

# Clarence Regional Library Children and Young Adults Policy

Responsible Manager (Title)	Regional Librarian		
Adopted by Council	Date	Minutes	
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Document(s) this policy Supersedes	V5.0 - 6c.20.085		
Community Plan Linkage	1.3 Society - A safe and active community where healthy lifestyles and better health outcomes are encouraged and supported with accessible infrastructure for residents of all ages and abilities		

## 1. Purpose

Young people are core ~~clients of~~ public library users and are the future adult users and supporters of our library services.

The Clarence Regional 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.

This policy outlines the responsibilities of the Library, Library staff and parents/carers of children and young adults who use Library facilities.

## 2. Definitions

*Child*

Clients aged 0 - ~~12-15~~ years. This is in line with the

	<del>Department of Local Government</del> <u>Australian Bureau of Statistics definition of children</u> <del>definition of children as aged 0 - 12 years for social planning purposes.</del>
<i>Young Adult</i>	Clients aged <del>13-15</del> years up to and including <del>18-24</del> years. <del>It is acknowledged that the Department of Local Government defines Youth more broadly as 12-24 years for social planning purposes</del> <u>In line with the Australian Bureau of Statistics definition of Young Adults.</u>
<i>Unattended child</i>	A child using public library resources and facilities unsupervised by a parent or carer.
<i>Young People</i>	Children 0 - 12 and young adults 13 - 18.

### 3. Background/legislative requirements

Public libraries are agencies that operate under the Library Act 1939 and the Library regulation 2018 which defines the proper use of a library and, by extension, the scope of a library's services. Public libraries provide the public (including young people) with access to information and recreational materials through a variety of services and resources. Libraries also support young people through the provisions of programs that foster an appreciation of literature and promote the development of information literacy skills.

The Clarence Regional Library's services to young people include:

- Fiction and non-fiction (study and recreational books)
- Magazines
- ~~Non-Print resources ie)~~ DVD's, eBooks, eAudio, eMagazines and eResources eAudio, eMagazines
- Console Games (Grafton, Yamba)
- Board games and puzzles
- Internet access
- Assistance from staff in accessing collections and information
- Public access Computers and including Internet access
- Pre-school storytime
- Space for activities and study:
- School holiday and programs & after school programming activities.

#### 3.1 Access to resources

The Library's general collection may contain publications that have been classified "unrestricted" and films and computer games that have been classified "G" (General), "PG" (Parental Guidance) or "M" (Mature) in accordance with the

Classification (Publications, Films and Computer Games) Act 1995. This material is available to all persons, including young persons, without restriction. Library collections are available to all library users without restriction, except for items restricted by law. The Library exercises no limitation on access to publications classified Unrestricted under the Classification (Publications, Films and Computer Games) Act 1995.

-The Library has no censorship role in its choice of the library resources that form the collection.

It is not the responsibility of the Clarence Regional Library

Parents/guardians are responsible for ensuring that their child's selection and use of materials in the library's general collection accords with any restrictions the family may wish to set. The Clarence Regional Library encourages parents/guardians to consult with their child to develop clear rules regarding access to resources that accord with the family's personal values and beliefs. It is the responsibility of parents/carers to monitor young people's selection and use of library resources

It is not the responsibility of the library or its staff to exercise a supervisory or restrictive role in determining which library resources young people may use or access. The Library encourages parents/carers to set their own family rules in consultation with their young person(s). It is the responsibility of parents/carers to monitor young people's selection and use of library resources.

### 3.2 Items classified MA or R

Public libraries observe the Classification (Publications, Films and Computer Games) Enforcement Act 1995 [NSW] which provides for certain restrictions when making materials available to young people (under the age of 18). Resources classified MA may only be borrowed or viewed by persons under 15 with the permission of their parent/guardian. Resources classified R may only be borrowed or viewed by persons over the age of 18 upon presentation of ID.

### 3.3 Access to electronic resources

- 3.3.1 The library promotes and supports young people's access to information, including electronic information through its internet facilities. Library staff are available to assist young people in the use of the Internet, and to recommend websites on particular subjects. A number of appropriate websites have been selected for inclusion in the library's electronic collections. Library staff are available to assist clients in the use of the Internet, and to recommend websites on particular subjects. A number of appropriate websites have been selected for inclusion in the Library's electronic collections and paper guides.

3.3.2 Parents/carers are responsible for their young person's use of the Internet, in line with the Library's Internet Policy. ~~(Please refer to Parents Guide to the Internet)~~, located on the library's website at: <http://www.crl.nsw.gov.au/about/library-policies-documents/>). The Library does not monitor or control the content of materials offered through the Internet.

3.3.3 Some exceptions to the parent/carer consent may be made for minors who are living independently.

### 3.4 Unattended children

3.4.1 Staff take care to ensure that the library is a safe and welcoming place for all patrons. Responsibility for a child's use of the library, however, lies with the parent/carer at all times. ~~Libraries do not have the facilities or appropriate licences to attend to young persons who are left unsupervised.~~ 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 clause 17 of the Library Regulation 2018 (NSW). ~~the Library Act 1939.~~

3.4.2 Unsupervised children can be at risk in any public place, including public libraries. Library staff do not supervise children in the library, so there is a risk that unattended children may leave the library at any time, hurt themselves, or be approached by strangers. Libraries are busy public places, open to all, and staff cannot judge which members of the public present a possible danger to children. In addition, libraries do not have the facilities to attend to children who are sick, injured or hungry.

3.4.3 A child left unattended in a public library may be classed as a child or young person at risk of harm under section 23 of the Children and Young Persons (Care and Protection) Act 1998 (NSW) and may be reported as such to the Secretary of the Department of Communities and Justice. ~~harm under the Children and Young Persons (Care and Protection) Act 1998, s23, and subsequently may be reported as such to the Department of Family and Community Services under s24 of the Act.~~

3.4.4 There is no law that specifies a minimum age at which children may be left unattended in public. The *Children and Young Persons (Care and Protection)*

Act 1998 is concerned with individual circumstances rather than age. For example, a 7 year old child who uses the library constructively on his own for an hour every day after school while waiting for a parent is unlikely to be considered a problem, and is indeed a welcome client. On the other hand, a 10 year old child who is left at the library every day of the summer holidays from opening time until closing time is at risk and presents an unreasonable burden for the public library.

- 3.4.5 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.

### **3.5 Reporting Incidents**

The Clarence Regional Library supports the Office of the Children's Guardian and promotes a child safe environment. A child safe organisation is one that systematically reduces the likelihood of harm occurring against a child, increases the likelihood of identifying and reporting harm and provides adequate support to a child when harm has occurred or is alleged to have occurred.

3.5.1 Any person can make a report of harm or risk of harm to a child or young person under section 24 of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*. Some have a legal obligation to do so under section 27 of that Act in respect of children under 16 – these are known as mandatory reporters. If library staff deliver education, training or other services to children, section 27 may apply

3.5.2 In the event of a complaint being made it should be reported to the Secretary, through the NSW Department of Communities and Justice. Further information is available in the NSW Interagency Guidelines which provide guidance for government and non-government agencies delivering child wellbeing and child protection services in NSW.

3.5.3 There are also reporting obligations under the reportable conduct scheme. Anyone may report a "reportable allegation" or a conviction the persons considers is a "reportable conviction" with respect to an employee of the library to the agency head under the *Children's Guardian Act 2019 (NSW)*. Employees of the library are required to make a report if they become aware of a reportable allegation or reportable conviction in relation to another employee. In this context, employee includes a volunteer engaged to provide services to children

and a contractor who holds, or is required to hold, a working with children check clearance.

3.5.4 Reportable allegations and reportable convictions concern "reportable conduct". "Reportable conduct" includes a sexual offence, sexual misconduct, ill-treatment of a child, neglect of a child, an assault against a child, an offence of failing to care for a child, an offence of concealing a child abuse offence, and behaviour that causes significant emotional or psychological harm to a child.

3.5.5 If the employee about which the allegation or conviction relates holds, or is required to hold, a *working with children check* clearance, then the allegation or conviction is reportable even if it occurred outside of the course of the person's engagement with the library.

3.5.6 Each local authority is required under the *Children's Guardian Act 2019 (NSW)* to have its own policies and procedures about reporting, and the investigation of reports, under the reportable conduct scheme. Libraries should have regard to their local arrangements.

### **3.6 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.

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

## **4. Policy statement**

Clarence Regional Library is committed to serving the information and recreation needs of young people. The Library strives to provide a welcoming ~~environment;~~ and environment and provides targeted resources and programs to meet the needs of young people.

## **5. Implementation**

5.1 If a child is left unattended in the library for a long period of time, parents/carers will be contacted and informed of library policy.

- 5.2 If the parents/carers ignore this policy or are unable to be contacted, the situation may be reported to the Department of Family and Community Services if library staff determine the child is at risk of harm.
- 5.3 If a child is left unattended at closing time staff should call the police.

## **6. Appeal/objections process**

N/A

## **7. Related Documents**

~~State Library NSW Children's Policy Guidelines for NSW Public Libraries - update December 2018 v 4.0 -~~

~~[https://www.sl.nsw.gov.au/sites/default/files/childrens\\_policy\\_guidelines-0.pdf](https://www.sl.nsw.gov.au/sites/default/files/childrens_policy_guidelines-0.pdf)~~

CRL Internet Policy ~~2020~~2024

~~Parent's Guide to the Internet~~

Library Act 1939 (NSW)

Library Regulation 2018 (NSW)

Access to Information in NSW Public Libraries: Library Council Guideline

[https://pls.sl.nsw.gov.au/sites/default/files/2023-09/access\\_to\\_information\\_guideline.pdf](https://pls.sl.nsw.gov.au/sites/default/files/2023-09/access_to_information_guideline.pdf)

Library Council of New South Wales Children's Policy Guidelines for NSW Public Libraries 5<sup>th</sup> ed October 2020

~~Guidelines for NSW Public Libraries -~~ [https://pls.sl.nsw.gov.au/sites/default/files/2024-05/childrens\\_policy\\_guidelines.pdf](https://pls.sl.nsw.gov.au/sites/default/files/2024-05/childrens_policy_guidelines.pdf)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Classification (Publications, Films and Computer Games) Enforcement Act 1995 (NSW)

ALIA Statement on Free Access to Information - <https://read.alia.org.au/alia-free-access-information-statement> ~~<https://www.alia.org.au/about-alia/policies-standards-and-guidelines/statement-free-access-information>~~

~~Access to Information in NSW Public Libraries; Library Council Guideline -~~ <https://www.sl.nsw.gov.au/sites/default/files/accesstoinformation2007.pdf>

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