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Purpose and Scope

Library policies and services are designed to provide a safe and welcoming environment for customers of all ages. Lincoln Pelham Public Library welcomes and encourages children of all ages to visit the library as a safe space to enjoy our collections, programs and services. Library staff assist children in the library, but cannot assume responsibility for the safety, well-being, and supervision of children left unattended in the building.

Policy Statement

Parents and caregivers are responsible for the behavior and safety of their children visiting the library and need to use the same caution with their children at the library as they would in any other public setting.

The Library is governed by the terms of the Ontario Child, Youth and Family Services Act 2017, S.O. 2017, c 14, Sched. 1 regarding the supervision of children, specifically: Section 136 (3) “No person having charge of a child less than 16 years of age shall leave the child without making provision for his or her supervision and care that is reasonable in the circumstances.”

1. Children who are 10 years of age or under attending Library programs or events must have a caregiver present in the Library. Where Library programs or events are held outside of the Library building, the caregiver must remain within visual range of children.
2. Children may use the library unattended for an appropriate amount of time for their age and maturity. They will be assessed by Library staff for their competency related to being unsupervised in the Library. Some signs that indicate that a child might not be competent to be on their own are:
 - Crying or acting frightened
 - Acting in a manner that may be harmful to themselves or others ☒ Unwillingness to change their behaviour
 - Inability to follow direction from staff
 - Seeking ongoing attention from Library staff due to loneliness Staff will advise caregivers if their child needs assistance while on the premises.

3. Teens, 12 years of age and older, may use the library independently, but parents are still responsible for the behaviour of any children under the age of 16 while in the Library.

4. The Library may require children in chronic violation of the Library's Code of Conduct and procedures, despite repeated warnings, to be accompanied by a parent or caregiver during library visits for a period determined by management.

5. The Library may ban children or youth who repeatedly violate the Library's Code of Conduct for a period to be determined by management, and their caregivers will be informed.

Responsibility of Library Staff

Unattended Children Library staff may implement the procedure for dealing with unattended children in these and similar situations:

- A child 9 years old or under is unattended in the Library.
- An unattended child is found frightened or crying in the Library.
- An unattended child is perceived to be endangering him/herself.
- Another person in the library poses a perceived threat to the unattended child.
- An unattended child is not following the Library Code of Conduct and procedures after reasonable warnings
- An unattended child is not met by a responsible caregiver at closing time.
- A child is consistently left alone in the library for extended periods of time.

Where a caregiver cannot be contacted, Library staff will:

- Not leave a child unattended at closing time
- Not give the child a ride home
- Contact Niagara Regional Police or Family and Children's Services Niagara (FACS)
- Remain with the child until the proper authorities can take the child into their protection.

Requests for Information Regarding Children

As a public facility, the library does not monitor the activities of its customers of any age unless there is a problem with their conduct. If a school age child is noticed to be spending multiple days in the library during school hours, staff may check with the child and ask that a parent or caregiver confirm with the library that they are aware of the child's whereabouts or contact Children's Aid Society for guidance if there are concerns about the child's well-being. Staff will not give information to any person over the telephone as to whether a child is currently in the library or has been in the library recently. Staff may offer to take a message and ask the child (if present in the library) to call the person back. In the case of a missing child or a child in danger,

Library staff will share information with the law enforcement agency requesting specific information.

Requests for Information Regarding Missing Children/Runaways

Staff will not give information to any person over the phone as to whether a minor is currently in the Library or has been in recently. If the situation seems to be serious, staff may offer to take a message and ask the child to call the person back. If there is an active police investigation, staff will cooperate with the police in helping to locate a missing minor.

Duty to Report

The Ontario Child, Youth and Family Services Act recognizes that each of us has a responsibility for the welfare of children. It clearly states that members of the public, including professionals who work with children, have an obligation to report promptly to FACS if they suspect that a child or youth under the age of 16 is or may be in need of protection. The duty to report applies to any child who is, or appears to be, under the age of 16 years. Someone who is concerned that a 16- or 17-year-old is, or may be in need of protection, may make a report to FACS, but are not required to do so. In turn, FACS must assess the reported information. When staff have reasonable grounds to suspect that a child is or may be in need of protection, they will advise Library management and together they will promptly report the suspicion, and the information upon which it is based, to FACS, as stated in the Ontario Child, Youth and Family Services Act, s.125(1).

Appendices

Appendix 1: References ☐ Child and Family Services Act, R.S.O. 1990, c. C.11, s.79(4):

<https://www.ontario.ca/laws/statute/90c11#BK132>

Leaving child unattended

(3) No person having charge of a child less than sixteen years of age shall leave the child without making provision for his or her supervision and care that is reasonable in the circumstances.

Reverse onus

(4) Where a person is charged with contravening subsection (3) and the child is less than ten years of age, the onus of establishing that the person made provision for the

child's supervision and care that was reasonable in the circumstances rests with the person.