

Health and Safety Code of Practice

SCP36 Children on University Premises

Responsibility for Policy:	Deputy Chief Executive, Organisational Enhancement
Relevant to:	University staff, students, users of and visitors to the University
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RELEVANT DOCUMENTS

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Children's Act 2004
- Equality Act 2010
- Equality Challenge Unit publication – Student Pregnancy and Maternity Implications for Higher Education Institutions

RELATED POLICIES & DOCUMENTS

- Liverpool John Moores University Health and Safety Policy Statement
- MCP1 Organisation for the Implementation of the Health and Safety Policy
- MCP2 Arrangements for the Implementation of the Health and Safety Policy
- SCP18 Risk Assessment
- SCP33 New and Expectant Mothers
- University Safeguarding Policy
- Student Maternity, Paternity and Adoption Policy
- University Research Ethics website <https://www2.ljmu.ac.uk/RGSO/93042.htm>
- Staff Handbook

**THIS CODE OF PRACTICE OF FORMS PART OF THE UNIVERSITY'S HEALTH AND SAFETY
POLICY AND REPLACES ALL PREVIOUS ISSUES**

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1. INTRODUCTION

This Code of Practice sets out University Policy and arrangements and provides guidance on ensuring the safety of children on University property as part of the University's commitment to safeguarding this particular group. University property includes all University buildings and grounds, and all property that is occupied by University staff for purposes connected with the activity of the institution. The Code of Practice does not deal with 'home working', nor does it concern itself with pedagogic issues around children in lectures, for example.

This Code of Practice also advises on off-site activities led by University Schools or Departments. The Code of Practice is not applicable to buildings that are leased out by the University to individuals or organisations that have no association to the institution.

This Code of Practice seeks to assist Directors and other staff with relevant responsibilities in this area in meeting their responsibilities and provides guidance for all University members of staff on what should be borne in mind when they consider bringing children onto University property and whilst on School /Department-led activities.

1.1 Definitions

For the purposes of this Code of Practice, children include infants and children under the age of 16 years. Schools and Departments encompass all University Libraries. SCP18 Risk Assessment details the Health and Safety requirements in respect of employment of young persons (i.e. those who have not attained the age of 18) and children.

1.2 Safeguarding Policy and Disclosure and Barring Service

Compliance with regard to safeguarding and Disclosure and Barring Service checks is absolutely mandatory.

This Code of Practice should be read in conjunction with the University's Safeguarding Policy, which encompasses individuals under the age of 18.

Reference should be made to the University's Safeguarding Officer, for further information on protecting children while on University premises.

In certain circumstances, staff working with children may require a Disclosure and Barring Service check. Advice may be sought from the University's Safeguarding Officer.

2. BACKGROUND

The University has a duty of care toward its staff, students and visitors. In order to fulfil this duty, the University must make clear its requirements with regard to individuals who are at greater risk, and/or whose presence may create additional risks (for example to fire-fighters who may have to search for and rescue a child that may have been left unaccompanied).

Children require general supervision whenever they are on University premises and additional supervision and controls are required whilst they are in areas that may be considered potentially hazardous.

The University is committed to widening participation/access for its students, and as such aims to be sensitive to the needs of staff and mature students in particular with dependents. The University has the Investors in People Work Life Balance Award and, as such, it encourages flexible approaches to working. This Code of Practice is designed to safeguard such objectives, whilst maintaining a safe environment for all, with a sense of proportion.

As this Code of Practice deals with the control of authorised visitors on University property it does not deal in any detail with the control of unauthorised visitors. However, reference is made to general requirements of the University.

3. RESPONSIBILITY

The University, as the employer and the organisation in control of premises, has a responsibility to ensure the health, safety and welfare of all staff, students and visitors that may be affected by its undertaking. In accordance with the University Health and Safety Policy, day-to-day responsibility for implementing and enforcing this Code of Practice of practice lies with the Director/Head of Department/Faculty Head of Operations for all areas under his or her control. Issues of non-compliance with this Code of Practice should be raised with the appropriate Director in the first instance.

4. GENERAL ISSUES

Within many Schools and some Departments, it may be commonplace to work with children, or have children visiting their areas of responsibility, for all manner of activities. These could include:

- Research involving children
- Teacher training practice/practical
- Schools visits
- Work and student experience
- Career and learning guidance
- Sporting events and activities
- Children attending functions and events run at the University
- Open days, tasters and general visits as part of student recruitment

In general, parents/guardian(s) should not bring children onto University property whilst at the same time undertaking formal activities as a student or employee of the University. This is covered in more detail in items 6.7 and 6.8.

It should be noted that, under no circumstance, should children be permitted onto University premises without suitable and sufficient adult supervision and/or local controls.

Unaccompanied children will not be allowed into University buildings.

5. RISK ASSESSMENTS AND LOCAL RULES

This Code of Practice, in line with the requirements of the Management of Health and Safety at Work Regulations 1999, introduces a general requirement upon all Directors/Heads of Department/Faculty Heads of Operations to ensure that a risk assessment has been undertaken to identify the hazards associated with activities involving children within their School or Department and to ensure that adequate controls are in place to secure the safety of children.

The risks associated with children on University property relate to the child's perception of risk and the inherent dangers associated with many of the institution's activities and its buildings.

5.1 Purpose of risk assessments and local rules

The purpose of local risk assessments and local rules is to provide some written guidance on what should be done to control children, having considered what harm could befall them whilst at the University. Local rules and risk assessments should consider the hazards

associated with the activities of the School or Department, its environment and the potential for children to be harmed or put at risk. The Safeguarding Policy must be followed.

5.2 Issues that must be considered

Local risk assessments and rules must consider the following issues:

- The circumstances where children may be permitted within building(s) which the School/Department occupies and on School/Department-led off-site activities
- The level of adult supervision, including their experience and capabilities
- Adult/child ratios should reflect the level of assistance necessary to safely evacuate and control children in the event of an emergency as well as for the visit/activity as well as for safeguarding purposes, for example in research environments
- The organisation of processes and activities where children may be affected
- The fitting-out and layout of the area or workplace
- The extent of the health and safety information provided, or to be provided, to the children concerned and/or their supervisors
- Prohibited areas (these may include science laboratories, hazardous storage areas, workshops and plant rooms and will always include radiation laboratories and biological laboratories above containment level 1). An exception would be made in the case of the laboratories in the School of Sport and Exercise Science where, subject to risk assessment and Research Ethics approval, children may be tested
- Physical characteristics, such as potential falls from height and potential of items in communal areas to cause harm. Staircases in particular should be considered as potentially hazardous and advice must be sought from Estate Management in regard to the dimensions' suitability for children*
- Numbers of children to be permitted
- First aid arrangements
- Emergency arrangements and evacuation procedures in the event of fire and other emergencies
- The purpose and necessity for permitting children onto University property
- The practicalities and implications of imposing a comprehensive prohibition of children within buildings or areas (blanket prohibitions are not encouraged as they are unlikely to be entirely enforceable)
- Any construction/demolition/refurbishment are taking place

* Please note that the majority of University buildings are not designed to accommodate children and therefore it is imperative that the suitability of a building for accommodating children is assessed thoroughly during the risk assessment process.

5.3 Risk assessment

The risk assessment must also take into account the inexperience, lack of awareness of potential risks and the immaturity of children and must consider all envisaged circumstances.

Guidance on how to undertake a risk assessment can be found SCP18 Risk Assessment. <https://www.ljmu.ac.uk/staff/hsu/codes-of-practice-and-guidance-notes>

Refer to the Safeguarding Officer if in doubt about the safety of any child. Disclosure and Barring checks may be required.

5.4 Local rules

Local rules should be no more than a list of common sense statements that clearly and effectively state the 'dos and don'ts' for the area, activity or building. They should not be

complex or unclear and should be written in such a way that they are easily understood and can be followed by all.

6. SPECIFIC GUIDANCE

6.1 Scientific laboratories and workshops

Scientific laboratories and workshops are inherently dangerous working environments and in being so must be considered as a potentially hazardous environment for all children. When permitting children into these areas, the risk assessment and local rules must, in addition to those generic issues that are listed above, consider the following:

- The nature, degree and duration of any potential exposure to physical, biological and chemical agents
- The form, range and use of work equipment and the way in which it is handled
- How control can be ensured and how children can be kept away from potentially dangerous areas, equipment or substances and
- The activities within the workshop or laboratory that may cause possible harm

The level of supervision and the potential hazards in nearby areas must be considered in detail. For example, where children are to receive a Science “Taster” Demonstration, consideration should be given to clearing benches of all potentially hazardous chemicals and biological samples etc. that are not to be used during the demonstration or practical. Consideration should also be given to isolating services on benches etc. where there is a risk of unauthorised interference by children. In addition, consideration should be given as to whether children are actually capable of safely sitting on the high stools that are normally found in science laboratories.

6.2 Work experience

Please refer to Section 8 of the University’s Safeguarding Policy:

<https://policies.ljmu.ac.uk/UserHome/Policies/ViewPolicyStart.aspx?id=78&l=1>

6.3 Voluntary groups

Volunteer groups working with children shall ensure that suitable and sufficient risk assessments and local rules are in place to safeguard the health and safety of children and infants whilst in control and whilst on University property.

All risk assessments and local rules must consider Local Authority standards and requirements, levels and competence of supervisors, access and egress arrangements to, from and within building(s), emergency evacuation arrangements and the general environmental conditions.

6.4 Children attending concerts and events

The School/Department arranging a concert or event, which may include children in attendance, must ensure that suitable and sufficient arrangements and controls are in place, including evacuation arrangements, to ensure their safety whilst on University property.

In normal circumstances, children attending events on University property will do so in the company of a parent or suitable adult - this should be borne in mind when considering controls. Unaccompanied children are not permitted to attend concerts and events.

Where events are specifically organised for children the controls and levels of supervision and evacuation arrangements must reflect the envisaged adult/child ratio and the hazards associated with the event.

Events undertaken and arranged by external individuals or organisations on University premises shall normally be co-ordinated through the Corporate Events and Engagement team. They will ensure that adequate controls are to be implemented and that a suitable and sufficient risk assessment has been undertaken for the event.

Where events are arranged by other academic or support Departments or individuals the Department or individual arranging the event shall be responsible for ensuring that an adequate risk assessment has been undertaken and that adequate controls are in place to ensure the health, safety and welfare of children.

6.5 Sporting events and activities

The Sports Facilities Operation Manager and Sports Facilities Programme Manager shall ensure that suitable local rules are in place and that a risk assessment has been undertaken to ensure, so far as is reasonably practicable, the safety of children whilst undertaking sporting activities and whilst within/on University property - where this is arranged through the University Community Sports programme. Local rules shall include levels of supervision necessary and should list any prohibited activities.

Where Schools/Departments have arranged sporting activities for, or to include children, the Director/Head/Faculty Head of Operations is responsible for ensuring that a suitable and sufficient risk assessment has been undertaken and where necessary local rules put in place, to ensure the safety of children. Local rules and risk assessments must consider levels of supervision and the hazards of the activities.

6.6 University grounds

Children regularly play on University grounds and, to some extent, it is not possible to prevent such use. However, it is accepted that the University is responsible for ensuring, so far as is reasonably practicable, the safety of all persons on its property.

Where public access is permitted and customary the University, through the Estate Management Department or Sports Facilities team, as appropriate, shall do all that is reasonable to ensure that the areas are suitable for purpose and do not pose a significant risk to health and safety.

6.7 Children of students and visitors

In accordance with item 4 above, in general students or visitors must **not** bring children into University buildings, unless this child is part of an aforementioned group. However, there may be circumstances that arise where, for a short duration, **and under the close supervision of the parent/guardian**, this may be permitted. If the child is left unsupervised, this dispensation will be withdrawn.

An example would be a student (or a member of staff) using facilities within the Libraries, accompanied by a child. The adult may be conducting a transaction or consulting staff at the Hub/Transaction or Finance areas or using the self-service facilities including borrowing or returning materials, printing/photocopying, or other actions of a short duration. Longer periods of attendance, for example to attend lectures and seminars, would not be deemed acceptable. Children may accompany their parents/guardians to a meeting with University support staff in the Libraries by prior arrangement.

As part of the Liverpool Libraries Together, /SCONUL Access or other current collaborative or partnership agreements children may accompany an adult who has gained access as part of this collaborative agreement. Again, visits of short duration described above may be deemed acceptable.

If a student brings a child into a lecture or a tutorial group, this would not be deemed appropriate. Similarly, if the student attends for a one to one tutorial, or at the tutor's office unannounced, some measure of discretion would be called for. The meeting should be limited to a very short period, and an opportunity given to rearrange to a more suitable time.

The Equality Act 2010 explicitly protects students from less favourable treatment because of breastfeeding. Students should not be declined access to University facilities because they are breastfeeding or have a baby under 26 weeks old with them. As long as babies are supervised at all times and any health and safety risks identified can be resolved, babies should be allowed on University premises and providing their presence does not disrupt other students' learning, into seminars and lectures.

This dispensation may not be given in more hazardous areas of the University, or where there are ongoing works for example, that would make an otherwise low risk area totally unsuitable for children.

In the event of unforeseen emergencies at home, the student should, with his/her personal tutor, investigate the options that are available. Similarly, with inset days for example, as these are programmed in advance, it should be possible to make arrangements. Bringing children in, other than for a short duration, is not acceptable.

Reference to these limitations will be included in the Student Handbook.

6.8 Children of members of staff

In accordance with Item 4 above, in general children must **not** be brought into the University buildings by staff, unless this child is part of an aforementioned group. However, there may be circumstances that arise where, for a short duration, and under the close supervision of the parent/guardian, this may be permitted.

It is customary for new parents to bring their new-born babies in to show to colleagues. It would be unfortunate to prevent this from happening, and so for a short duration, is acceptable. Similarly, if a staff member needs to drop off or collect some work and has a child with him/her, this may be acceptable because of the short duration.

In the event of unforeseen emergencies at home, the staff member should, with his/her line manager, investigate the variety of options that the University's Flexible Working policy presents. Similarly, with inset days for example, as these are programmed in advance, it should be possible to make arrangements utilising the University's flexible working arrangements. Bringing children in, other than for a short duration, is not acceptable.

Reference to these limitations will be included in the Staff Handbook.

There is no statutory right to time off work for breastfeeding staff. There is also no legislation that requires the provision of facilities for breastfeeding itself. However, the HSE guidance [<http://www.hse.gov.uk/mothers/faqs.htm#q14>] recommends that other facilities (such as a private, clean environment, other than the toilets, for expressing milk and a fridge for storing it) are provided. Further information may be found in SCP33 New and Expectant Mothers.

There are welfare rooms in various locations across the estate; however, as they have toilets these are unsuitable locations for expressing milk. Therefore, the procedure is that

the new mother will, either directly or through her line manager, approach her People and Organisational Development Business Partner and request that a private room and a fridge are made available. This may mean, for example, the incumbent of an office giving it up for an agreed hour each day. Provision of the fridge is a Departmental responsibility.

6.9 Contractors' children

Contractors working on University property are not permitted to be accompanied by a child unless previously agreed with the appropriate Director in writing and only if the child is on arranged work experience and an 'employee' of the contractor under close supervision of the parent/guardian. The contractor, and University Department in control of them, is responsible for ensuring that their risk assessment takes into account University controls and restrictions.

6.10 Unauthorised children on University property

Many of the University's car parks and playing fields are frequently utilised by children as a playground or short cut and it is therefore necessary to ensure that all that is reasonably practicable has been done to ensure their safety.

The responsibility for ensuring that University grounds are safe for the purpose for which it is designed is that of the University through the Estate Management Department.

6.11 Parental permission to participate in a University-led activity

Where there is a requirement, Departments shall ensure that parental/guardian permission is obtained which would authorise a child to participate in a University led activity. Care should be taken to ensure that such 'parental permission' is suitable for purpose and for the specific activity to be undertaken. Advice on content and requirement should be obtained from the Insurance Officer and from the Safeguarding Officer.

In some circumstances, for example, research activities involving children, informed consent must be obtained from parents/guardians for activities involving children, and information must be provided to the parents/guardians. All such research should be approved by the appropriate Research Ethics Committee. Further guidance is available from the University's website: <https://www2.ljmu.ac.uk/RGSO/93042.htm>