



CHILD SAFE

ABANDONED or UNATTENDED

CHILDREN IN THE LIBRARY

| Version | Date | Approved | Circulation |
|---------|------------|----------|--------------------|
| 1 | 23/02/2017 | Board | Internal& External |

Preamble

Eastern Regional Libraries Corporation (ERLC) endeavours to provide a safe environment for all users of its libraries.

This Policy has been developed to assist with providing a safe environment for children who are abandoned or unattended in a library.

Beyond a general duty of care, ERLC, or its employees, do not accept responsibility for children abandoned or unattended in a library. ERLC shall not be liable for any injury or damage to, or caused by any act or omission of any child who is in the Library.

ERLC employees do not take over parental responsibilities for children when they are brought into a library. Nor are they expected to supervise children while carrying out their work duties.

While employees will use their best endeavours to ensure the safety of children, libraries are not a licensed child-minding facility, and therefore cannot provide direct supervision of children.

Responsible Persons (see below) are primarily accountable for the supervision and safety of the children they bring to the library.

Definitions

Abandon: cease to support or look after (someone)

Abandoned Child: a child under 12 years of age (or who appears to be under that age) will in most cases be considered abandoned, if after 15 minutes, employees cannot make contact with a Responsible Person. Nominally a child of Primary School age.

Child: means a person who is under the age of 18 years.

Officer in Charge: is the Manager / Team Leader or Shift Leader

Responsible Person: is a Parent / Carer / Legal Guardian who is 18 years or older and who can exercise parental control over the child/children.

Supervision: Children under the age of 12 must be supervised by a Responsible Person. Supervision requires that the person be within sight of the child at all times.

Unattended Child: is any young person (over the age of 12 years and under 18 years) who is not supervised by a Responsible Person. Nominally a child of Secondary College age.

Vulnerable Child: is any abandoned or unattended child who is distressed, or whose safety is at risk, or whose well-being would be endangered if they left the building.

Abandoned Children

A child under 12 years of age (or who appears to be under that age) will be considered abandoned, if after 15 minutes, employees cannot make contact with a Responsible Person.

Where an employee observes a child that appears to have been abandoned they will advise the Officer in Charge.

The Officer-in-Charge has the authority to decide if a child is abandoned.

If the Officer in Charge determines the child is abandoned the Victoria Police (the Police) will be contacted immediately.

Notes:

15 minutes is only a guideline. Depending on the level of risk to the child, the Officer in Charge may contact the emergency services and/or the Police sooner (e.g. a vulnerable child).

ERLC will contact the Police if a child is noted to be abandoned on a regular basis.

Unattended Children

Usually applied to children over 12 years of age who could be in a library for a variety of reasons.

Children over 12 years of age could be unattended in a library for a variety of reasons: studying; relaxing; curriculum day; home schooled; truancy; etc. An employee may question an unattended child to establish the reason for their attendance at the library (e.g. during school hours during a term).

An employee will evaluate the child's behaviour.

An employee may consider also the following matters (amongst others)

- If the safety of the child is compromised; or
- If the child's behaviour is of concern; or
- If the child needs supervision beyond the means of the employees.

If the child is not disruptive or at risk, the employee can exercise their discretion and allow the child to remain in the library.

An employee will report to the Officer in Charge if they feel there is a problem; or there is a risk of any nature to the child.

The Officer-in-Charge has the authority to decide what action is to be taken if a child is: disruptive; unattended; or at risk. Depending on the level of risk, the Officer in Charge may contact: a Responsible Person; or in the case of an immediate risk, the emergency services and/or the Police.

Note:

Children develop and mature at different rates. While 12 years and under is determined as a child that should be supervised by a parent or carer, discretion and judgment will apply when deciding if any child is vulnerable and at risk, or old enough to be alone in the library and/or sent out of the building.

Child Abandoned or Unattended at Closing Time

Library employees are not responsible for the safety and well-being of children abandoned or unattended at closing time (refer Extracts from Other Relevant Policies below).

However, an employee may use their discretion to call a Responsible Person or the Police on behalf of the abandoned or unattended child.

In that case, the employee will wait inside the library with the child until the Responsible Person or Police arrive. If the Responsible Person arrives before the Police, the library policy will be explained and a written copy of the policy will be provided.

If the Police do take responsibility for the child, the Police Officer who responds will be given a written copy of the policy to be provided to the Responsible Person.

With the exception of an emergency building evacuation, under no circumstances will employees remove the child from the library building, even on the request of the Police or Responsible Person.

Emergency Building Evacuation

In the event of an emergency incident employees could be required to, or asked to, evacuate the library building.

Employees will use their best efforts to have the library vacated by all library users.

If during this process employees identify abandoned or unattended children, the employees will assist where possible and practical in their safe evacuation to the designated assembly point.

However, if this is not possible, or the child is not cooperating in the evacuation, employees will endeavour, as a matter of priority, to inform the persons in charge, emergency services and/or Police (if on site) of the abandoned or unattended children left in the building and their location.

Once the evacuation is complete, and at the first opportune moment, employees will inform the persons in charge, emergency services and/or Police (if on site) of any abandoned or unattended children still under the employees' care at the designated assembly point.

Extracts from Other Relevant Policies

Membership, Access & Use Policy

- Any child who is in the library without a parent or guardian present after 15 minutes, or the time designated for closing the library to members of the Public, may be placed in the custody of a member of the Victoria Police.

Code of Conduct Library Users

Unwelcome Behaviour

- Neglecting to provide proper supervision of persons in your care, including abandoning, or leaving unattended, children or other persons in need of supervision e.g. leaving young children unattended in the library at any time for more than 15 minutes.

Notifying the Police

- Examples of when the Police may be summoned include:
 - Neglecting to provide proper supervision, including abandoning, or leaving unattended, of children or other persons in need of supervision.

Advice and Assistance

Requests for advice and assistance in relation this Policy should initially be directed to the Corporate Manager Employee Relations.

Regular Review

This policy will be reviewed at the earlier of: two years; following significant incidents if they occur; and after any legislative changes.

Disclaimer

The Corporation strives to provide information as accurately as possible.

The information provided in this Policy is intended as general information only.

The Corporation makes no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the contents of this Policy, and expressly disclaims liability for errors and omissions in the contents of this Policy.