NSW Access to Information in New South Wales Public Libraries Guideline¹⁶ states that public libraries have 'a role as an unbiased source of information and

² Library Regulation 2018 <https://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2018-0472>

³ Guidelines, standards and outcome measures for Australian public libraries: July 2016
<https://read.alia.org.au/guidelines-standards-and-outcome-measures-australian-public-libraries-july-2016>

⁴ UNESCO public Library Manifesto www.ifla.org/publications/iflaunesco-public-library-manifesto-1994

ideas, including online content. It must accept responsibility for providing free access to materials and information presenting, as far as possible, all points of view on current and historical issues, including controversial issues. Randwick City Library services to young persons are underpinned by these philosophies.

6. Welcome Statement

Randwick City Library is committed to serving the information and recreation needs of young people. The library strives to provide a welcoming environment and provides targeted resources and programs to meet the needs of young people.

Young people are the future adult users of public libraries. We acknowledge the importance of providing young users with a positive library experience.

7. Young Person's Rights in Library

Young persons in the Library have the right to:

- Intellectual freedom
- Equal access to the full range of services and materials with exception to items classified MA or R
- Adequate funding for collections and services related to population, use and local community needs
- A full range of materials, services and programs specifically designed and developed to meet their needs
- A library environment that complements their physical and developmental stages
- Staff trained and knowledgeable in provision of youth and children's services
- A welcoming, safe environment and supportive service from birth through the transition to adult user
- Library policies written to include the needs of young persons

8. Access to Resources

8.1. Censorship

Library staff guide and assist young persons in finding and accessing resources appropriate to particular interests and inquiries. The Library has no censorship role in its choice of the library resources that form the collection.

8.2. Unrestricted material

The Library Council of NSW “Access to Information in New South Wales Public Libraries Guideline”⁵ states that public libraries have

“...a role as an unbiased source of recorded knowledge and ideas. It must accept responsibility for providing free access to materials and information presenting, as far as possible, all points of view on current and historical issues, including controversial issues.”

Randwick City Library exercises no limitation on access to print and non-print resources classified **Unrestricted** under the *Classification (Publications, Films and Computer Games) Act 1995 [Commonwealth]*. These resources are available to all library users, including young people.

8.3. Accessing resources classified MA or R

The Library observes the *Classification (Publications, Films and Computer Games) Enforcement Act 1995 [NSW]* which requires appropriate circulation procedures be enforced to restrict minors borrowing library resources (printed publications, DVDs, Videos, or computer games) classified MA or R.

8.4. Parental responsibilities relating to young person’s access to printed and audio visual resources

It is not the responsibility of Randwick City Library or its staff to exercise a supervisory or restrictive role in determining which library resources young persons may use or access. Even with *unrestricted* items, parents/guardians are encouraged to set boundaries for their child (e.g., in terms of subject matter) based on the family’s values or beliefs. The responsibility for monitoring or supervising the child’s use of the collection remains with the parent/guardian/carer.

9. Access to Electronic Resources

Randwick City Library promotes and supports public access to information. Library staff assist clients in the use of electronic resources including the Internet, recommend websites on particular subjects, and select appropriate websites for inclusion in the library’s electronic collections.

As stated in the Internet Access Policy⁶, Randwick City Library protects the public’s right to know, and does not monitor or apply censorship to information offered through the Internet. Filtering technology cannot guarantee that all objectionable material can be blocked.

⁵ Access to Information in New South Wales Public Libraries Guidelines
<http://www.sl.nsw.gov.au/pls/policies/pdf/accesstoinformation.pdf>

⁶ Randwick City Library Internet Access Policy
<http://www.randwick.nsw.gov.au/attachments/Library%20Internet%20Access.pdf>

9.1. Parental responsibilities relating to young people accessing information from the Internet or using the Library's public access PCs

Parents or guardians of children under 16 give consent for their children to access the internet on the library computers by creating a membership for them. Parents of children under 16 years of age may notify staff to remove access to the public computers.

Randwick City Library provides free access for children aged 5 – 16 on computers for homework, Internet research, word-processing applications, and games. Children under 12 years of age should only use these computers under the supervision of their parent/guardian.

Children and young people under 16 will not be issued with guest passes and must use their own membership to access the computers. They may use their parent's membership if being directly supervised.

Parents/Guardians are responsible for their child's use of the Internet including free Wi-Fi, in line with the Library's Internet Policy.

10. Unattended Young Persons in Library Premises

Randwick City Library offers a range of services that support the information, literacy, education, and recreation needs of young persons. The Library does not provide childcare. Libraries are not a substitute for childcare agencies, and any parent/guardian who uses libraries as such is putting their child at risk. Libraries do not have the facilities or appropriate licences to attend to young persons who are sick, injured, or hungry.

Council ensures that the Library is safe for young persons from an occupational health and safety point of view, and library staff take reasonable care to ensure that the Library is safe and welcoming for all library users. Responsibility for a young person's use of the Library, however, always lies with parents/carers.

Unsupervised young persons can be at risk in any public place, including public libraries. Except for specified activities, Library staff **do not** supervise young persons in the Library. Libraries are busy public places, open to all, and staff cannot judge which members of the public present a possible danger to young persons.

Young children left alone in a library can become distressed, bored, or disruptive. Library users, including young people, who disturb other library users, may be removed from the library under the clause 17 of the Library Regulation 2018 (NSW).

Any young person left unattended in a public library may be classed as a child or young person at risk of harm under the *Children and Young Persons (Care and Protection) Act 1998*, s23, and subsequently may be reported as such to the Department of Communities and Justice under s24 or s27 of the Act.

Parents who leave a child unattended in a public library are exposing their child to potential harm and may themselves be committing an offence under the *Children and Young Persons (Care and Protection) Act 1998*, s228.

NSW legislation does not specify a minimum age at which children may be left unattended in public places. *The Children and Young Persons (Care and Protection) Act 1998* is concerned with individual circumstances rather than age.

10.1. Parental responsibilities relating to supervision of young person's use of the Library service or attending activities organized by library staff

- Children who are aged 0-5 years of age must be always in the company of a parent or carer. Parents/carers must be always within eyesight of the child. This includes the use of resources in the toy library and participation of storytimes and baby lapsit programs.
- Children who are aged 6 – 12 years of age must be in the company of a parent or designated carer who is aged not less than 15 years old and must be considered to be mature enough to be responsible for that younger child. Maturity of the carer will be judged by the staff supervisor at the time. Parents/Carers are expected to provide guidance to the selection and use of library resources for the child under their care, provide supervision and attend to the child's need when they attend activities organized by library staff.
- Young persons who are aged 13 years and above can visit and use the library without parental supervision, but they still need to abide all library policies and exhibit acceptable behaviour as required by all library users.

11. Children and Young Persons Deemed to be at Risk

Randwick City Library is committed to provide a safe, enjoyable experience for all young persons accessing library facilities. Staff will always provide a duty of care but cannot supervise children whilst carrying out work responsibilities.

If library staff consider children are at risk because they have been left in the library for a long period of time or they have been observed being left unattended at the library on a regular basis, these procedures will be followed.

11.1. General procedures:

- The parents/guardians will be contacted in person or by telephone. The parents/guardians will be advised that under current legislation it is illegal to leave children inappropriately without supervision.
- In the event of children continually being left after verbal discussions, a letter will be sent to the parents/guardians outlining the Library's policy (refer to Appendix 1)
- If the parents/guardians ignore this policy or are not able to be contacted, the situations will be reported to the Department of Communities and Justice.
- In situations where the children need to be collected from the Library and the parents/guardians cannot be contacted the police may be contacted.

11.2. Specific procedures:

11.2.1. Unsupervised children in the library in school operating hours

- School aged students (aged 6 – 15) who visit the library for longer than two hours during school operating hours, and are not in company of a mature person, will be questioned by staff to ascertain why they are not in school and if a satisfactory answer is not given, both the parent and school principal will be notified.

11.2.2. Unsupervised children in the library in school holiday

- Children (under 13 years of age), who visit the library for longer than a three-hour period in school holidays and who are not in company of a mature person, will be questioned by staff and their parents notified of the risk that their child may face being left unsupervised for that length of time.
- If the parents/guardians ignore this policy or are not able to be contacted, the situations will be reported to Department of Communities and Justice.

11.2.3. Young persons not collected at library closing time

If a child has not been collected by his/her parent/guardian by the Library's closing time, they are at risk. To protect library staff from any litigation, staff members should not be alone with a child in the Library when it is not open to the public and staff member should not attempt to drive a child to any destination.

- Library staff will attempt to contact the parent/guardian of the child. Additionally, the Manager, Randwick City Library will be contacted at this point. If unable to make such contact with the parent/guardian of the child, the staff will make a request for the Police to collect the child. A minimum of two staff will wait with the child until police have arrived. The incident is to be documented by the relevant staff member in a file note to the Director, City Services.
- For repeated events, staff will report the matter to Department of Communities and Justice⁷ (Department of Communities and Justice Child Protection Helpline on 13 2111)

11.2.4. Young persons attending structured activities at the Library

- Library staff regularly present structured activities for children and young persons. Children attending specific programs organized by Randwick City Library will be adequately supervised for the duration of the activity, with the exception of activities for pre-schoolers. (Also refer to 10.1)
- Parents/guardians need to be aware that such supervision only applies to the time scheduled for the activity. As soon as the activity is completed, the normal Unattended Young Person Procedures apply.
- During Pre-School activities, carers/guardians are required to stay with their young children and exercise supervision and attend to their needs. Children of this age are also not socialized enough for group listening, may wander away, become distressed or disrupt others. It is the responsibility of the parents/guardians to attend to their children in these activities.
- When booking a child into any activity or event, parents/guardians agree to the terms and conditions as outlined in the booking system or described on the activity's promotional material. Failure to meet the terms and conditions as outlined will result in cancellation of that booking.

⁷ <https://www.facs.nsw.gov.au/families/Protecting-kids>

12. Sick / Injured Young Persons in the Library

The Work, Health and Safety Guidelines are applicable in these situations. Library staff will always ensure that sick/injured young persons are treated with care and respect and will help sick/injured young persons.

In the event of serious illness/injury, Library First Aid Officers will administer first aid, call the ambulance and advise the Library Manager as well as the parent/guardian. If a young person is injured in the Library, an Accident Report must be completed by the officer in charge.

13. Disruptive Behaviour in the Library

Library staff are committed to ensure all customers visiting and using the Library facilities enjoy a safe and rewarding experience. All customers are expected to be responsible for acceptable behaviour of themselves and any young person they bring into the library.

In the case of the use of offensive language and other disruptive behaviour that affect other customers or suspected misuse of library equipment, staff will give verbal warning. If the behaviour continues, the offender(s), whether adult or young person, will be asked to leave the Library.

In the case of vandalism, consumption of alcohol, illicit drugs and other misconduct, offenders will be asked to leave the Library immediately. Staff will attempt to establish the identity of the offenders and the Library Manager and the Police are to be informed of the incident.

It may be necessary to take further action depending on the nature and severity of the incident. (e.g., extensive damage to Council property or resources and in the case of injury as a result of disruptive behaviour). The police will be called immediately.

An Incident Report must be completed by shift supervisor or officer in charge.

14. Guidelines for the Provision of a Child-safe and Child-friendly Library Environment

1. Risk assessment audit of the library premises is conducted periodically to identify, to report and action on areas of hazard to ensure equipment, furniture and resources utilized by young persons are child safe. (refer to Appendix 2)
2. Library policies are developed, reviewed, and implemented to ensure young persons' rights to access library services are respected and protected.
3. The Library adheres to the provisions as stipulated in Library Act 1939 and Library Regulation 2018 to ensure the Library provides a child-safe environment.
4. Adequate funding is allocated to provide resources, programs, and activities to meet the information and recreational needs of young persons using the Library service.
5. A team of professionally trained and knowledgeable staff sensitive to issues relevant to young persons needs will develop and deliver programs to enrich children and young persons' library experience.

6. All library structured activities for young persons are adequately supervised within library premises as detailed in this policy.
7. Children and Young Persons are entitled to a designated space in the Library where they can use the collection, study, and access the Internet.
8. Children and Young Persons are entitled to staff assistance in “Homework Help”, in accessing information from the Internet, online databases and other resources.
9. The Library provides computers connected to free Internet services for Children and Young Persons to use and these computers are placed in highly visible areas in the Library premises.
10. Though security cameras are installed in the Library, supervision of children and their behaviour is the responsibility of the parent/guardian.

15. Working with children checks

Work in public libraries may be identified as ‘child related employment’. In general, library staff who work face-to-face with children will need a check under the Child Protection (Working with Children) Act 2012 (NSW). Staff who only have incidental contact with children will not.

A. Appendix 1

Sample letter to parent/guardian who left the child unattended in the Library

Dear _____

It has been noticed that your child _____ has been left unattended at Lionel Bowen/ Margaret Martin/ Malabar Library on a regular basis for a lengthy period of time. Your child is most welcome to use the Library's facilities and to participate in programs the library offers. We welcome children of all ages into the library but there are some issues which we would like to bring to your attention.

1. Library staff cannot accept responsibility for the safety of your child. Though the Library is generally a 'safe' place, unattended children can be at risk. They may leave the Library at any time, hurt themselves or be approached by strangers.
2. Providing your child with a mobile phone or details of how to contact you does not ensure their safety or constitute reasonable supervision.
3. The role of library staff is to guide and assist young people in finding and accessing any resources appropriate to interests and enquiries. It is the responsibility of parents/carers to monitor and supervise your child's use of Library resources, including websites and online databases. When your child is left unattended in the library, he/she may access materials inappropriate to his/her age.
4. The Library is not a licensed child-minding facility and should not be used as such.
5. Any child left unattended in a public library for a long period of time may be classed as a child or young person at risk of harm under the Children and Young Persons (Care and Protection) Act 1998, s23, and subsequently may be reported as such to the Department of Community Services.
6. Young children left alone in the Library without their parents in sight can become distressed, bored, or disruptive. Library users, including young people, who disturb other library users, may be removed from the library under the Library Act 1939, Library Regulation 2018, s10.

For the safety and well-being of your child, I would like to ask for your co-operation not to leave him/her unattended in the Library. Should you wish to obtain a copy of the Library's Policy on Serving Children and Young Persons, or discuss the matter, please telephone Randwick City Library on 9093 6400 or mail contactus@randwick-nsw.libanswers.com

Yours sincerely,

Barbara Todes
Manager, Randwick City Library
Randwick City Council

A. Appendix 2

Risk Assessment Checklist for the provision of a child-safe and child-friendly library environment

Library service to young people	Potential risks	How to reduce risk	Action taken / date
Toy and Game Collection	- Toys and Games items may contain small pieces - Children may be playing Toy & Game items unsupervised in the Library	- Purchase only toys and games that comply with Child Safety ISO/IEC Guide 50:2002 and HB 136:2004 Safety aspects – Guidelines for child safety - Adequate warning label placed on toys & games package to alert parents/carers - Signage in the Toy & Game Library to request parents to be always with their child	On-going
Junior & Young Adult Collection including DVDs	- Resources may have content contradictory to individual's family value & beliefs - Minors being exposed to content inappropriate to their age	- Library resources are selected by staff experienced in children's literature and school curriculum in accordance with the library collection development plan - Resources recommended for the use by young people aged 15+ are properly labelled - Circulation procedure in place that such items cannot be borrowed by a junior member	On-going
Use of Library Premises	- Furniture & shelving space - The use of study space	- Furniture in use in the junior area comply with Child Safety ISO/IEC Guide 50:2002 and HB 136:2004 Safety aspects – Guidelines for child safety - Space between shelves allows for wheelchair access and baby pram to pass - The use of study space is monitored by staff on duty and security camera	On-going
Access to the Internet and electronic resources	- Access web content inappropriate to their age - Disputes among users during peak hours (between 3 -5 pm weekdays) - Child (aged 12 and under) left alone/ unattended while accessing the Internet in the library	- Library policy in place and adhered to that members aged under 12 years old can only use the library public access computers when their parents/carers are with them and young adults (aged 13-17) need parents' consent for their access to the Internet in the library - All library public access computers are installed in high traffic areas - Booking system in place and monitored by staff to avoid disputes from members	On-going
Regular Children and Young people's programs and activities	Overcrowded session	- Program calendar available - Booking system in place	On-going

Library service to young people	Potential risks	How to reduce risk	Action taken / date
Early Literacy Sessions	Child left alone during the session while carer/parent stays in other part of the Library	Policy in place that parents must stay with their kids during the storytime sessions	On-going
Holiday activities	- Overcrowded session - Handling of craft equipment / instrument - Child not collected when the session finishes	- Program calendar available - Provision of child-safe craft materials - Booking system in place - Parents encouraged to stay with their kids for the craft work - Activities are designed and advertised for different age groups according to children's interest and skill level required - Policy in place and staff be aware of handling unattended children at the end of the activity session	On-going
School class visits	- Inadequate supervision during the visit - Prior booking required	Teacher stays with the class during the visit	On-going

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