



SAFEGUARDING CHILDREN

LICENSABLE ACTIVITIES - GOOD PRACTICE GUIDANCE

Local Safeguarding Children Board

Introduction

The aim of this document is to set out guidelines for those working or involved in activities and to raise awareness for managers of licensed premises as to their responsibilities with regard to safeguarding children¹.

Under the legislation of the Licensing Act 2003 children will normally have access to licensed premises, unless there is a clear need for them to be excluded. One of the key objectives of The Licensing Act 2003 is 'The Protection of Children from Harm' and Peterborough Safeguarding Children Board is committed to working in partnership with other local authority services, organizations and businesses to ensure that the people of Peterborough continue to enjoy a thriving leisure and entertainment industry within a safe and responsible environment.

The LSCB is a Responsible Authority under the Licensing Act 2003. As part of our responsibility for safeguarding children we will check the details you provide against the information that we hold. We welcome the opportunity to give advice about safeguarding children. Details of resources and where to get further information are available at the end of this document.

What is safeguarding children?

In recent years the approach towards protecting children has broadened, becoming more inclusive of a wide variety of factors, which could potentially put vulnerable children at risk.

Everyone who comes into contact with children and families in their everyday work has a duty to safeguard children. Good practice already exists within the leisure and entertainment industry and some licensees are playing their part by recognising and fulfilling social responsibilities. ***Safeguarding children is everyone's business.*** However safeguarding children does not only mean protecting them from physical harm – it also includes psychological, emotional and moral harm. Where there is a risk to children, measures should be taken to ensure their safety and well being.

¹ A child is anyone under the age of 18 years for the purpose of this guidance

What licensees should do to safeguard children

In order to make the necessary safeguarding arrangements you will need to consider what risks could arise to children at your premises/event and ensure that proper and adequate safeguarding measures are in place. It is important that other staff are aware of these measures and prepared to take necessary action.

The potential risk to children and young people will vary, depending on the type of licensable activity taking place. Here is a list giving examples of potential risks and control measures to be considered by licensees in order to safeguard children (please note: this list is not exhaustive). These key points should help you to understand in what ways you can produce an operating schedule to safeguard children.

It is also important to include any staff or performers under the age of 18 in the safeguarding measures you use. There are local authority byelaws relating to the employment of children which stipulate the hours and nature of work young people can undertake and it is an employer's responsibility to obtain a work permit for any employed young person below school leaving age even if they are not being paid. Young people who are employed without a work permit may not be insured.

Children who perform are also the subject of byelaws and must be under the supervision of a chaperone who has been licensed by the local authority (see further information page 8)

Potential risk factor within the licenses environment/activity	Control measures to be taken
Staffing issues <ul style="list-style-type: none">Inappropriate staff working with or coming into contact with children	<ul style="list-style-type: none">Use safe recruitment practices: ensure that you verify the identity of job applicants; always request and follow up references in writing (and if possible confirm written references with the referee by telephone); always obtain a Criminal Records Bureau check and clearance prior to appointment
<ul style="list-style-type: none">Staff lacking awareness of safeguarding issues	<ul style="list-style-type: none">Ensure that staff are aware of the control measures stated in the Operating Schedule, that they are aware of their

	responsibilities and able to carry them out.
	<ul style="list-style-type: none"> Identify a member of staff as the designated lead person on safeguarding issues (this is particularly useful in businesses that have a high turnover of employees) – this person should have a basic awareness of child protection issues and local arrangements for safeguarding children²; and would advise other staff who have concerns. This person would also ensure that safeguarding measures are implemented and monitored and, if necessary, improved. This person could also be responsible for training other staff about safeguarding children (eg as a standard part of the induction programme for new staff). Ensure that staff are vigilant and are able to take appropriate action if they become aware of a potential risk, eg if children are observed in the care or presence of adults who are drunk and/or behaving inappropriately.
<ul style="list-style-type: none"> Staff and members of the public unable to readily identify appropriate staff when a safeguarding concerns arise 	<ul style="list-style-type: none"> Provide staff with uniforms or badges so that they are easily identifiable as staff that can be approached by children, or parents/carers for assistance. These staff should be identifiable as the appropriate person to take necessary action and who can be expected to reliably observe, monitor and ensure that children are not exposed to risk.

² Please refer to the DFES Summary Report 'What To Do If You're Worried A Child Is Being Abused' – details at the end of this document

<ul style="list-style-type: none"> • Staff too busy to monitor children's activities 	<ul style="list-style-type: none"> • Ensure adequate staffing levels during activities where staff are directly responsible for the supervision of children's activities. It is good practice to have a minimum staff/child ratio of 1 to 3 where the children are under the age of 2 years; of 1 to 4 where the children are aged 2 to 3 years; and 1 to 8 where the children are aged between 3 and 7 years.³ It is advisable to have at least 2 staff available to supervise, one of which should be trained in first aid. • Ensure that staff prioritise safeguarding measures and are committed to their enforcement
<p>Premises/Events issues</p> <ul style="list-style-type: none"> • Children who are out of sight or care of their parent/carer coming into contact with strangers or being exposed to undesirable influences, or being removed or removing themselves from the appropriate area of the premises/event 	<ul style="list-style-type: none"> • Ensure that children are confined to the environs of the premises/event • Staff should be vigilant to prevent children consuming unfinished alcohol left on tables etc • Restrict access to gaming machines or to the Internet to over 18's or use control software to prevent children's access to adult websites • Ensure that areas where children are not allowed are clearly marked and that signs indicating this are displayed. • Specify areas, activities and times/sessions that are family friendly and welcome children • Operate requirements that require that children under a certain age must be accompanied by an adult
<ul style="list-style-type: none"> • Children exposed to unsuitable 	<p>Do not allow children on the entire</p>

³ Refer to the National Standards for Under 8's Day Care and Childminding

entertainment	premises; or restrict the times or areas where unsuitable entertainment/activity may be taking place (an example of unsuitable entertainment/activity is gambling, sexual entertainment such as lap dancing, striptease, or where certain types of live music suggest exposure to drugs)
<ul style="list-style-type: none"> Children exposed to unsuitable viewing material 	<ul style="list-style-type: none"> Ensure that television, video/dvd etc display screens are suitably separate from children's areas; eg they could be screened off so that children cannot see, or sound-proofed so they are unable hear unsuitable material. At cinemas or other places where films are presented, the classification restrictions relating to the film as set out by the British Board of Film Classification should be clearly and prominently displayed and admission rules strictly enforced.
<ul style="list-style-type: none"> Children purchasing alcohol or other people buying it for them 	<ul style="list-style-type: none"> Display signs in plain language in a prominent place about the laws relating to children and alcohol Ensure that customers are aware of the laws relating to selling and purchasing alcohol for or on behalf of children Ensure staff are aware of legislation and that they are proactively observant of the law and that staff receive recognized server training Familiarise staff with the Portman Group's leaflet 'Say No to Underage Drinkers' and the Group's general Code of Practice, and implement this⁴ Monitor the vicinity around the premises/event to ensure that

⁴ Details of where you can obtain a copy of The Portman Group's Code of Practice are at the end of this guidance

	<p>children are not pressuring other customers to purchase alcohol for or on behalf of them. You could use CCTV to assist with this.</p>
<ul style="list-style-type: none"> Children under the age of 16 gaining admission to licensed premises that are primarily or exclusively a drinking establishment or are intended generally for adult use 	<ul style="list-style-type: none"> Ensure that staff are trained and vigilant and that they screen rigorously for under age admission; staff to request proof of age and accept only legitimate proof (eg passport, photo driving license, photo student card or identification approved by the PASS Accreditation System).
<ul style="list-style-type: none"> Premises prone to violent incidents or that attract undesirable adults or have problems with adults 'grooming' children 	<ul style="list-style-type: none"> Use CCTV to monitor activity at the premises Train door staff and security staff to be observant and aware and ensure that they take necessary action to remove risks to children
<p>Safeguarding children who are taking part in performances/events</p> <ul style="list-style-type: none"> An emergency incident occurs during a performance/event 	<ul style="list-style-type: none"> Ensure the use of licensed chaperones Ensure that the staff/child ratio is adequate⁵ Ensure that responsible adults and children are made aware of evacuation procedures prior to the performance/event Ensure that a register of children participating in the performance/event is kept so that all children may be accounted for In cases where children are mobile between locations/areas of a premises/event ensure that adequate measures are taken to supervise their transition between areas to prevent them

⁵ Refer to the National Standards for Under 8's Day Care and Childminding

	wandering off or becoming vulnerable to undesirable influences
Issues related to children's health (please also consult Health and Safety codes of practice for guidance) <ul style="list-style-type: none"> • The performance/event/entertainment uses special effects 	<ul style="list-style-type: none"> • Signage should be prominently displayed warning that special effects are included and if possible state what the special effects are. (Some special effects, such as dry ice, could be a potential risk for a child with asthma; strobe lighting could be a potential risk for a child with epilepsy.)
<ul style="list-style-type: none"> • The premises are prone to environmental tobacco smoke 	<ul style="list-style-type: none"> • Clearly display signage indicating your smoking policy/designated smoking areas so that customers with children are aware of the smoking policy on entering the premises. • Introduce a policy that enforces a total ban on smoking on the premises

Implementing your operating schedule to safeguard children

In order to ensure the licensing objectives of the Licensing Act 2003 are met it is crucial that the licensee and his/her workforce implement the plan set out in their Operating Schedule. Only in this way can children be protected from potential harm and shielded from inappropriate activities or individuals. If the licensee and his/her staff receive good quality training and the Operating Schedule is enforced, children should be able to enjoy the leisure and entertainment culture and benefit both educationally and developmentally from the experience within a safe environment.

Successful and effective implementation needs investment: in staff training, in regular reviews of safeguarding control measures and in the rigorous implementation of a robust Operating Schedule.

By understanding the key points of this guidance it should help you to provide an Operating Schedule to effectively safeguard children. If you need more information about completing your Operating Schedule in relation to safeguarding children, please contact mandy.barker@peterborough.gov.uk tel 746020

Who to contact and where to find more information about some of the issues referred to in this document

If concerns arise about a child's safety or well being it is important to take appropriate action, which is usually to contact the Police or Specialist Services. You don't necessarily have to identify the child in question but you can still receive advice. It is strongly advised that you do not do anything to make the situation worse such as asking a child leading questions or attempting to investigate yourself.

If you feel a child is at risk it is important you do not ignore what is happening.

- **Information/training for staff:** the DoH document 'What to do if you're worried a child is being abused' provides useful safeguarding information for people working with children. This is available (as a summary document) from DfES Publications (address below). You can also find out more about what training is available by contacting Peterborough Safeguarding Children Board (contact details below).
- **If you would like further explanation about what child abuse is and what to do if you think a child is being abused:** An information leaflet can be obtained from Peterborough Safeguarding Children Board or downloaded from the PSCB website (address below). The Peterborough Safeguarding Inter Agency Procedures also provides information. This can be downloaded from the PSCB website (via Peterborough City Council's website) www.peterborough.gov.uk and follow the link to PSCB.
- Information is also contained in the DoH document 'What to do if you're worried a child is being abused' (summary report) available from **DfES Publications, PO Box 5050, Sherwood Park, Annesley, Nottingham NG15 0DJ Tel 0845 60 222 60** or download from www.teachernet.gov.uk/publications
- **Information about Child Employment and Performance and Chaperone Licensing** is available from the Child Employment Officer Peterborough City Council, Bayard Place Telephone 01733 748324

Other useful contacts/resources

- Family Rights Group advice line – 0800 731 1696
- NSPCC advice line – 0114 228 9200
- CDAIU (Police Family Unit) – 01480 428080
- Specialist Services Intake & Assessment Team – 01733 746460
- The Portman Group, 7-10 Chandos Street, Cavendish Square, London W1G 9DQ, e'mail info@portmangroup.org.uk telephone 0207 907 3700 (for copies of the information leaflet 'Say No to Underage Drinkers' and the Group's Code of Practice (which aims to promote socially responsible practice in relation to the sale, packaging and promotion of drinks to Over 18's).
- For copies of the National Standards for Under 8's Day Care and Childminding, contact the DFES, telephone 0845 6022260 or e mail dfes@prolog.uk.com quoting reference number DFES 0490/2001
- Peterborough Safeguarding Children Board, Floor 2, Bayard Place, Broadway, Peterborough. PE1 1FD e mail: judy.jones@peterborough.gov.uk

Keeping children safe is everyone's business

With grateful thanks to Sheffield Licensing Team

