



**muswellbrook  
shire council**

# DRAFT Library Policy for Children and Young Persons

MSC33E

## Authorisation Details

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## Details History

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V.1	Original		Adopted by Council 9/02/2015, Minute No. 20. Doc id 534132
V.2	21/11/2022	Head Librarian	Updates to current Legislation Additional reporting information Policy name changed from L1/2 to MSC33E.

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## Policy Objective

Muswellbrook Shire Libraries provide a wide range of services to young people. This policy provides guidance on the management and provision of services to children and young people in our libraries.

## Scope

This policy applies to all users of the Muswellbrook Shire Libraries.

## Definitions

<i>Muswellbrook Shire Libraries or "the Library"</i>	Refers to all branches of the library service including Muswellbrook and Denman and any outreach services.
<i>Child</i>	As per the <i>Children and Young Persons (Care and Protection) Act 1998</i> , this means a person under the age of 16 years.
<i>Unattended child</i>	A child using public library resources and facilities unsupervised by a parent or carer. 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 <i>Children and Young Persons (Care and Protection) Act 1998</i> and may be reported to an appropriate authority.
<i>Parent or Carer</i>	Includes the legal guardian of the child and a responsible person over the age of 16 years who has been delegated responsibility for the child by the parent or legal guardian.

## Policy Statement

### 1.0 Service Statement

Muswellbrook Shire Libraries 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.

The Muswellbrook Shire Libraries services to young people include:

- Fiction, non-fiction and recreational books
- Magazines
- Computer games for in-library use (subject to observing copyright)
- CDs
- DVDs
- Computer and internet access
- Assistance from staff in accessing collections and information
- Homework help
- eBooks and eResources including streaming services
- Literacy programs
- School Holiday Programs
- Space for activities or study

## 2.0 Parental Responsibility Statement

### 2.1 Access to resources in a Library's General Collection

The Muswellbrook Shire Libraries' general collection may contain publications that have been classified 'Unrestricted', and films and computer games classified 'G (General)', 'PG (Parental Guidance)' or 'M (Mature)', in accordance with the Classification (Publications, Films and Computer Games) Act 1995 (NSW). This material is available to all library users, including young people, without restriction. The library has no censorship role in its choice of the library resources that form the collection.

While Library staff guide and assist young people in finding and accessing resources appropriate to particular interests and inquiries, Parents/guardians are responsible for ensuring that their child's selection and use of materials in the general collection accords with any restrictions the family may wish to set. Muswellbrook Shire Libraries 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.

### 2.2 Access to restricted materials classified as MA or R

Resources classified 'MA' may only be borrowed by persons under 15 years with the permission of their parent/guardian. Members under the age of 18 years are not permitted to borrow items with an 'R' rating.

### 2.3 Unattended children

For the purposes of this policy, children under the age of 13 must be supervised by a parent or carer.

Unsupervised children can be at risk in any public place, including public libraries. Muswellbrook Shire Libraries 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 s23 of the *Children and Young Persons (Care and Protection) Act 1998* and may be reported as such to the Director-General of the Department Family and 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 section 228 of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*.

Young people 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)*.

## 2.4 Children at risk

Our aim is to produce a safe, enjoyable experience for all children who attend the Library. Library staff cannot supervise children whilst carrying out work responsibilities and are unable to provide the necessary degree of supervision desirable for young children. This responsibility remains the responsibility of the Parent or Carer.

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

- Parents/carers will be contacted in person or by telephone.
- If the staff are unable to contact the parents/carers after 15 minutes, then the staff will contact the Police, or another appropriate authority to come and collect the child.
- Staff must then submit an incident report and notify the Head Librarian.

Children must not be left alone with a staff member and staff will not drive the child home.

Parents/care providers who contravene this policy and leave children unattended on more than one occasion will be issued a letter from the Head Librarian accompanied by a copy of this policy.

## 2.5 Access to electronic resources

Muswellbrook Shire Libraries are an accredited eSmart Library service and are committed to guiding the smart, safe, and responsible use of digital technology and support wellbeing outcomes for all members of our community. The Library requires membership or proof of identification for any user of technologies within the Library branches.

Library staff are available to assist young people in the use of the Internet, and to recommend websites on particular subjects however parents/guardians are solely responsible for their children's use of the Internet and access to the libraries eResources.

## 2.6 Child Safe Principles

The *NSW Commission for Children and Young People* promote child-safe policies and practices by encouraging organisations to become more child safe. The Muswellbrook Shire Libraries is guided by the *Child Safe Principles* and *Children and Young Persons (Care and Protection) Act 1998* when identifying and reporting risks.

Muswellbrook Shire Libraries strives to recognise and abide by child safe principles in our policy and interactions with Children within our facilities. All staff working within the Muswellbrook Shire Libraries currently have a Working With Children Check.

## Legislation

*Library Act 1939*

*Library Regulation 2018 (NSW)*

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

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

## References

Muswellbrook Shire Libraries *Library Membership Policy*

## Dispute Resolution

Any complaints are to be firstly directed to the Head Librarian. If the customer remains unsatisfied, they may write to the General Manager.