

REPORT TO: COMMUNITIES COMMITTEE - 22 AUGUST 2005

REPORT ON: LIBRARY AND INFORMATION SERVICES:
"A SAFE PLACE FOR CHILDREN AND YOUNG PEOPLE"

REPORT BY: HEAD OF COMMUNITIES

REPORT NO: 481-2005

1.0 PURPOSE OF REPORT

- 1.1 To approve the adoption of the policy document "A Safe Place for Children and Young People" in relation to the use by children and young people of the Community Department's Library and Information Services.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Committee agree the attached document "A Safe Place for Children and Young People" (Appendix 1) to operate within the Communities Department.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report.

4.0 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 Opportunities for culture, leisure and recreation are readily available to all.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 Every opportunity is taken to make Dundee a more family-friendly and barrier-free City.

6.0 BACKGROUND

- 6.1 Library staff engage daily with young people of all ages. It is their duty to ensure that Council premises provide a safe environment for children and that they themselves act in the best interests of the children. The aim of these guidelines is to provide staff with a clear understanding of their duty of care for children and young people using library premises, to provide managers with guidance in the promotion of safety in libraries, and to ensure the creation of environments in which children and young people feel comfortable and secure.
- 6.2 In 2002 Neighbourhood Resources and Development Department produced guidelines for child safety in libraries after consultation with The Scottish Commission for the Regulation of Care and The Chartered Institute of Library and Information Professionals (CILIP) among other bodies, and with Dundee City Council's Legal Services Department. In 2002 CILIP had published a document for the promotion of the safety of children and young people in public libraries on which these guidelines were based.
- 6.3 The 2002 guidelines have thus been reviewed and updated to take into account Scottish Law. They have been scrutinised by Legal Services for currency and relevance, and are a fuller, more comprehensive document than the 2002 guidelines.
- 6.4 These new guidelines address all aspects of the promotion of the welfare of children who are visiting libraries for whatever reason and whether individually or as part of an organised activity. They recognise that work with children and young people imposes a responsibility on council staff and they provide support and guidance for our staff engaged in this work.

7.0 CONSULTATION

The Chief Executive, Assistant Chief Executive (Community Planning), Depute Chief Executives (Support Services) and (Finance), and Director of Education have been consulted in the preparation of this report.

8.0 BACKGROUND PAPERS

None

**Signed: Stewart Murdoch
Head of Communities**

Date: 11 August 2005



A SAFE PLACE FOR CHILDREN AND YOUNG PEOPLE

Guidelines to promote safety in public libraries

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INTRODUCTION

Libraries for children and young people can be dynamic and exciting places: early years librarians are working in the community promoting early literacy skills and supporting homework clubs, thus enabling children to realise their potential; and proactive social inclusion projects are working with vulnerable young people in challenging settings. To allow these services to flourish, it is vital that the library is, in the first place, a safe place for children and young people. It must be a place where they feel secure to explore, confident to enjoy the resources around them, and where they know that they will receive suitable help.

These Communities Department Guidelines have been produced with a reference to "A Safe Place for Children", Guidelines produced by the Chartered Institute of Library and Information Professionals to promote child safety in Public Libraries'.

They have been produced to support:

- Staff who require a clear understanding of their duty of care for the young people who use libraries;
- Managers with a responsibility for promoting safety in libraries;
- Parents, carers, children and young people.

A safety policy must be one of the foundations of a well-managed public library service. Rather than a reaction to particular difficulties or threats, it should seek to proactively create an environment in which young people feel comfortable and in which their confidence as learners and citizens can grow.

As a responsible agency working with children and young people, it is important that libraries create safe community spaces and are seen to take the issue of safety seriously. It is important that libraries supply children and young people with the information they need to ensure their security – details of "Childline" and other appropriate agencies should be displayed.

These Guidelines must be read in conjunction with the policies and procedures relating to the use of Libraries and Learning Centres produced by the Communities Department, Dundee City Council.

LEGAL BACKGROUND

While as a general rule parents are responsible for their children, there may be circumstances in which staff may be required to take action to ensure children's safety and they and their employer may be liable if they do not do so. Staff rarely can be said to act in the place of parents, but they are in a general position of authority within the library. They are also officers of the local authority and the local authority has a duty under the Children (Scotland) Act 1995 to act in the best interests of "children in need". These two factors may be enough to impose a duty on staff to take reasonable steps to safeguard children's safety.

The Occupiers' Liability Act (Scotland) 1960, imposes a duty of care on Dundee City Council to ensure that Council premises are safe and do not pose a physical danger to people, including children, coming into them. However, the Act does not impose a duty on the Council to **supervise** children while they are on Council premises.

Staff should be prepared to act in accordance with Dundee City Council Communities Department's policy and procedures regarding the Care and Protection of children and young people. These procedures sit alongside the inter-agency child protection procedures developed by the Dundee Children and Young Persons Protection Committee (CYPPC) - (see page 11).

Staff will be provided with copies of Dundee City Council's policies concerning child protection and health and safety to ensure they comply with those policies.

UNSUPERVISED CHILDREN IN LIBRARIES

The way in which staff deal with unaccompanied children discovered in the library must be based both on an awareness of the responsibility of the parent or the carer, and the library's duty of care to all children on library premises.

Children are the legal responsibility of their parents and carers. Children aged 5 and under must be accompanied by a parent/carer when visiting the library. There will be situations when under-eights visit the library unaccompanied (see section 3.2 - Child/ren Alone Procedure). Whilst not wishing to discourage children from visiting, staff need to take responsible steps to ensure the safety of the child and to inform parents/carers of their responsibilities.

3.1 A good practice response to discovering a child alone in the library

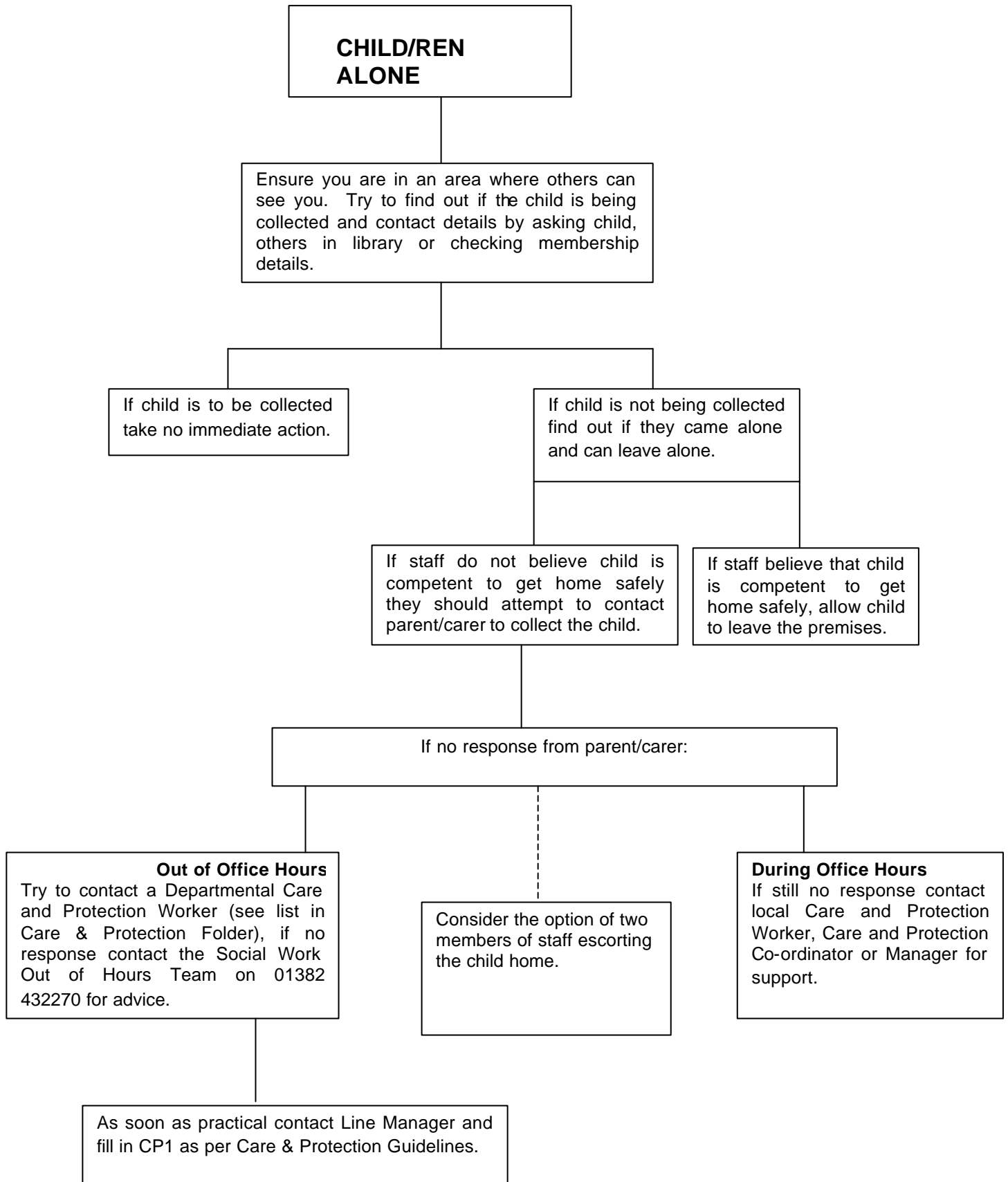
- Where circumstances permit, avoid being left alone with a child.
- Where circumstances permit, ensure colleagues are present when you are dealing with unsupervised children.
- Establish whether the child is allowed by the parent/carer to come and go alone. If you are satisfied that this is so, then allow the child to leave. If you gather this information only from the child then you will need to use your judgement to ascertain whether the child is competent to leave alone. Ensure you have a witness and record your actions in the desk diary.

Relevant factors may be:

- Whether the child exhibits signs of nervousness.
- Whether the child appears to clearly understand your questions.
- Whether the child seems physically capable.
- Whether the child appears to know clearly and readily where he or she lives.
- How far the journey is.
- Whether you know of any particular hazards on the journey.

If you are in doubt, seek to persuade the child to remain until you have been able to follow the steps outlined in 3.2 "Child/ren Alone Procedure".

3.2 Child/ren Alone Procedure (to be used in conjunction with Departmental Care & Protection Procedures)



3.3 Unsupervised children at closing time

- Staff should be prepared to check on the child's situation with the support of another member of staff – are they waiting for a parent or carer to collect them, or are they expected to go home alone?
- Staff should telephone the child's home from the library to clarify the situation if necessary.
- Staff should wait for the parent/carer to collect the child and then explain the policy to them.
- If a parent or carer cannot be contacted then consult the Care and Protection folder.
- Escorting a child home should be avoided. However, after careful consideration this **may** be done by **two** members of staff.

The incident should be reported to the relevant senior manager at the earliest opportunity in accordance with the Care and Protection Guidelines.

In order to emphasise the need for parents to supervise children within the library, a simple sign reminding them of their responsibility will be displayed as follows:

Parents and carers are strongly advised not to leave children unsupervised in the library.

3.4 Term Time

Children and young people in libraries during school hours

Ask the children/young people if they have an out of school pass. It may be that they are on a part-time timetable or are on study leave, in which case they will not have a school pass. If you are unsure as to whether they should be at school, find out if they are on study leave, in which case they are welcome in the library. If they are on a part-time timetable, ask for their name, date of birth and school, then phone Home School Support Service on extension 8776 and they will put the call through to the duty officer who should be able to check.

4. ORGANISED ACTIVITIES FOR CHILDREN ON LIBRARY PREMISES

The Regulation of Care (Scotland) Act 2001 regulates the provision of "day care". Dundee libraries are not required to register under the Act.

Staff to children ratios from the Childcare Policy, May 2003 is as follows: -

Age	Ratio
Under 2s	1:3
2-under 3s	1:5
3s and over	1:8
8s and over	1:10
Special needs	1:1

- Group size should not exceed 26.

- At least 2 adults must be on duty. Volunteers 16+ must be disclosure checked. Parents should only supervise their own children.
- There must be adequate space.
- There must be access to a telephone on the premises.
- Health and Safety risk assessments must be carried out. The Dundee City Council Childcare Policy with the venue checklist as a guide may be used.
- Suitable refreshments may be provided if appropriate
- Special needs are catered for
- A booking system for group visits and events, listing name and contact numbers should be in place

No children under 5 years of age should be left at events, unless the parent/carer or responsible older brother/sister, who is 14 years of age or over, stays with the child. A statement to this effect should feature on any programme of events.

4.1 In planning the activity the following considerations should be made:

- Appropriate numbers of adults to supervise the event. If a class or group is visiting, one member of staff can supervise the activity if the accompanying adults remain with the group. When using outside speakers/entertainers, one member of staff should remain with the group at all times for the protection of the speaker as well as the group. It is common courtesy to have a member of staff attending.
- General health and safety considerations must be borne in mind.
- Obligations under the Disability Discrimination Act must also be borne in mind. In providing services you must not discriminate against any person on ground of disability and must take reasonable steps to enable disabled children to use the service.
- Ensure you are aware of the library's first aid arrangements
- Determine a maximum attendance figure, based on staff, space, the type of activity, and staff to children ratios. If there is any doubt about the ability to control numbers, then ticket the activity or at least have a booking form.
- Ensure you are complying strictly with the requirements of the library's fire certificate and any recommendations or requirements of the fire authority and the premises' insurers.

4.2 Publicity Material should specify the age of the children which the event is aimed at. It should clearly state starting and finishing times. It should also contain the following or similar statement:

Parents or carers collecting children from a library activity must instruct children to stay in the library until collected.

4.3 Register all children attending the event. Have a written record of name and contact details (also known medical conditions and how such medical conditions are to be dealt with, particularly in an emergency, if appropriate). Only keep records for as long as needed. Shred list after the event unless there is a problem.

During the event all staff must be identifiable (e.g. by wearing staff badge).

If a child who was brought by an adult wishes to leave the event, every effort should be made to persuade them to stay until the return of the parent/carer. Children should only be released into the care of their recognised parent/carer, unless the library has been informed that the child is allowed to leave alone, or if they arrived alone. Children should only be allowed to leave in the care of another child if that child is of the age and competency to be able to accept responsibility for their own or another's safety (see point 4 above), or if you have permission from the parent/carer, or the child arrived in the care of that other child.

If during an event you believe that a child may suffer accident or injury if not restrained, you should have reasonable grounds for believing there is a real risk. Before attempting to restrain a child physically, try to ensure that you do so in the presence of another member of staff and be aware that you are only allowed to use reasonable force in order:

- To prevent accident or injury.
- In self-defence.
- To remove a trespasser.

Events should be scheduled to end at least half an hour before the library closes to allow time for parents who are late to collect their child.

4.4 HOMEWORK CLUBS

Homework clubs within libraries are partnership activities between Communities Department and the Education Department. While, in the main, teaching staff plan and deliver the homework activities, the Communities Department's guidelines regarding behaviour and safety still apply. e.g. if the fire alarm sounds; a child arrives early for the club; a child remains after the club has finished or turns up on a day when the club is not running.

Good liaison between library staff and teachers will help to ensure awareness of the guidelines and that they are adhered to. It is good practice to make the location of the guidelines known to teachers so they may be consulted when library staff are otherwise engaged.

The clubs run during term time and education department staff will inform schools and parents of dates, times and locations.

5. EVACUATION OF THE LIBRARY

- A poster clearly displaying the location of the library's assembly point should be displayed in the library and a separate copy in a children's library if applicable.
- All library staff must be familiar with procedures to ensure the safety of children in the event of the evacuation of the library premises.
- On the sounding of the alarm a nominated member of library staff should have the responsibility of checking that no unaccompanied children are left in the library or related spaces (open meeting rooms, toilets, etc)
- In the event of an evacuation staff should take any unaccompanied children to the assembly point. Children who are expecting to be met by a parent/carer should be kept with library staff until the parent/carer claims them. Children who are not expected to be met and who are allowed to leave the library unaccompanied should be allowed to make their way home. The booking form will assist staff in identifying unaccompanied children with contact numbers.
- In the event of an evacuation during an organised library activity for children, staff must lead children to the assembly point taking the register of children attending the event. The register must be checked to ensure that all children are out of the building. If a child is unaccounted for this should be reported immediately by the appropriate member of staff to the emergency services.

6. ADULTS IN LIBRARY AREAS DESIGNATED FOR CHILDREN'S USE

Children and young people's library areas need to be clearly signed as designated for use of children, their parents and carers.

It is important to remember that adults will use a children's library to obtain information, borrow or return material and to supervise their children. However staff must be watchful of adults acting in ways, which may threaten a child's safety and be responsive to a child's concerns. This is a very sensitive area and staff should be cautious, but the child's welfare must come first.

An adult in a children's library area, but not seeming to use it, should be offered seating in the adult library, or help in finding the information they require.

Concerns about an adult's behaviour should be shared immediately with a senior staff member.

Where necessary, staff should remain in the children's area with the adult, or the adult should be asked to leave the area, which is designated for children's use.

7. USE OF STAFF TOILETS

A designated toilet/s for public use should be accessible in every location.

8. OUTREACH VISITS

When staff visit another organisation, the responsibility for supervising the children remains the responsibility of the organisation being visited.

At least one member of staff from that organisation should be present at all times.

Make sure you take ID with you and be prepared to comply with any security procedures the organisation has, e.g. signing in and out and wearing a visitor's badge, or wear own badge.

Libraries should provide enough staff to undertake the sessions they have arranged to do.

Staff taking groups of children out of the library premises must comply with the Communities Department's risk assessment procedures and have obtained parental consent.

9. USER SURVEYS AND CONSULTATION

As libraries undertake more consultation work staff need to be aware of sensitivities regarding talking to children.

- You do not need permission from parents to ask children general questions where you will not use or publish the information in such a way that individual children could be identified. If surveying in libraries make sure that notices are displayed that explain why you are approaching children.
- If you are surveying children under 14 in focus groups or more detailed consultation, you do need permission from parents or carers. Make sure that you provide adequate information and notice to ensure parents can be kept informed.
- If your survey gives rise to statistical data only there will be no data protection concerns. However, if you are collecting information from which a child can be identified, you will need the consent of its parent/carer.
- If you are visiting an outside group ensure that they have adequate notice and information so that they can inform the parents and children.
- Do not interview children alone in a separate room; ensure that all one to one interviews with children are in public places.
- All staff must wear identification whilst they are surveying.
- Remember, if you want to survey or consult in a public place you may need to get permission, e.g. from the Shopping Centre Management Agency.

10. AVOIDING SITUATIONS WHERE LIBRARY STAFF MAY BE IN A VULNERABLE POSITION

- Never accompany a child into a toilet unless with good reason.
- Never allow children to sit on your knee during storytime.
- In a difficult situation involving a child try and ensure another member of staff listens/observes.
- Do not lead a child by the hand out of the library in search of a parent. Keep them safe until parent returns or contact a Care and Protection member of staff. If you have 'reasonable' cause to believe that a child has been abandoned then call the police. Remember to fill in a CP1 form in line with departmental procedures.
- If a child is obviously distressed do try and comfort them.
- Never make arrangements to contact children outside the library.
- Do not do anything of a personal nature for a child that the child could do for itself (see Appendix 6 of Dundee City Council's Communities Care and Protection Guidelines).

11. DEALING WITH UNACCEPTABLE BEHAVIOUR

The Communities Department's Guidelines on Dealing with Inappropriate Behaviour defines unacceptable behaviour, which includes the following, to ensure that it is dealt with consistently:

- bullying
- fighting
- health and safety issues
- noise
- vandalism
- verbal abuse

(See Dealing with Inappropriate Behaviour, Communities Equality and Diversity Policy, and Library Management Rules).

It is important to deal with such situations calmly and quietly, and to avoid putting yourself or others in danger.

If you witness a child being bullied or a child complains of being bullied, this is unacceptable behavior and a child protection issue. Appropriate action should be taken to protect the child and a CP1 form submitted in accordance with the Department's Care and Protection Guidelines. Libraries should be places where children and young people can feel safe.

12. TAKING PHOTOGRAPHS OF CHILDREN IN LIBRARIES

The Council is not required to seek permission to take photographs of groups of children, provided no explanatory matter identifying the children concerned accompanies the photograph. However, it is always preferable to seek, at the very least, verbal permission, from individual parents/carers, class teachers and older children at events. An explanation regarding how photographs may be used should be given, e.g. displays, reports, Dundee City Council web pages. Photographs may be taken of groups from a distance whereby individuals are not identifiable. Consent should be obtained for the use of photographs of individual children or where an explanatory matter identifying the children will accompany the photograph.

13. THE WIDER CONTEXT - SUPPORTING CHILD SAFETY IN THE LIBRARY

Issues of child and young people's safety within the public library need to be addressed within the broader context of Dundee-wide strategies to ensure a locally co-ordinated and coherent approach to child safety.

Dundee Children and Young Persons Protection Committee (CYPPC) provides the focus for this work. It exists to bring together all the relevant agencies (education, social work, police, health, communities, leisure and arts, voluntary organisations, etc) working in partnership with children, families and communities, to provide an effective system which safeguards and promotes the welfare of children and young people in need of protection.

The CYPPC leads in the development and implementation of inter-agency child protection procedures. These are then supported by a department's, or agency's own procedures, specific to its roles and functions. The Communities Department has its own Child Protection Procedures, copies of which should be available for both public and staff in libraries.

Local community contacts need to be shared with all library staff who work with children and young people. Staff will be supported through local Care and Protection Support Workers.

Safety is a society-wide responsibility. It is important for library staff to be aware that as part of the community working with children and young people they share in this responsibility. This awareness should give staff confidence in working with children and young people in libraries.

It must be a place where they feel secure to explore, confident to enjoy the resources around them and where they know that they will receive suitable help.