

Child Safe Policy



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Policy Statement

The State Library of New South Wales (the Library) is committed to being a child-safe institution, and to providing environments where children are safe and can flourish through learning and enjoyment. The Library acknowledges that when executing any of its functions in accordance with this policy, the safety, care and protection of children is paramount.

This policy reflects the Library's commitment to implement NSW's 10 Child Safe Standards:

1. Child safety is embedded in institutional leadership, governance and culture.
2. Children participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety.
4. Equity is upheld and diverse needs are taken into account.
5. People working with children are suitable and supported to reflect child safety practices.
6. Processes to respond to complaints of child sexual abuse are child focused.
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
8. Physical and online environments minimise the opportunity for abuse to occur.
9. Implementation of the Child Safe Standards is continuously reviewed and improved.
10. Policies and procedures document how the institution is child safe.

Target audience

This policy applies to all employees of the State Library of NSW, members of the Library Council of NSW, contractors, State Library volunteers and members of the public using or accessing State Library property, collections and facilities.

Operational requirements

i) Working with Children Checks

All staff, volunteers, and external providers at the Library who are involved with child-related work that is more than incidental are required to undertake a *Working with Children Check* as issued by the NSW Office of the Children's Guardian. This is to be renewed every five years.

Any staff member, volunteer, external provider, or candidate for employment who refuses to undertake this check, or fails it, or is not accompanied by another staff member with a Working with Children Check, is unable to work directly with children at the Library.

ii) Unattended children

The Library's Unattended Children Guidelines outline the responsibilities of parents, guardians and carers regarding their child's use of the State Library of New South Wales (the Library). It also details the responsibilities of Library staff if and when unattended children are deemed to be at risk in the Library.

The Library does not provide child supervision as part of its services. Children under the age of 12 years cannot be left unattended and are the responsibility of their parent or guardian in accordance with the Library's Reader and Visitor Code of Conduct.

School students who attend learning programs at the Library must be accompanied by a teacher and supervised before and after the programs.

Children attending school holiday programs, when not accompanied by a parent or guardian, must be signed in and out of the program, and contact details of the parent or guardian must be provided.

iii) Concerns about the safety of children

Concerns that Library staff or volunteers have, or which are communicated to them, relating to the safety of a child at the Library will be responded to immediately and will ensure the least possible disruption to the child. A person who is suspected to be compromising a child's safety will be reported to New South Wales Police and/or Family and Community Services (FACS).

Informed by *Section 27 of the NSW Children and Young Persons (Care and Protection) Act 1998*, staff delivering services to children have a mandatory obligation to report any suspicion they have of a child being at risk of significant harm.

iv) Safe and secure facilities

The Library aims to maintain its physical and digital infrastructure so that everyone is safe. Our dedicated learning centre for children is swipe-card entry only and access rights are approved by the Manager, Learning Services. Public areas are regularly monitored by either stationed or roaming Library's Security Officers and CCTV footage is also regularly monitored by Library Security.

v) Access to collections and internet facilities

Parents/guardians are solely responsible for the child's access to library collections. This includes ensuring that their child's selection and use of materials in the library's collection accords with any restrictions the family may wish to set.

The Library collection contains 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* (Cth). 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.

The Library provides free and open access to the internet through its public computers and wi-fi without filtering. Filtering is not used as it cannot block everything that could be considered offensive or illegal, and because it may prevent people accessing legitimate and lawful information.

Discretion regarding the online content that children can access is the responsibility of the child's parent or guardian.

Any person who accesses material that is offensive to other Library users, especially children, may be asked by staff to cease accessing the material and may be excluded from the Library.

vi) Allegations against staff and volunteers

Complaints and allegations against employees of the State Library of NSW, members of the the Library Council of NSW, contractors and State Library volunteers concerning the welfare, wellbeing and safety of children will be handled in accordance with Library's Complaint Handling Policy.

vii) Library activities relating to children

The Library has obligations to prevent child abuse for those children it exercises care, supervision or authority over. All activities run by, or on behalf of, the Library that involve Library staff, volunteers or members of the public working directly with children will be risk assessed and managed according to the Library's Risk Management Policy and Framework.

viii) Failure to adhere to the Child Safe Policy or respond appropriately to child safety concerns.

Employees of the State Library of NSW, members of the Library Council of NSW, contractors, State Library volunteers and members of the public using or accessing State Library property, collections and facilities who fail to adhere to the Child Safe Policy will be subject to disciplinary action in accordance with the State Library of NSW Code of Ethics and Conduct or the Reader and Visitor Code of Conduct. Further, a person who fails to reduce or remove risk of a child becoming victim of child abuse may have committed an offence and as such, may be referred to NSW Police.

Responsibilities

- Manager, Human Resources is responsible for ensuring all Library staff members who are involved with child-related services have an up-to-date Working with Children Check, have completed their code of conduct induction and have been made aware of the Library's policy on Responding to Reportable Allegations or Reportable Convictions Against Employees (paid or unpaid)
- Manager, Learning Services is responsible for ensuring all learning programs for children are conducted with only certified staff in attendance, that they have completed their code of conduct induction and that programs have been risk assessed in accordance with the Library's Risk Management Policy and Framework prior to commencing.
- Manager, Security is responsible for ensuring all staff respond immediately and appropriately to any concern relating to a child's safety.

- Manager, Facilities; Manager, Security; and Manager, Digital Library Systems & Services are responsible for ensuring the Library has well-maintained and safe physical and online spaces.
- Manager, Information & Access is responsible for responding to any complaints involving readers accessing online material which may constitute child abuse material and/or material in non-compliance with the Reader and Visitor Code of Conduct.

Related key legislation

- *Child Protection (Working with Children) Act 2012 No 51*
- *Child Protection (Working with Children) Regulation 2013*
- *Children’s Guardian Act 2019*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Library Act 1939 No 40*
- *Library Regulation 2018*
- *Civil Liability Act 2002 No 22*
- *Crimes Act 1900 No 40*

Related Library policy

- *Unattended Children Guidelines*
- *Reader and Visitor Code of Conduct*
- *Children’s Policy Guidelines for NSW Public Libraries*
- *Complaint Handling Policy*
- *Risk Management Policy and Framework*
- *State Library of NSW Code of Ethics and Conduct*
- *Responding to Reportable Allegations or Reportable Convictions Against Employees (paid or unpaid)*

Definitions

Child — A person under 18 years of age

Abuse — Sexual misconduct and/or sexual offence with or in the presence of a child, ill-treatment, neglect, assault and emotional or psychological harm of a child.

Document history and version control

Version	Date approved	Approved by	Brief description
1.0	18 October 2022	Library Executive	First version