

kidZmix Day Camp Policy Statements and Policies



Admissions Statement

Leisure East Devon kidZmix Day Camp activities are open to all girls and boys aged between 5 and 13, operating from 08.30 until 17.00 each week day within school holidays, LED kidZmix Day Camps offer parents the opportunity to utilise our full day care or half day care options.

Every activity offered within our settings, will enable children, regardless of their age, the opportunities for all children regardless of age and ethnicity, to experience sports and arts and crafts activities, providing children with maximum fun, choice and enjoyment, whilst promoting the children's self-esteem and confidence. Leisure East Devon kidZmix Day Camps prides itself on our kidZmix motto:-

“PLAY FOR ALL”



Contents Page

<u>Title</u>	<u>Page No.</u>
Admissions Policy	3
Confidentiality Policy	5
Behaviour Management	7
Child Protection – Statement	12
Staff Roles in Child Protection	14
Health Policy	18
Special Needs Policy	23
Whistle Blowing	26
Complaints Procedure	30
Child Protection Policy	33
Sun Protection Policy	67

Admissions Policy

Statement of Intent

It is our intention to make our setting accessible to children and families from all sections of the local community.

Aim

We aim to ensure that all sections of our community have access to the setting through open, fair and clearly communicated procedures.

Methods

In order to achieve this aim, we operate the following admissions policy.

- We ensure that the existence of our setting is widely advertised in Places accessible to all sections of the community such as Schools, Health Centres, Doctors Surgeries and Libraries.
- We ensure that information about our setting is accessible, in written and spoken form, and in more than one language if appropriate.
- We arrange our waiting list on a first come first served basis, in addition to this we may also take into account the vicinity of the home to the setting and siblings already attending the setting.
- We keep a place vacant, if this is financially viable to accommodate an emergency admission.
- We describe our setting and its practices in terms that make it clear that it welcomes fathers and mothers, other relations and carers, including child minders.
- We describe our setting and its practices in terms of how it treats each child and their family, having regard to their needs arising from their gender, special educational needs, disabilities, social background, religion, ethnicity or from English being a newly acquired additional language.
- We describe our setting in terms of how it enables children and/or parents with disabilities to take part in the life of the setting.
- We monitor the gender and ethnic background of children joining the group to ensure that our intake is representative of social diversity.

- We make our equal opportunities policy widely known.
- We consult with families about the opening times of the setting to ensure we accommodate a broad range of family need.
- We are flexible about attendance patterns to accommodate the needs of individual children and families.

Confidentiality policy

Statement of intent

It is our intention to respect the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our setting.

Aim

We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children.

Methods

We keep two kinds of records on children attending our setting:

1. Developmental records
 - These include observations of children in the setting, samples of their work, summary developmental reports and records of achievement.
 - They are usually kept in the playroom and can be accessed, and contributed to, by staff, the child and the child's parents.
2. Personal records
 - These include registration and admission forms, signed consents, and correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies, an ongoing record of relevant contact with parents, and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.
 - These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge in an office or other suitably safe place.
 - Parents have access, in accordance with the access to records procedure, to the files and records of their own children but do not have access to information about any other child.
 - Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.

Other records

- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.

- Students on Pre-school Learning Alliance or other recognised qualifications and training, when they are observing in the setting, are advised of our confidentiality policy and required to respect it.

Access to personal records

Parents may request access to any records held on their child and family following the procedure below.

- Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the setting Manager.
- The setting commits to providing access within 14 days - although this may be extended.
- The setting's Manager prepare the file for viewing.
- All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it. A copy of these letters is retained on the file.
- 'Third parties' include all family members who may be referred to in the records.
- It also includes workers from any other agency, including social services, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- When all the consents/refusals to disclose have been received these are attached to the copy of the request letter.
- A photocopy of the complete file is taken.
- The setting Manager goes through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker, to score through every reference to the third party and information they have added to the file.
- What remains is the information recorded by the setting, detailing the work initiated and followed by them in relation to confidential matters. This is called the 'clean copy'.
- The 'clean copy' is photocopied for the parents who are then invited in to discuss the contents. The file should never be given straight over, but should be gone through by the setting leader, so that it can be explained.
- Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the setting or another (third party) agency.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well being of the child. Please see also our policy on child protection

Behaviour Management Statement.

The primary aim of LED kidZmix Day Camps is to provide a safe, fun and educational play environment for children to develop in.

We will do this by encouraging children to respect each other, our staff, their own property and the property of others. We will use varied positive methods of control including, distraction, discussion, praise and reward, to maintain and develop a safe, fun and educational play environment. We will discourage verbal and physical bullying and act firmly upon any behaviour that is deemed unacceptable.

All incidents of inappropriate behaviour are recorded and kept on file. Parents will be informed and consulted where appropriate.

We reserve the right to exclude any child who persistently displays poor behaviour.

Encouraging Positive Behaviour.

In order to do this the children and adults discuss the rules of the setting and what they believe should be reasonably expected of them, with regards appropriate and acceptable behaviour. Staff will encourage them to do this by positive reinforcement and motivation. This can be achieved by:

Praise: praising good work, appropriate behaviour, teamwork and cooperation with others.

Consistency: staff are consistent with their standards and use appropriate practices to defuse inappropriate behaviour.

Discussion: Staff use discussion with children to find out why they have misbehaved so they may deal with the situation appropriately. Staff also explain to the children why they should behave appropriately in future. (Health and Safety, etc)

Distraction: Staff use distraction to diffuse situations without confrontation before they escalate into poor behaviour.

Reward: Staff should reward appropriate behaviour through praise and recognition. Staff need to be aware that reward may also have a negative effect on children and only use prizes for exception circumstances and try and reward all in some way.

Organisation: Sessions are planned before and all equipment and resources are ready and available.

Humour: Staff use humour to defuse situations and make the sessions light-hearted and enjoyable.

Interest: Staff show interest and get involved with all children, showing concern and interest in them as individuals.

Pace: Students are active throughout the sessions and focussed on play.

Introductions and Conclusions: An introduction always starts the session so the children know: The names of the play workers, any set rules/regulations and what they are going to do. A conclusion should always finish the session to gather the group together and do the following: reinforce the positives of the session, praise the group and release the group in a structured fashion.

Adult Role

When managing behaviour it is important to: -

- ❖ Recognise each child is an individual and staff, need to work with each child in varied ways to promote appropriate behaviour.
- ❖ Avoid damaging children's self esteem, by humiliation or segregation
- ❖ Help children to find solutions to conflicts, which arise.
- ❖ Be consistent and use agreed procedures to tackle inappropriate behaviour.
- ❖ Ensure that when discussing children's behaviour with staff or parents this takes place in an environment which is appropriate and confidential.

Dealing With Poor Behaviour

You can encourage positive behaviour using the strategies above, but there will be times when children behave poorly. Below is a table indicating a pattern of steps to combat such behaviour. When staff deal with poor behaviour, they will do so in a manner where no shouting occurs and that the children is able to express their feelings towards the situation.

	Steps To Combat Poor Behaviour	P.L.	Sup/M	Parent	Record
1	A warning to the child	*			
2	Child sits out of activities for 3 minutes.	*	*		
3	Child sits out of activities for a further prolonged period.	*	*	*	*
4	Parents phoned to come and collect child.	*	*	*	*

* Member of staff involved.

P.L. = Play Leader or Staff

Sup/M = Supervisor/Manager.

Parent = Parent informed

Record = Needs recording.

Interventions.

Physical Punishment is not permitted in any circumstances. Dangerous activities of restraint and control are also not permitted.

Physical intervention is only appropriate if a child/children are at danger or their actions are endangering themselves, others or causing damage.

(E.G. Preventing a child running into a road. Preventing injury or damage, such as if a child is having a temper tantrum).

Physical Intervention is a final resort. Staff are trained in dealing with situations that may require physical intervention, and will ensure that in instances where physical intervention is needed they will use minimum force and for minimum time. If Physical Intervention is used it must be reported to the person in charge immediately, recorded and parents informed as soon as possible.

When staff deal with poor behaviour, they will do so in a manner where no shouting occurs and that the children is able to express their feelings towards the situation.

Recording of Poor Behaviour.

Poor behaviour will be recorded when every avenue of improving the individual child's behaviour has been explored and they have reached step 3 on the table of **Steps to Combat Poor Behaviour.**

The incident should be recorded by the play leader in the presence of the play staff who witnessed the incident. The following needs to be recorded.

1. Child's name.
2. Time
3. Location
4. What happened (what triggered the incident/nature of the incident)
5. All involved
6. Witnesses
7. How the situation was handled.
8. Whether any restraint was used. **(LAST RESORT)**
9. Any consequences.
10. Parent's signature. (Parents Sign when they have been spoken to.)

Poor behaviour at step 3 and above on the table of **Steps to Combat Poor Behaviour**, need to be recorded and in all instances parents must be informed and asked to sign the relevant forms which have been completed. The Play Leader(s) are the only person(s) who should approach parents with regards children's behaviour.

Bullying.

Bullying **is not acceptable** and any incidents of bullying are dealt with immediately following the **Steps to Combat Poor Behaviour**. Bullying can be physical intimidation, verbal and emotional abuse and threats.

All children are susceptible to bullying and within our introductions on each day, we highlight bullying and the effects it can have on people to the children and discuss what they constitute as bullying. It is important that **all** staff work to encourage a

positive environment, where the children feel they can approach staff with any concerns/problems that they have.

Staff will take a firm but fair stance on all instances of bullying and the children/parents know, prior to them coming, that bullying will not be tolerated.

Child Protection

Introduction

The Children's Act 1989 states that the children's welfare is paramount and taking this solely into consideration, any decisions made must bear relevance to this.

Leisure East Devon kidZmix Day Camps offer full-time day care opportunities to children and recognises that the service it offers can have a positive and powerful influence on the children. It is our aim to aid the development of self-esteem and social awareness of children and to provide opportunities for enjoyment and fun.

Leisure East Devon kidZmix Day Camp staff, have a responsibility to observe, monitor and refer suspected cases of abuse to Devon County Council Social Services Department (DCCSSD). Our Child Protection Policy is designed to safeguard children from potential abuse as well as protect our staff/volunteers from potential false allegations of abuse.

Statement

The protection of the children that attend LED kidZmix Day Camps is our number one priority. At each centre all staff are responsible for child protection. All staff are fully trained and are aware that child abuse does happen, what child abuse is and what to do if they suspect that a child is being abused. It is the registered person's responsibility, at each centre, to report any suspected child abuse or any causes for concern to social services immediately. This is achieved by: -

1. Having a designated person at each leisure facility who is responsible for liaising with social services, staff and DDC on child protection issues. E.g. The Manager.
2. All staff have appropriate up to date training. in line with Ofsted's voluntary registration
3. All leisure facilities follow the Leisure East Devon Child Protection Policy.
4. All designated persons have access to and have read Devon County Council Social Services' The Child Protection: What To Do leaflet Ref.20.

5. All staff working with or in contact with the children have been suitably checked with OFSTED and the Criminal Records Bureau.
6. In the event of an allegation of abuse during children's time in Leisure East Devon care, the matter will instantly be reviewed by the Centre Manager as well as Leisure East Devon's Head of Operations. In these circumstances Leisure East Devon will also contact Ofsted who will co-ordinate their own independent investigation. (Parents can contact Ofsted independently and without giving their identity, and all centres will display posters, showing parents the number, clearly, that they can contact if they wish to make a complaint.

Staff Roles on Child Protection

Designated person

- ❖ The designated person will have attended appropriate training and be aware of possible agencies offering support on this issue (Social Services, EYDCP, Police.)
- ❖ **If there is a reason to suspect child abuse or if there are causes for concern, the designated person should contact social services immediately.**

Contact Local Social Services during opening times, 9am to 5pm Monday to Thursday and from 9 am to 4 pm Friday – **Tel 01392 385980**, St Saviours, Exeter Road, Ottery St Mary, EX11 1RE, Fax **01392 384953**.

Contact Emergency Duty Team Outside Office Hours: **Tel: 0845 6000388**

Other possible contact if unable to contact social services: **Local Police- 08705700400**

- ❖ The designated person is responsible for coordinating and the following of all procedures set out in Leisure East Devon Child Protection Policy.
- ❖ The designated person is responsible for liaising with staff members on all child protection issues.
- ❖ All incidents of child protection needs to be recorded as soon as possible and kept confidentially by the designated person.

Other Staff

All staff have a responsibility to protect the children they supervise. As a consequence all staff: -

- ❖ Have attended appropriate training.
- ❖ Are aware of and read the Leisure East Devon Child Protection Policy.
- ❖ Notify the designated person of any significant changes in children's behaviour, any bruising or marks, strange comments made by the child or

any deterioration in a child's well being and ensure that these are recorded on the appropriate forms.

If a child is suspected of being abused or in danger of being abused, the designated person will work with staff and Social Services to make an informed decision and then take the necessary course of action.

For reference please see the "What to do if you're worried a child is being abused" – Summary booklet (HM Government, 2006).

Collection of Children Statement.

Children who attend LED kidZmix Day Camps can only be cared for during the pre-defined times which are set and displayed prior to the activities. It is the responsibility of the parent/carer to collect their children at the designated time and also inform the kidZmix staff of who is actually collecting the child/children and if this changes, to inform the staff prior to the end of the session. The kidZmix staff will keep a record of who is collecting each child and that person is the only person who is able to sign that child out at collection time.

Procedure Concerning Uncollected Children

We ensure that children are collected by the person allocated to collect them, and in circumstances where they are late or a child is left uncollected, we will contact the emergency number on the child's kidZmix medical questionnaire form.

If there is a failure on the part of the parent/carer to collect their child/children within 30 minutes of the end of the session time, and there has been no contact between Staff/Parents/Carers regarding the pick up, members of the kidZmix staff team should:-

1) Contact Local Social Services during opening times, 9am to 5pm Monday to Thursday and from 9 am to 4 pm Friday – Tel **01392 385980**, St Saviours, Exeter Road, Ottery St Mary, EX11 1RE, Fax **01392 384953**.

OR

2) Contact Emergency Duty Team Outside Office Hours: **Tel: 0845 6000388**

Other possible contact if unable to contact social services: **Local Police-**

08705700400

Procedure to Minimise the Loss of Children.

At the start of every session and during the session kidZmix staff do the following in order to minimise the chances of losing a child:-

- 1) A register is taken at the start of every session and the number of children present noted by all staff.
- 2) kidZmix staff wear kidZmix staff t-shirts, and children wear suitable name tags.
- 3) kidZmix staff count children at regular intervals and re-do the register at session breaks.
- 4) At the start of each session rules about leaving designated areas are clearly defined by kidZmix staff and are enforced through positive enforcement (**See Behaviour Policy**).
- 5) The designated areas which are used for kidZmix Day Camps are separate from areas where members of the public can access and if children need to access areas where members of the public are able to go, this will be done under strict supervision by staff members, for example toilet stops, drink breaks etc.
- 6) Children are also signed in and out by their parents and this log is used to verify the child has been dropped of and collected.

Procedure if A Child is Lost.

kidZmix Day Camp staff are in contact with the manager/supervisor at all times. If a child goes missing the staff member must pass on their concerns immediately to the supervisor/manager.

- 1) Staff member immediately reports to the next person above them, whether that is the assistant supervisor, supervisor or a member of the management.

- 2) All areas are thoroughly searched in a logical pre-defined manner. If the child is not located.
- 3) Report to supervisor or a member of the management team. (If not already done)
- 4) Parents/Carer are contacted immediately by the supervisor/manager.
- 5) Missing child reported to Police and Social Services. **(This is a child protection issue.)**

Contact Local Social Services during opening times, 9am to 5pm Monday to Thursday and from 9 am to 4 pm Friday – Tel **01392 385980**, St Saviours, Exeter Road, Ottery St Mary, EX11 1RE, Fax **01392 384953**.

Contact Emergency Duty Team Outside Office Hours: Tel: **0845 6000388**

Other possible contact if unable to contact social services: **Local Police- 08705700400**

Health Policy.

Hygiene.

Hygiene in all LED kidZmix Day Camps is maintained in the following ways.

- 1) LED is responsible for the daily cleaning and up keep of the environment and each centre has its own cleaning team, which cleans the premises daily.
- 2) Staff working with the children are aware of the need for hygiene and will act accordingly to maintain it, for example all children wash their hands before eating, the children are encouraged to wash their hands after using the toilet, personal hygiene of the staff and the children is promoted by the staff through careful appropriate means.
- 3) Staff raise children's awareness of good hygiene practices and healthy living in an appropriate sensitive manner, for example children are encouraged to use the toilet regularly and are given adequate time, they are encouraged to wash their hands, blow their noses and use good hygiene manners.
- 4) As a norm, there are no animals on any LED premises and if one of the activities does involve animals a common sense approach to managing hygiene is adopted.
- 5) Parents provide their children with packed lunches and these are eaten in a pre-defined place, which is suitable for the children to have their lunch.

Procedure for Medical Conditions.

If a child, attending an activity has a medical condition.

- 1) Parents/carer complete a medical information/consent form prior to their child attending activities at LED Facilities. Parents are also informed that they need to keep us informed of any changes in detail so that we can act accordingly.
- 2) During enrolment onto activities, parents will always be asked if the child has any medical condition. It is noted on the enrolment sheets that they do have a medical condition.

- 3) The supervisor/manager will then identify what these conditions are prior to the start of the session and make staff aware of them.
- 4) Medical information/consent forms are kept in a secure place to maintain confidentiality.

For Self-Held Medication, for example asthma.

Inhalers and other self-held medication shall be kept in a safe accessible place for kidZmix workers, however, this place should be secure where children can not reach or obtain them. The staff will be aware of the medical condition and help monitor the condition with the child.

Medication from one child should never be shared or be accessed by other children on the activities, for example another asthmatic using someone else's inhaler.

Procedure for Giving Medication.

- 1) If a child needs to be given medication the parent/carer needs inform the reception of this.
- 2) Then with a designated person they complete the medication form for that day. They must also sign the form. This is done prior to the session in order for the designated person is authorised and able to give the medication. See Sheet)
- 3) The designated person will look after the medication and store in a secure safe store. All medication will be labelled with the child's name.
- 4) **The designated person will then supervise the child taking their medication. Staff should not administer medication only supervise. This is unless it is an emergency situation, for example an anaphylactic shock.**
- 5) The designated person then records and signs on the medication sheet that the child has received the medicine.
- 6) When the child leaves, the medication is given back to the parent/carer and the parent then signs to say they have been made aware of what has happened and that they have the medication.

7) The medication sheets are then kept on record.

First Aid, Training, The Box and Written Consent.

- 1) All staff have first aid training and at least one senior member of staff have the relevant paediatric first aid training needed to work with children.
- 2) First Aid boxes are readily available and staff know where they are located.
- 3) All first aid boxes are checked on a regular occurrence and a list of their contents is within the box.
- 4) Written prior consent for emergency medical care has been granted by Parents/carers for all children, who attend activities.

Procedure if an Accident or Illness Occurs on or Off Site.

First staff ascertain the nature of illness/injury

If a child receives first aid of any description or the nature of the illness is a concern.

The Supervisor or designated person is informed and they will ascertain whether the child may continue with the activity or whether another course of action is required.

If the child continues on with the activity.

The parent is informed of the incident at the end of the activity and if necessary signs the accident book to indicate they have been informed.

If the child can't continue with the activity.

The Parent/carer is contacted in order to collect the child.

OR

In emergency cases or if there is doubt about the child's health an ambulance is phoned immediately.

The child's parents are then contacted by the Supervisor and informed of the incident.

With all Incidents of illness or injury.

The witnessing person then fills out an Injury, Accident Report and The accident book after the incident.

The injury accident form is then sent to the Health and Safety officer for EDDC and LED's Head of Operations.

Policy Statement on Exclusion of Children who are Ill or Infectious

In order to help keep the children who attend our activities safe and healthy, we would respectfully ask you not to bring your child to the activities when they are ill or show symptoms of becoming ill.

If when signing your child in, staff feel your child is unwell, we would respectfully ask you to take your child home.

If your child has recently been ill, please advise staff when signing your child in.

If a child who has recently attended activities has become ill with an infectious disease i.e. Chicken Pox, Measles etc., we will discreetly advise all parents/carers concerned with the necessary details.

Leisure East Devon
operate a no
smoking policy in all
its Buildings.

Special Needs Policy

Special Needs Statement.

Leisure East Devon recognises that all children are individuals and that each child has their own individual needs. It also recognises that some children have special needs, which need to be taken care of in order for them to access the activities, which we provide. Leisure East Devon will endeavour to meet these needs where possible and work with the parent/carer to integrate every child where possible into our activities.

Unfortunately due to health and safety risk this may not always be possible. The parent/carer, supervisor and manager prior to the start of the session will carry out an assessment of the suitability of the activity.

Special Needs Code of Practice.

Leisure East Devon is aware that certain children have special educational needs and tries to work with parents/carers, staff and external agencies such as Early Years Partnership in order to include such children.

Leisure East Devon is also aware of the requirements set out in the code of practice for the identification and assessment of Special Educational Needs and is working towards understanding the fundamental principles of the code.

Staff Arrangements.

Staff will be able to access appropriate training on special needs if the centres are in a position to provide such provision.

A Parent/carer of a child with special needs could work alongside of staff in order to meet the child's needs. This is subject to health and safety of all people involved.

Staff and managers will endeavour to include all children and working with parents/carers to try and adapt and develop sessions so that all may access if they want to.

Physical Environment.

All reasonable efforts will be made in order to make the access to buildings as easy as possible.

Each Leisure East Devon facility has easily accessible toilets and wash facilities.

Managers, Staff, Parents and Child will work together to try and make the physical access as user friendly as possible and review any reasonable changes that could be made.

Including Children With Special Needs.

All staff of Leisure East Devon will respect and value a child's individuality and help them feel good about themselves through encouragement, praise, reward and inclusion.

Staff will treat children with special needs in a sensitive and appropriate manner. They will recognise the individual's needs but not alienate them from the group, instead treat them as much as possible as an equal.

Consultation With Parents.

Leisure East Devon recognises that it must work closely with the parents of children with special needs in order to meet their needs. Leisure East Devon will try and do this to the best of its abilities but also recognises that in certain situations it can not always meet the needs required to fulfil health and safety of the child staff and other children present.

In incidences where children with special needs have had to be excluded from activities the provider will look into possible solutions in the future and try to implement them.

Whistle Blowing Policy

Policy Statement

LED conducts its business with the highest standards of integrity and honesty. It expects all employees to maintain the same standards in everything they do. Employees are therefore encouraged to report any wrongdoing by LED or its employees that falls short of these business principles.

The Public Interest Disclosure Act 1998 (Commencement) Order 1999 protects employees who report wrongdoing within the workplace. It is our aim to ensure that as far as possible, our employees are able to tell us about any wrongdoing at work which they believe has occurred or is likely to occur.

LED's Commitments

LED takes malpractice and wrongdoing in relation to the organisation's procedures very seriously. Any employee or worker who makes a report under this procedure in good faith will not be subject to any detriment. We recognise that employees may not always feel comfortable about discussing their concerns internally especially if they believe LED itself is responsible for the wrongdoing. The aim of this policy is to ensure that employees are confident that they can raise the matter with LED with the knowledge that it will be taken seriously, treated as confidential and that no action will be taken against them.

You are encouraged to use the procedure set out in this policy if you have any concerns at all about wrongdoing at work in relation to:

- Any criminal offence,
- A failure to comply with legal obligations,
- A miscarriage of justice,
- A health and safety danger,
- An environmental risk or concealment of any of these.

This policy aims to ensure that LED investigates and deals with disclosures promptly and properly.

What is whistle blowing?

Someone 'blows the whistle' when they tell an appropriate person. In most cases this should be their employer. However, under certain particular circumstances, the disclosure may be made to others such as a regulator, , the police or the media about a dangerous or illegal activity that they are aware of through their work.

Whistle blowing can inform those who need to know about health and safety risks, potential environmental problems, fraud, and corruption, deficiencies in the care of vulnerable people, cover ups and many other problems. Often, it is only through whistle blowing that this information comes to light and can be addressed before real damage is done.

What is the difference between making a complaint and blowing the whistle?

When someone blows the whistle they are raising a concern about danger or illegality that affects others (for example customers, members of the public, or their employer). The person blowing the whistle is usually not directly, personally affected by the danger or illegality. Consequently, the whistleblower rarely has a personal interest in the outcome of any investigation into their concern – they are simply trying to alert others.

Procedure: Discuss the matter with Chief Executive, Head of Operations or Head of Finance, as appropriate. The law affords protection to workers who blow the whistle, and it is important that disclosures are made to people who are regarded as appropriate by the law. In the first instance a worker is expected to make disclosures to a representative of their employer.

An informal approach to the above will be treated as completely confidential and **will not** result in any report to anyone within LED unless you agree. If the matter requires further investigation, such an investigation will be carried out and you will be informed of the outcome of the investigation and what, if any, action has been taken.

LED undertakes that no employee who makes a report in good faith under this procedure will be subjected to any detriment as a result, in accordance with the Employment Rights Act 1996. In the event that you believe you are being subjected to a detriment by any person within LED, as a result of your decision to invoke the procedure, you must inform the Chief Executive immediately and appropriate action will be taken to protect you from any reprisals.

If it should become clear that the procedure has not been invoked in good faith, for example for malicious reasons or to pursue a personal grudge against another employee, this will constitute misconduct and will be dealt with in accordance with the terms of LED's disciplinary procedure.

LED is keen to hear any concerns that employees may have about wrongdoing at work and encourages them to use this procedure wherever appropriate. LED recognises that there may be matters that cannot be dealt with internally and external authorities will need to become involved. Where this is necessary LED reserves the right to make such a referral without your consent.

In the event that you are unsure whether you should raise an issue under this policy or you need advice, free confidential advice is available from Public Concern at Work, a charity with the objective of promoting compliance with the law and good practice.

If the matter that concerns you is serious and you feel you have exhausted the internal procedure or you do not have confidence in LED's actions to investigate the

matter, you may contact the appropriate regulating authority relevant to the matter in question.

Related Policies and Strategies

- Grievance Policy and Procedure
- Anti-Fraud, Theft and Corruption Policy
- Financial Regulations
- Financial Operating Procedures
- Contract Standing Orders

Complaints procedure

Statement of intent

Our setting believes that children and parents are entitled to expect courtesy and prompt, careful attention to their needs and wishes. We welcome suggestions on how to improve our setting and will give prompt and serious attention to any concerns about the running of the setting. We anticipate that most concerns will be resolved quickly by an informal approach to the appropriate member of staff. If this does not achieve the desired result, we have a set of procedures for dealing with concerns.

Aim

We aim to bring all concerns about the running of our setting to a satisfactory conclusion for all of the parties involved.

Methods

To achieve this, we operate the following complaints procedure. All settings are required to keep a 'summary log' of all complaints that reach stage 2 or beyond. This is to be made available to parents as well as to Ofsted inspectors. A full procedure is set out in the Pre-school Learning Alliance publication 'Complaints Summary Record'. This publication acts as the 'summary log' for this purpose.

Making a complaint

Stage 1

- Any parent who has a concern about an aspect of the setting's provision talks over, first of all, his/her worries and anxieties with the setting Manager.
- Most complaints should be resolved amicably and informally at this stage.

Stage 2

- If this does not have a satisfactory outcome, or if the problem recurs, the parent moves to Stage 2 of the procedure by putting the concerns or complaint in writing to the setting Manager.
- For parents who are not comfortable with making written complaints, there is a template form for recording complaints in the above-mentioned publication; the form may be completed with the person in charge and signed by the parent.
- The setting stores written complaints from parents in the child's personal file. However, if the complaint involves a detailed investigation, the setting Manager may wish to store all information relating to the investigation in a separate file designated for this complaint.
- When the investigation into the complaint is completed, the setting Manager meets with the parent to discuss the outcome.

- When the complaint is resolved at this stage, the summative points are logged in the Complaints Summary Record.

Stage 3

- If the parent is not satisfied with the outcome of the investigation, he or she requests a meeting with the setting Manager . The parent should have a friend or partner present if required and the Manager should have the support of another member of staff.
- An agreed written record of the discussion is made as well as any decision or action to take as a result. All of the parties present at the meeting sign the record and receive a copy of it.
- This signed record signifies that the procedure has concluded. When the complaint is resolved at this stage, the summative points are logged in the Complaints Summary Record.

Stage 4

- If at the Stage 3 meeting the parent and setting cannot reach agreement, an external mediator is invited to help to settle the complaint. This person should be acceptable to both parties, listen to both sides and offer advice. A mediator has no legal powers but can help to define the problem, review the action so far and suggest further ways in which it might be resolved.
- Staff or volunteers within the Pre-school Learning Alliance are appropriate persons to be invited to act as mediators.
- The mediator keeps all discussion confidential. S/he can hold separate meetings with the setting personnel (setting Manager and OIC of the Management Committee) and the parent, if this is decided to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice s/he gives.

Stage 5

- When the mediator has concluded her/his investigations, a final meeting between the parent, the setting Manager and the OIC of the Management Committee is held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached.
- A record of this meeting, including the decision on the action to be taken, is made. Everyone present at the meeting signs the record and receives a copy of it. This signed record signifies that the procedure has concluded.

The role of the Office for Standards in Education, Early Years Directorate (Ofsted) and the Area Safeguarding Children Committee.

- Parents may approach Ofsted directly at any stage of this complaints procedure. In addition, where there seems to be a possible breach of the setting's

registration requirements, it is essential to involve Ofsted as the registering and inspection body with a duty to ensure the National Standards for Day Care are adhered to.

- The address and telephone number of our Ofsted regional centre are:

Early Years, OFSTED, Dukes Court, Dukes Street, Woking, GU21 5EP

Telephone: 0845 601 4772

OFSTED Registration Number:

- These details are displayed on our setting's notice board.
- If a child appears to be at risk, our setting follows the procedures of the Area Safeguarding Children Committee in our local authority.
- In these cases, both the parent and setting are informed and the setting leader works with Ofsted or the Area Safeguarding Children Committee to ensure a proper investigation of the complaint, followed by appropriate action.

Records

- A record of complaints against our setting and/or the children and/or the adults working in our setting is kept, including the date, the circumstances of the complaint and how the complaint was managed.
- The outcome of all complaints is recorded in the Complaints Summary Record, which is available for parents and Ofsted inspectors on request.

Child Protection Policy

Responsibility

For all children and youth activities provided by Leisure East Devon, Leisure East Devon will:

- **Accept moral and legal responsibility to implement procedures to provide a duty of care for children, safeguard their wellbeing and protect them from abuse**
- **Respect and promote the rights, wishes and feelings of children**
- **Recruit, train and supervise its employees to adopt best practice to safeguard and protect children from abuse, and themselves against false allegations**
- **Require clubs, societies, groups hiring Leisure East Devon facilities, sub-contractors and external coaches/instructors to either abide by Leisure East Devon's Child Protection Policy and Procedures, or have and abide by their own code, policies and procedures; these must meet with Leisure East Devon's approval**
- **Respond to allegations appropriately with full investigation and, if appropriate, implement the disciplinary and appeals procedures**
- **Develop and implement an appropriate monitoring and review system to ensure compliance with Leisure East Devon's Child Protection Policy and Procedures.**

Principles

The guidance given in Leisure East Devon's procedures is based on the following key principles:

- **The welfare of children is the primary concern**
- **All children, whatever their age, culture, disability, gender, racial origin, religious belief and/or sexual identity/language spoken have the right to protection from abuse**

- Whilst it is not solely the responsibility of Leisure East Devon to determine whether or not abuse has taken place (this is undertaken in liaison with external child protection professionals), it is everyone's responsibility to report any concerns
- All incidents of suspected poor practice and any allegations made should be taken seriously and responded to swiftly and appropriately
- Confidentiality should be upheld in line with the Data Protection Act 1998, the Human Rights Act 2000 and the Freedom of Information Act 2000

IMPORTANT

Please note that the term parent is used throughout this document as a generic term to represent parents, carers and guardians.

In accordance with the definition provided in The Children's Act 1989, a child is considered as a person under 18 years of age. However, within this document those aged 12-18 will be referred to as young people.

Legislation and Guidance

There is a considerable body of legislation, government guidance and standards designed to ensure that children are protected from harm. A summary of the main legislation and government guidance provided by the NSPCC can be found in ANNEX A.

This legislative guidance has been used to develop Leisure East Devon's Child Protection Policy and Procedures. In particular, reference has been made to the following three documents:

- the NSPCC publication *Sportscheck*
- the ISRM publication *Child Protection Policy & Implementation Procedure*

Recruitment and Employment

Introduction

Leisure East Devon will take all reasonable steps to ensure unsuitable people within Leisure East Devon's employment, or undertaking work on behalf of Leisure East Devon, are prevented from working with children.

Recruitment process

Pre-recruitment checks will always be carried out, including conducting a documented risk assessment to establish the status of the work to be undertaken with reference to child protection legislation. Leisure East Devon will adopt the following procedures if it is considered that the post has significant access to children (this will apply regardless of the employment status of the post, i.e. permanent or casual). It will be the responsibility of the line manager to:

- Establish role and responsibility and create a job description
- Establish a person specification to include Disclosure Check requirement
- Evaluate the need for Criminal Records Bureau (CRB) Disclosure Check. A check applies to all employees with the exception of casual bar staff at Exmouth Pavilion.
- Include Disclosure Check requirement in any job advertisement
- Receive applications and select for interview
- Check identity, qualifications, skills, experience etc
- Select successful candidate
- only at this stage should a Disclosure Check be made
- For permanent staff a Disclosure Check should be made at the time of appointment, and thereafter once every three years.
- References must be checked before an unconditional offer of employment is given.

- Offer can be made subject to receipt of satisfactory references and Disclosure Check
- Receive Disclosure Check result and references
- Make appointment if Disclosure Check and references are satisfactory

Advertising

Any form of advertising used to recruit staff to a role with access to children will include or reflect:

- Responsibilities of the role
- The following statement 'This job involves contact with young people and the successful candidate(s) will be subject to vetting procedures, including a CRB check'
- Level of experience and qualifications required
- Leisure East Devon's policy on equal opportunities

Pre-Application Information

Pre-application information sent to interested or potential applicants will contain:

- A job description
- A person specification
- An application form which should indicate that a CRB Disclosure Check will be required for any successful candidate. It should also state that a past conviction may not necessarily be a bar to obtaining a position.

Checks and references

On selection of a successful candidate Leisure East Devon will:

- Seek confirmation of identity from two of the following passport, birth certificate, driving licence, or other official documentation

- **Take up two written references. Where possible at least one should be associated with former work with children/young people. Written references must always be followed up and confirmed by telephone**
- **Request enhanced Disclosure Check from the CRB**
- **Appointment should be made subject to receipt of both a Disclosure Check that is clear or has no relevant convictions and also satisfactory references**

Should any concerns be raised by the officers making the appointment, as a result of any of the vetting procedures, they will convene a confidential investigative panel involving both Personnel and the appropriate service. Appointment will be delayed until such time as the concerns have been investigated and satisfied.

Induction

All new appointments will undergo Leisure East Devon's formal induction training.

As appropriate Child Protection will include:

- **An explanation of Leisure East Devon's Child Protection Policy and Procedures. Appointees will be required to sign to acknowledge their understanding of the Policy and Procedures and that they will abide by them**
- **The identification of any child protection/equality training needs.**

Training

Staff must accept and be able to recognise their responsibilities with regard to good practice and the reporting of suspected poor practice or concerns of possible child abuse. Everyone with substantial access to children shall have recognised and up to date training such as:

- **child protection awareness**
- **first aid (where appropriate)**
- **how to work effectively with children**

Training needs and opportunities relating to child protection issues will be identified and addressed through Leisure East Devon's Induction and Appraisal Procedures, and in light of any changes in legislation. Training may include internal courses/workshops, externally accredited courses/seminars or workshops organised by Child Protection Agencies.

Promoting Good Practice with Children

Introduction

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with judgement about any action to take. Abuse can occur within many situations including the home, school and the leisure environment. Some individuals will actively seek employment or voluntary work with children in order to harm them. Staff working within the leisure environment may have regular contact with children and are an important link in identifying cases where a young person needs protection.

Good Practice Guidelines

All staff will be encouraged to demonstrate exemplary behaviour in order to protect themselves from false allegations. The following are common sense examples of how to create a positive culture and climate:

- always work in an open environment (eg avoid private or unobserved situations and encourage an open environment, no secrets)**
- treat all young people equally, and with respect and dignity**
- always put the welfare of each child first, before winning or achieving other goals**
- maintain a safe and appropriate distance with children**
- making activities enjoyable and promote fair play**

- ensure that if any form of manual or physical support is required, it should be open and appropriate, according to guidelines provided by the sport or activities National Governing Body (NGB). Care is needed, as it is difficult to maintain hand positions when a child is constantly moving. Children should always be consulted and their agreement gained. Some parents are increasingly sensitive about manual support and their views should always be carefully considered
- keeping up to date with technical skills, qualifications and insurance requirements
- involving parents/carers wherever possible (eg responsibility for their children in changing areas). If groups have to be supervised in the changing rooms staff should always work in pairs
- ensuring that if mixed gender groups are taken away from site, they are always accompanied by a male and female member of staff
- being an excellent role model this includes not smoking or drinking alcohol in the company of children in any work related environment
- give enthusiastic and constructive feedback rather than negative criticism
- recognise the developmental needs and capacity of children avoiding excessive training or competition and not pushing them against their will
- securing parental consent in writing to act in 'loco parentis', if the need arises, to give permission for the administration of emergency first aid and/or other medical treatment
- keeping a written record of any injury that occurs, along with details of any treatment given.

Practices never to be sanctioned

The following practices should never be sanctioned:

- **engaging in rough, physical or sexually provocative games, including horseplay**
- **sharing a room with a child**
- **allowing or engaging in any form of inappropriate touching**
- **allowing children to use inappropriate language unchallenged**
- **making sexually suggestive comments to a child, even in fun**
- **reducing a child to tears as a form of control**
- **allowing allegations made by a child to go unchallenged, unrecorded or not acted upon**
- **doing things of a personal nature for a child that they can do for themselves**
- **taking children to their home unsupervised**
- **transporting children unsupervised**
- **applying sun cream**
- **administering medication unless specifically trained and approved to do so**
- **taking a child to the toilet unsupervised**

NB The above guidance should not be considered exhaustive and more detailed guidance may be required for specific posts/activities. If staff have any concerns regarding the appropriateness of any practice/action they should contact their line manager/senior manager.

It may sometimes be necessary for staff to do things of a personal nature for children, particularly if they are young or disabled. These tasks should only be carried out with the full understanding and consent of parents and where possible the child for whom the task is being carried out.

There is a need to be responsive to a person's reactions. If a person is fully dependent on a member of staff e.g. in a crèche setting, they should talk to the child

about what they are doing and offer choices where possible. This is particularly the case when any dressing or undressing is involved, or where there is physical contact, lifting or assisting of a child to carry out particular activities. Staff should avoid taking responsibility for tasks for which they are not appropriately trained.

There may be instances where the child is unable to understand the situation or unable to make choices, particularly in the case of young or disabled children. If so the parents of the child should be consulted in advance to make them aware of, and gain their consent for, any activities to be carried out.

If any of the following incidents occur, staff should report them immediately to another colleague and an Incident Report (see ANNEX B) completed. Where necessary, parents should also be informed of the incident in the following circumstances:

- if a member of staff accidentally hurts a child
- if a child seems distressed in any manner
- if a child appears to be sexually aroused by a member of staff's actions
if it appears that a child has misunderstood or misinterpreted something a member of staff has done

Guidelines for use of photographic filming equipment

There is evidence that some people have used the leisure environment as an opportunity to take inappropriate photographs or film footage of young people in vulnerable positions. Leisure East Devon has guidelines that should be implemented at all times when photographic or any other filming equipment is being used (ANNEX B).

Any use of photographic images must have parental consent (ANNEX B).

For the purposes of this policy, photographic filming equipment includes any

equipment or device capable of capturing and storing or transmitting static or moving images.

Recognition of poor practice/abuse/bullying

Introduction

Even for those experienced in working with child abuse, it is not always easy to recognise a situation where abuse may occur, or has already taken place. Whilst it is accepted that staff are not experts at such recognition, staff do have a responsibility to act if they have any concerns about the behaviour of someone (an adult or child) towards a child. All staff have a duty to discuss any concerns they may have about the welfare of a person immediately with their line manager or another senior member of staff.

Poor Practice

Poor practice includes any behaviour that contravenes the guidelines set out in this Child Protection Policy, or which undermines or ignores the:

- rights - of the children and their parents
- responsibilities - for the welfare of the child
- respect - for other children

Abuse

Abuse can happen wherever there are children, and children of any age can be abused. The effects of abuse can be damaging and if untreated they may follow a person into adulthood.

All staff should have an understanding of abuse and neglect and know how and when to take action. Leisure East Devon will put in place training and support programmes to ensure that all staff are able to deal effectively with any suspicions of abuse, poor practice or neglect.

The definitions below are adapted from the Department of Health (1999) *Working Together*

to Safeguard Children A guide to inter-agency working to safeguard and promote the welfare of children

- **Neglect** where adults repeatedly fail to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. This could include repeated failure to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or failure to ensure access to appropriate medical care or treatment.
- **Physical abuse** where adults physically hurt or injure children by hitting, shaking, throwing, burning, poisoning or otherwise causing harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child in their care eg fictitious illness by proxy or Munchausen's Syndrome by proxy.
- **Sexual abuse** where girls and boys are abused by adults (both male and female) who use children to meet their own sexual needs. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. Showing children pornographic material (books, videos, pictures) is also a form of sexual abuse.
- **Emotional abuse** is the persistent emotional ill-treatment of a child such as to cause severe and lasting adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children to feel frightened or in danger by being constantly shouted at, threatened or taunted which may make the child nervous or withdrawn. Some level of emotional abuse is involved in all types of ill – treatment of a child.

Indicators of abuse

Indications that a child may be experiencing abuse include the following:

- unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries
- an injury for which the explanation seems inconsistent
- the child describes what appears to be an abusive act involving him/her
- someone else (a child or adult) expresses concern about the welfare of another child
- unexplained changes in behaviour (eg becoming very quiet, withdrawn or displaying sudden bursts of temper)
- inappropriate sexual awareness
- sexually explicit behaviour
- distrust of adults, particularly those with whom a close relationship would normally be expected
- has difficulty in making friends
- is prevented from socialising with other children
- variations in eating patterns including overeating or loss of appetite
- weight loss for no apparent reason
- child becomes increasingly dirty or unkempt

It should be recognised that this list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place.

Bullying

It is important to recognise that in some cases of abuse, it may not always be an adult abusing a child. An abuser may be a young person, for example in the case of

bullying.

Bullying may be seen to be deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

Although anyone can be a target for bullying, victims are typically shy, sensitive and perhaps anxious and insecure. Sometimes they are singled out for physical reasons – being overweight, physically small, having a disability or belonging to a different race, faith or culture.

Girls and boys can be bullies. Bullying may occur anywhere where there is inadequate supervision e.g. on the way to and from school, at sporting events, in the school playground or in changing rooms.

Bullies come from all walks of life; they bully for a variety of reasons and may have been bullied or abused themselves. Typically, bullies can have low self-esteem, be excitable, aggressive and jealous. Crucially, they have learned how to gain power over others.

Bullying may include:

- **physical, e.g. hitting, kicking and theft**
- **verbal, e.g. name-calling, constant teasing, sarcasm, racist or homophobic taunts, threats, graffiti and gestures**
- **emotional, e.g. tormenting, ridiculing, humiliating and ignoring**
- **sexual, e.g. unwanted physical contact or abusive comments**

The damage inflicted by bullying is frequently underestimated. It can cause considerable distress to children, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm). There are a number of signs that may indicate that a child is being bullied:

- behavioural changes such as reduced concentration and/or becoming withdrawn, clingy, depressed, tearful, erratic mood swings, reluctance to go to school, training or sports clubs
- a drop in performance at school or standard of play
- physical signs such as stomach-aches, headaches, difficulty in sleeping, bed wetting, scratching and bruising, damaged clothes, and bingeing for example on food, cigarettes or alcohol
- a shortage of money or frequent loss of possessions

Responding to suspicions/allegations of abuse and poor practice

Introduction

False allegations of abuse do occur. However, if a child says or indicates that he/she is being abused, or information is obtained which gives concern that a child is being abused, this should never be ignored.

Responding to a young person making a disclosure or allegation

Action to be taken

A member of staff receiving information concerning disclosure should:

- react calmly so as not to frighten the child
- reassure the child he/she was right to tell
- not make promises of confidentiality, but let the child know that another adult must be informed if the matter is to be taken seriously. Recognise the difficulties inherent in interpreting what is said by a child
- keep questions to an absolute minimum to ensure a clear and accurate understanding of what has been said. Questions should not be leading. Questions should only consist of
Who...? What...? When...? Where...?

- **make a full written record of what has been said, heard and/or seen as soon as possible using an Incident Report form.**

Actions to be avoided

The person receiving the disclosure should not:

- **panic**
- **allow shock or distaste to show**
- **probe for more information than is offered**
- **speculate or make assumptions**
- **make negative comments about the alleged abuser**
- **approach the alleged abuser**
- **make promises to agree to keep secrets**
- **discuss the issue with anyone other than with a line manager or senior member of staff**

Responding to suspicions

Staff are not responsible for deciding whether or not child abuse is taking place.

However, there is a responsibility to act on any concerns in order that appropriate agencies can then make enquiries and take the necessary action to protect the child concerned.

Sharing Concerns with Parents

Leisure East Devon is committed to working in partnership with parents or carers where there are concerns about their children. Therefore, in most situations, it would be important to talk to parents and carers to help clarify initial concerns. It is essential therefore that a member of the Executive Management Team or a recognised designated Person should undertake this liaison. However, there are circumstances in which a child might be placed at even greater risk if concerns are shared, (e.g. where a parent or carer is the alleged abuser or is not able to respond to the situation appropriately).

Reporting Procedure

- **Staff responding to a suspicion of abuse or poor practice should complete an Incident Report form, in liaison with their line manager.**
- **The incident should be reported to the most relevant Designated Person**
- **The Designated Person must report the incident immediately to a member of the Executive Management Team . If the Designated Person was unavailable in the previous step, the member of the Executive Management Team should be contacted direct.**
- **The manager informed will assess the incident in liaison with the Head of Operations. He/She will decide what appropriate action needs to be taken and whether external child protection agencies or the police need to be involved.**
- **Leisure East Devon will co-operate fully with any investigation carried out by these agencies in line with their procedures.**

Records & Information

Information passed to the external child protection agencies or police must be as helpful as possible, hence the necessity for making a factual report at the time of the disclosure/concern. Information in this report should include:

- **the nature of the allegation**
- **a description of any visible bruising or other injuries**
- **the child's account, if it can be given, of what has happened and how any bruising or other injuries occurred**
- **witnesses to the incident including names and addresses (check form)**
- **any times, dates or other relevant information**
- **a clear distinction between what is fact, opinion or hearsay**

Reporting the matter to the Police or DCC Social Services should not be delayed in an attempt to obtain more information.

A record should also be made of the name and designation of the DCC Social Services, member of staff or the police officer to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed. A note of any crime report number should also be taken.

Allegations against staff, volunteers or coaches

Any concerns for the welfare of a child arising from abuse or harassment by a member of staff must be reported immediately. It is acknowledged that feelings generated by the discovery that a member of staff is, or may be, abusing a child, will raise concerns among other staff. This increases the difficulties inherent in reporting such matters.

Leisure East Devon assures all staff that it will fully support and protect anyone who, in good faith (without malicious intent), reports his or her concerns about a colleague's practice or the possibility that a child may be being abused.

Types of Investigation

Where there is a complaint of abuse against a member of staff or volunteer, there may be three types of investigation:

- criminal
- child protection
- disciplinary (to be treated as gross misconduct)

Civil proceedings could also be instigated by the person/family of the person who alleged the abuse. The results of the Police and DCC Social Services investigation may influence Leisure East Devon's disciplinary investigation.

Action to be taken if there are any concerns

The following action should be taken if there is any concern.

Poor Practice

If, following consideration and investigation, the allegation is clearly about poor practice, the Designated Person will deal with it as a misconduct issue and will follow the Leisure East Devon's Disciplinary Procedure.

Suspected Abuse

Where it is suspected that abuse has taken place:

- any suspicion that a member of staff has abused a child should be reported to a Designated Person immediately
- the Designated Person will take such steps as they feel appropriate to ensure the safety of the child in question and any other child who may be at risk
- the Designated Person will report the incident to a member of The Executive Management Team, who in turn will inform the Head of Operations
- If at any stage a member of The Executive Management Team is unavailable, DCC's Duty Social Worker should be contacted
- if the Designated Person is the subject of the suspicion/allegation, the report must be made directly to a Member of the Executive Management Team.
- the Executive Management Team will seek advice from DCC Social Services who may involve the police. the report should be made direct to the police if out-of-hours
- the Head of Operations will form and chair a Child Protection Officer Team (CPOT) to oversee the internal investigation. In most instances this team will comprise the Designated Person, the appropriate member of the

Executive Management Team, and the Senior Personnel Officer of East Devon District Council.

- **the CPOT will deal with any media enquiries and issues in consultation with the Leisure East Devon's Head of Business Development and Marketing.**

Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned.

Information should be handled and disseminated on a *need to know basis* only. This includes the following people:

- the members of the CPOT overseeing any investigation
- the parents of the person who is alleged to have been abused
- the person making the allegation
- DCC Social Services and the police
- the alleged abuser (and parents if the alleged abuser is a child)

The Freedom of Information Act gives the right of notification to the alleged abuser. Any information will be stored in a secure place with access limited to the CPOT and in line with data protection laws, (e.g. that information is accurate, regularly updated, relevant and secure).

Internal Inquiries and Suspension

- **Leisure East Devon will suspend any employee accused of abuse pending further police, DCC Social Services and/or CPOT inquiries.**
- **Irrespective of the findings of DCC Social Services or of police inquiries, Leisure East Devon will assess all individual cases under disciplinary procedures.**

Notification to Social Services

A copy of the Incident Report form should be submitted to DCC Social Services without delay. This is the responsibility of the CPOT.

Any further inquiries from DCC Social Services or any other interested third party should be passed immediately to the CPOT to deal with. A written record should be kept of any such conversations.

Support to Deal with the Aftermath

Leisure East Devon will ensure adequate support is made available that is appropriate to children, parents and members of staff.

Support where appropriate will also be provided to the alleged perpetrator of abuse.

Allegations of previous abuse

Allegations of abuse may be made some time after the event (eg by an adult who was abused as a child or by a member of staff who is still currently working with children). Where such an allegation is made, the procedures as detailed above should be used and the matter reported to the police by the CPOT. This is because other children, either within or outside the leisure environment, may be at risk from this person. Anyone who has a previous criminal conviction for offences related to child abuse is automatically excluded from working with children.

Action if bullying is suspected

The same procedure should be followed as set out in Section 8.3 above if bullying is suspected.

Action to Help Victim and Prevent Bullying:

- All signs of bullying should be taken seriously.
- All children should be encouraged to speak and share their concerns.

- The victim should be helped to speak out and tell the person in charge or someone in authority.
- An open environment should be created.
- All allegations should be investigated and action taken to ensure the victim is safe. The victim
and bully(ies) should be spoken to separately.
- Staff should reassure the victim that they can be trusted and will help them, although they cannot promise not to tell anyone else.
- Records should be kept of what is said.
- Staff should report any concerns to their line manager

Action towards the Bully(ies)

- The situation should be explained to the bully(ies).
- An effort should be made to get the bully(ies) to understand the consequences of their behaviour.
- An apology to the victim should be sought.
- The bully's parents should be informed.
- Any *borrowed* items should be returned to the victim.
- Appropriate sanctions should be imposed as necessary.
- Encouragement and support for the bully(ies) to change their behaviour should be offered.
- Meetings should be held with parents to report on progress.
- All appropriate staff should be informed of action taken.
- Written record of action taken should be kept.

Implementation and Monitoring

Timescale

Following approval of Leisure East Devon's Child Protection Policy and Procedures, an Implementation Plan will be developed. The purpose of this plan will be to:

- disseminate Leisure East Devon's Child Protection message so that it reaches and influences all related individuals/organisations with a view to safeguarding the welfare of children
- operate sound recruitment procedures for all staff
- identify and provide the appropriate child protection training for staff
- remain updated on legislation relating to child protection
- monitor and update the Implementation Plan annually to maintain the high profile of child protection within Leisure East Devon
- measure the impact of the policy and procedures on an annual basis

Criminal Justice and Court Services Act 2000

This applies in part to Northern Ireland. Some provisions will be in the Protection of Children and Vulnerable Adults Act legislation.

Part II of this Act relates to the responsibilities of 'public bodies' within child protection and is integral to child protection systems in the UK designed to prevent unsuitable people from working with children. It contains four main provisions: it creates a new way for courts to disqualify unsuitable people from working with children (normally defined as under 18); sets out a review process for those disqualified from working with children; provides strong criminal sanctions against those who breach the disqualification; and provides a comprehensive definition of working with children, applying to all sectors, including voluntary work, it links to other laws including the Protection of Children Act 1999 and The Police Act 1997 which together build a system that:

- defines jobs and positions that are 'regulated'. A 'regulated position' has eight categories, including one in which 'normal duties include caring for, training, supervising or being in sole charge of children'. Co-ordinators of youth groups are identified as an example of a position falling within this category. Those who supervise or manage people in a regulated position are also included

- makes it a criminal offence if an employer does not take sufficient steps to check an employee working with children and/or knowingly gives an inappropriate person a job working with children.

The employer is liable if they appoint someone to a regulated position

- makes it a criminal offence if convicted sex offenders seek employment and are appointed to work with children. The sex offender, as a disqualified person, is criminally liable if s/he seeks employment with children.

Protection of Children Act 1999 and The Police Act 1997

Protection of Children and Vulnerable Adults Act (NI) forthcoming; Protection of Children Bill planned for this session of Scottish Parliament. The Police Act is UK wide.

These Acts change the routes by which employers can check whether a potential or actual employee has committed criminal offences against children, or whether there has been reason for that person to be considered inappropriate to work with children.

Sometimes a person may have hurt or abused a child but there is not enough criminal evidence for them to be convicted. However, the investigation may endorse the belief of the authorities that the adult is of sufficient risk or concern that they should not work with children.

The Protection of Children Act (PoCA) 1999 builds a framework for a cross sector scheme for identifying those people considered to be unsuitable to work with children and includes listing their names on the PoCA and Department for Education and Employment (DfEE) 99 lists. There are differences in requirements between statutory child care organisations and other organisations that also 'care' for children in some way. The provisions of the PoCA 1999 are not mandatory for the latter group, but it is the government's hope that they will take advantage of the scheme to its fullest extent so as to ensure that they provide a comparable level of safety for children in their care.

Thus all 'other' organisations are encouraged to refer names to the Secretary of State for consideration for inclusion in the PoCA list and to check against the list when proposing to appoint people to child care positions.

Rehabilitation of Offenders Act (NI Order) 1974 (UK wide)

This Act/Order allows people not to declare convictions to employers in order to protect their privacy and counteract prejudice against people with convictions seeking employment. However, people who are involved in situations where they have prolonged or sustained access to children are exempt from the Rehabilitation of Offenders legislation. This means that prospective employees, self-employed workers and volunteers must declare all criminal convictions relating to children, however long ago. These will be taken into account when deciding on their suitability for working with children.

Sexual Offences (Amendments) Act 2000 (UK wide)

This Act reduces the age at which, or certain circumstances in which, sexual acts are lawful.

It introduces a new offence of abuse of trust, which covers ostensibly consensual behaviour within certain relationships of trust. It is an offence for a person aged 18 or over to engage in sexual intercourse or other sexual activity with someone under that age where they are in a 'position of trust' in relation to the younger person.

Sex Offender Act 1997

Those who have been convicted of a sexual offence must register their address with the police. If they do not, they are liable to a fine and/or imprisonment. Courts also have the power to issue a Sex Offender Order banning convicted sex

offenders from going near specified places, such as schools, or from specific activities such as working with children.

Criminal Records Bureau (CRB)

This gives employers and voluntary organisations access to information on criminal records and other relevant information about people they intend to appoint in paid or unpaid posts working with children and young people under 18. It provides a 'one-stop-shop' service across England and Wales.

Access to the Bureau's services is available to all organisations working with children and young people under 18, either directly as registered bodies or through umbrella organisations. There are three kinds of disclosure checks: Standard and Enhanced disclosures relate to those who are being appointed to positions exempted under the Rehabilitation of Offenders Act 1997 including youth work with under 18s. A Basic disclosure relates to all other types of employment.

The Data Protection Act 1984 and 1998 (UK wide)

These regulate what information can be shared and with whom. If reports are made on children and families to any agency then they have to consider who will be told, who has access to the record, and by whom and how the information will be stored and passed on.

The main effect on child protection is:

- records have to be kept securely
- only certain people should be able to access that information
- if the information relates to child protection it cannot be withheld, as this would not be in the child's best interests
- families, individuals and children can see most of what is recorded about them and have an opportunity to respond.

Care Standards Act 2000

This does not apply to Northern Ireland, Regulation of Care (Scotland) Act 2001.

Measures identified under this Act are intended to ensure a consistent minimum quality of day care nationally for children under eight years. Registered providers have to meet 14 regulated national standards and are subject to a regular system of inspections by OFSTED.

Health and Safety at Work Act 1974

This is the same for Northern Ireland and Wales.

This Act gives all organisations a legal responsibility to prevent injuries and ill-health to employees and others, including members of the public. Much of this responsibility is delegated to managers who have control of work activities, but the legislation also provides all employees with an obligation to take reasonable care of themselves.

Conditions of Granting Photographic Consent

The following are conditions set in line with Leisure East Devon's Child Protection Policy and Procedures. Failure to adhere to these conditions will lead to the withdrawal of permission to use photographic or filming equipment.

- 1. Any images taken will only be used for the purposes stated overleaf.**
- 2. Any images are only to be taken with the express permission of the subject(s).**
- 3. The taking of images in changing or toilet areas is strictly prohibited.**
- 4. Proof of identity of the Photographer may be required in order for permission to use photographic filming equipment to be granted.**
- 5. Leisure East Devon operated centres reserve the right to withdraw permission to use photographic filming equipment immediately without prior warning. Failure to stop photography when asked to do so will lead to further action being taken. This may involve the Photographer being asked to leave the premises or reporting the incident to the Police.**
- 6. The Photographer should be sensitive of other users and, as far as reasonably practical, restrict images taken to those of the subject(s) only. Children's party organisers should restrict their photography, as far as reasonably practical, to those children attending the party.**
- 7. If at any time another user in the area where the photographs are being taken complains about the activity, photography must stop immediately. It may only resume if the complainant is happy for it to do so and if no other objections have been raised.**
- 8. It is the responsibility of children's party organisers to inform the parents/guardians of the children attending the party that photographs will be taken.**

- 9. The Centre staff have the right to challenge anyone using photographic filming equipment, and if no permission request can be produced, to stop images being taken.**
- 10. It is the responsibility of any commercial photographer to obtain the written permission of any subjects included in their photographs to use the images before any publication. This includes project workers.**
- 11. Images may only be taken in the areas shown on the date indicated.**
- 12. If for any reason the details shown on the permission request change, the form should be returned to the Centre for alteration. If, when challenged, a discrepancy is found between the Photographer's and Centre's copies, permission to use photographic filming equipment will be withdrawn.**

Anyone wishing to use photographic/film/video equipment at Leisure East Devon's facilities and/or events may only do so with the express permission of Leisure East Devon. For individual users and/ or commercial photographers this permission is accredited through the use of the Photography and Filming Permission Request form (see ANNEX B for sample).

Permission is only granted once a photographer has signed to say he/she will abide by the conditions for use of photographic filming equipment. These conditions are:

- Any images taken will only be used for the purposes stated on the Photography and Filming Permission Request form.**
- Any images are only to be taken with the express permission of the subject(s).**
- The taking of images in changing or toilet areas is strictly prohibited.**
- Proof of identity of the Photographer may be required in order for permission to use photographic filming equipment to be granted.**
- Leisure East Devon reserves the right to withdraw permission to use photographic filming equipment immediately without prior warning. Failure to stop photography when asked to do so will lead to further action being taken. This may involve the Photographer being asked to leave the premises or reporting of the incident to the Police.**
- The Photographer should be sensitive of other users/participants and, as far as reasonably practical, restrict images taken to those of the subject(s) only. Children's party organisers should restrict their photography, as far as reasonably practical, to those children attending the party.**
- If at any time another user in the area where the photographs are being taken complains about the activity, photography must stop immediately. It may only resume if the complainant is happy for it to do so and if no other objections have been raised.**

- It is the responsibility of children's party organisers to inform the parents/guardians of the children attending the party that photographs will be taken.
- Leisure East Devon staff have the right to challenge anyone using photographic filming equipment, and if no permission request can be produced, to stop images being taken.
- It is the responsibility of any commercial photographer taking images at Leisure East Devon facilities to obtain the written permission of any subjects included in their photographs to use the images before any publication.

Images may only be taken in the areas shown on the date indicated on the Photography and Filming Permission Request form.

- If for any reason the details shown on the permission request change, the form should be returned to Leisure East Devon for alteration. If, when challenged, a discrepancy is found between the Photographer's and Leisure East Devon's copies of the permission request, permission to use photographic filming equipment will be withdrawn.

Photography and Filming During External Hire Of Facilities

The control of the use of photographic/film/video equipment by external hirers of Leisure East Devon facilities is the responsibility of the hirer. This responsibility is not just to control who is allowed to use photographic/film/video equipment, but also where they are and are not allowed to use the equipment and what images they are and are not allowed to take.

It is also the hirer's responsibility to ensure that all participants in the hire or event are aware where photographic/filming/video equipment is going to be used. Where appropriate they may be required to get written permission from

participants or their parents/guardians to use the photographs in publicity, promotional or media material.

The use of video technology as a coaching aid is fully recognised by Leisure East Devon. Express written permission to use video to this end must be sought. Hirers must also ensure that any participants are aware that this will be included in the coaching programme and that any video taken can only be viewed with their or their parent's/guardian's permission.

Vigilance By The General Public

No matter what arrangements are put in place to prevent the misuse of cameras, videos or mobile phones with digital image recording, the very nature of 'peeping tom' type photography makes it difficult to police.

In recognition of this fact Leisure East Devon asks their users to be alert to any suspicious activity, particularly where children may be involved, and encourages them to report any such incidents at the earliest opportunity to a member of staff. Leisure East Devon encourages this form of vigilance within its leisure centres, by the use of appropriate signage.

Guidelines for Commercial Photography

The following simple guidance is adapted from that given by the Child Protection in Sport Unit and is recognised by Leisure East Devon staff when considering using images for publicity, promotional or media purposes:

- if the subject is named, avoid using their photograph
- if a photograph is used, avoid naming the subject
- the written permission of the subject, or their parents/guardians, to use the images should be sought before the images are taken
- only use images of subjects in suitable dress to reduce the risk of inappropriate use

There are some sports activities swimming, gymnastics and athletics for example where the risk of potential misuse is much greater. With these sports the content of the photograph should focus on the activity not on a particular subject and should avoid full face and body shots. So, for example, shots of children in a pool would be appropriate, or if on poolside from the waist or shoulder up.

ANNEX B

Reporting Child Protection Concerns/Allegations Against Staff

Are you concerned about the behaviour of a member of staff or volunteer?

Yes

Could it be child abuse?

Is it serious poor practice/an alleged breach of the Code of Ethics?

Yes

Yes

The immediate safety of the child in question, along with any other children at risk, should be ensured. The line manager to whom the incident is reported should immediately inform the relevant Designated Person.

The relevant Designated Person will deal with this as a misconduct issue

A Member of the Executive Management Team should be informed immediately. Management Team member will facilitate referral to Social Services. Social Services may involve the police.

Incident should be reported to your line manager or a senior member of staff

A full investigation will be made into the incident, and dependent on results of this, a Disciplinary Hearing called. Any such action will follow the Leisure East Devon Disciplinary Procedures and involve the appropriate Leisure East Devon Officers

Head of Operations forms and chairs the Child Protection Officer Team (CPOT) to oversee our internal investigation. This team will be comprised of the Designated Person a Member of The Executive Management Team, and the Senior Personnel Officer of East Devon District Council. This group will deal with any media or interested third party enquiries, in consultation with the Leisure East Devon's Head of Business Development.

Possible outcomes of this hearing

- **no case to answer**
- **the concern warrants advice or a warning as to future conduct. There may also be sanctions on their actions**
- **further training and support may be needed**

Possible outcomes:

Police inquiry

Criminal Proceedings

Civil Proceedings

Disciplinary action in accordance with the

Leisure East Devon Disciplinary Procedures

Appeal is allowed against any outcome from a disciplinary hearing as per the Leisure East Devon's Disciplinary procedures

Appeal is allowed against any outcome from a disciplinary hearing as per the Leisure East Devon Disciplinary Procedures

Sun Protection Policy Statement

Children on play schemes will be participating in some activities that take place outside. In order to keep your child safe from the sun's harmful rays sun protection needs to be applied. It is the parents' responsibility to ensure that each child has suitable sunscreen protection on when they arrive at the Centre at the beginning of the day.

Sun protection throughout the day is also essential. It is the parents' responsibility to provide their child with adequate sunscreen for the day and that their child is totally responsible for applying this at all times.

Leisure East Devon recommends that parents ensure suitable clothing is worn and that they provide their children with either a sun hat or a cap

If inadequate sunscreen has been provided the Centre staff will initially contact the parent or guardian of the child, however, in the interests of each child, Leisure East Devon reserves the right to modify the child's programme to ensure their wellbeing. This may involve the transfer to activities being held indoors.

Refunds are not available if change in schedule takes place.

At NO time and under NO circumstances will any Leisure East Devon staff provide or apply any sunscreen to any child on any programme.