



TITLE:	Children and Young People in the Library	ISSUE DATE:	22 July 2014
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BRANCH:	Cultural Services	RESPONSIBLE OFFICER:	Manager Cultural Services
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1. PURPOSE

The purpose of this Operational Management Standard (OMS) is to define the role and scope of the Hawkesbury Library Service (Library) in the provision of services to children and young people.

2. SCOPE

This OMS is to be read in conjunction with:

- Hawkesbury City Council's *Child Protection OMS*
- *Use of Hawkesbury Library Service under Library Regulation 2018 OMS*
- *Public Computer and Internet Access and Use OMS*

Recent legislative changes in the area of child protection places a duty of mandatory reporting of suspected 'risk of harm' and neglect on council employees who are employed to provide or manage a range of Council activities including libraries. In the case of Mandatory Notifications, Library staff are to follow Council's *Child Protection OMS*.

3. DEFINITIONS

- **The Library** – means the Hawkesbury Library Service and its premises: Hawkesbury Central Library, Windsor and Richmond Branch Library, Richmond.
- **Child** - a person who is under the age of 16 years (as defined by the *Children and Young Persons (Care and Protection) Act 1998*)
- **Unattended child** – the person responsible for the child is not within sight of the child.
- **Young person** - a person who is aged 16 years or above but who is under the age of 18 years (as defined by the *Children and Young Persons (Care and Protection) Act 1998*)

4. ROLES AND RESPONSIBILITIES

Authorised Officer	Roles & Responsibilities
Library staff	<ul style="list-style-type: none"> • Fulfil role and responsibilities as outlined in Council's Child Protection Operational Management Standard • Implement this OMS.
Librarians	<ul style="list-style-type: none"> • Fulfil role and responsibilities as outlined in Council's Child Protection Operational Management Standard • Implement this OMS • Investigate situations and matters related to this OMS.
Library Coordinator	<ul style="list-style-type: none"> • Fulfil role and responsibilities as outlined in Council's Child Protection Operational Management Standard • Implement, review and update the OMS • Determine or make recommendations on actions taken in response to non-compliance with this OMS.



Authorised Officer	Roles & Responsibilities
Manager Cultural Services	<ul style="list-style-type: none"> • Advise Library and other relevant staff of this OMS • Authorise amendments to this OMS • Authorise actions taken in response to non-compliance with this OMS.

5. RELATED LEGISLATION/POLICY/PROCEDURE

Child Protection OMS

Use of Hawkesbury Library Service under Library Regulation 2018 OMS

Public Computer and Internet Access and Use OMS

Library Act 1939 (NSW)

Library Regulation 2018 (NSW)

Children and Young Persons (Care and Protection) Act 1998

Child Protection (Working with Children) Act 2012

Child Protection (Working With Children) Regulation 2013

Child Protection (Working With Children) Regulation 2013 - Reg 24

Civil Liability Act 2002 (NSW)

Classification (Publications, Films and Computer Games) Act 1995 (Cth)

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

Privacy and Personal Information Protection Act 1998

Department of Local Government Circular 99/48, *Legislative Changes in Relation to Child Protection*

Commission for Children and Young People, *Interagency Guidelines for Child Protection Intervention*

Library Council of NSW, *Access to Information in NSW Public Libraries Guideline*, 2007

Library Council of NSW, *Internet Policy Guidelines for NSW Public Libraries*, 2011

Library Council of NSW, *Children's Policy Guidelines for NSW Public Libraries*, 2013

<https://www.sl.nsw.gov.au/public-library-services/library-council-guidelines>

6. RELATED SAFE WORK METHOD STATEMENTS (SWMS)

Safety – CUL-022 – Dealing With Customers

7. INTERNAL CONTROLS

The safety and comfort of staff and Library users is the most important consideration, therefore staff on duty at the time are authorised to implement the OMS and to make appropriate calls for assistance from other staff or the police after appraisal of the situation. Note that staff work weekend and evening shifts.

8. STAFF TRAINING AND COMMUNICATION

Library staff are updated on this OMS and related procedures through their team meetings. The management of incidents is regularly discussed at key meetings and is constantly monitored by the Library Management Team (Library Coordinator and Librarians).

Training opportunities through The Office of the Children's Guardian, NSW Government.

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/training-and-resources>

9. AMENDMENTS

All amendments or changes to this OMS should be referred to the Responsible Officer.



10. CHILDREN & YOUNG PEOPLE IN THE LIBRARY OPERATIONAL MANAGEMENT STANDARD

Hawkesbury City Council operates its public library service under the *Library Act 1939* and the *Library Regulation 2018*. 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 any other library service or information service.

The Library provides the community with access to information and recreational materials through a variety of services and resources. The Library supports children and young people through the provision of collections and programs that foster an appreciation of literature and promote the development of information literacy skills.

While this philosophical underpinning enables the Library to offer a broad range of services to children and young people, it also serves to define the categories of services offered. These categories are information and reader services, education and literacy support, access to public space and recreation.

Notably, the Library's brief in regard to services for young people does not include services provided professionally by other agencies, for example child care and formal education.

10.1. Children and Young People in the Library

Hawkesbury Library Service 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.

10.2. Library Services for Children and Young People

The Hawkesbury Library Service offers a wide variety of services to young people, including:

- Fiction, non-fiction and recreational books
- Magazines
- CDs & DVDs
- Computer and internet access
- eBooks and eResources
- Storytime and related activities
- Holiday programs catering to a range of ages
- Special events
- Space for activities or study
- Assistance from specialist and general staff in accessing collections and information

10.3. Parental/Guardian responsibility

The responsibility of a child's (under 16 years) or young person's (16-18 year) use of the Library lies with the parent/guardian/carer at all times.

10.4. Unattended children in the Library

Young children must not be left unattended in the Library. For purposes of this OMS "unattended" means that the person responsible for the child is not within sight of the child.

Unattended/unsupervised children can be at risk in any public place, including public libraries. Library staff do not supervise children in the Library, and there is a risk that unattended children may leave the Library at any time, hurt themselves, or be approached by strangers. In addition, libraries do not have the facilities to attend to children who are sick, injured or hungry.



Children left unattended in a public library may be classed as a child or young person at risk of harm under s. 23 of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)* and may be reported as such to the Director-General of the Department of Family & Community Services. Parents who leave a child unattended in a public library are exposing their child to potential harm, and may be committing an offence under s. 228 of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*.

Young children left alone in the 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)*. Refer to *Use of the Hawkesbury Library Service under Library Regulation 2018 OMS*.

10.5. Parental/Guardian responsibility - access to general collection

The Library's general collection may contain publications that have been classified "Unrestricted" and films that have been classified "G" (General), "PG" (Parental Guidance) or "M" (Mature) in accordance with the *Classification (Publications, Films and Computer Games) Act 1995 (Cwlth)*. This material is available to all persons, including young persons, without restriction.

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 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.

10.6. Access to restricted material

The Library observes the *Classification (Publications, Films and Computer Games) Enforcement Act 1995*. The Library conforms to the restrictions placed on young people (under the age of 18) from borrowing material that is rated R and young people (under the age of 15) from borrowing MA15+ material.

10.7. Parental/Guardian responsibility - access to electronic resources

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.

Parents/guardians are responsible for their child's use of the Internet, in line with the Library's *Public Computer and Internet Access and Use OMS*.

Library users under the age of 18 years must have the consent of their parents/guardians to become members and to use the internet on public computers in the Library. The Library has no control over young people accessing the internet using personal devices via wifi.

Library staff do not supervise or monitor children and young people using the internet in the library so there is a risk that unsupervised children and young people may be subject to cyber bullying or exposure to material deemed unsuitable by their parent/guardians.