

The logo for SAFEchild features the word "SAFEchild" in a white, bold, sans-serif font. The text is set against a blue rectangular background that has a soft, white, cloud-like texture on its right side.

SAFEchild

Child Safety on Parks

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Child safety on parks

(Updated from an article written by British Holiday and Home Park Association (BH&HPA), in conjunction with SAFEchild, examining child safety management on parks)

The abduction of four-year-old Madeline McCann from a holiday resort in Portugal in May 2007 realised the worst nightmare of parents everywhere. Madeline's kidnapping has reminded people worldwide that such incidents can, and do, occur under what might be considered the least expected and safest of circumstances. As a result, parental anxiety has been heightened impacting on children's independence. This dreadful incident has brought home the fact that being on holiday offers no special security.

BH&HPA members should be aware that the layout of the holiday village that the McCann family was staying in is replicated to a large degree on many holiday parks throughout the UK. Restaurants, pubs, family entertainment areas and the like are commonly situated in close proximity to living accommodation and this offers a certain sense of security to holidaymakers. On busy parks, where lots of like-minded holidaymakers can be seen milling around at any given time, the collective "pairs of eyes" on children can give parents a sense of 'relief'.

As has been sadly proven, however, the holiday environment, including parks, cannot be considered more secure than any other environment. For the time being, the general public may regard holiday accommodation somewhat more apprehensively than usual. That this might encourage an increase in personal safety awareness on the part of the park customer is no bad thing. However, park owners and managers still need to ensure that they take all reasonable steps to protect the safety of children on their premises.

The holiday "mood"

There is no question that people somehow let their guard down when on holiday unless specifically directed to do otherwise. People go on holiday to relax and to escape every-day life and herein lies their vulnerability. In Europe, for example, pickpocket hot spots such as Paris and Barcelona have become renowned. This pick-pocketing phenomenon has been borne out

of opportunity – the thieves have found that there is no easier target than someone on holiday - and tourist bag snatching and wallet pinching is now commonplace in many major cities.

Being vulnerable however, describes only one side of the holidaymaker. A small minority of holidaymakers may also be perpetrators in their own right. There can be no absolute accounting for third-parties including customers, employees, sub-contracted staff or members of the general public, and as such, owners and managers cannot claim that their parks are 100% “safe”.

Holiday parks’ safety record is, generally, very good, and owners and managers face the difficult task of neither over-selling nor under-selling their security. Much like with more general health and safety issues, having the right procedures in place is imperative to minimise risk; thereafter having the right emergency action plans in place to deal with incidents should they occur is vital.

The risks

In order to protect customers, park owners and managers first need to understand the risks. While child abduction may be the most obvious to spring to mind, cases are thankfully rare. SAFEchild (see below) reports that park businesses are most commonly affected by the following child welfare issues:

Family-related incidents: The most common harm that happens to children is within families and there have been several direct referrals made to children’s social care services and/or the police by park businesses. These incidents don’t tend to hit the media headlines unless extreme, but have included incidents such as very young children being left on a park unsupervised, parents getting very drunk and being unable to provide responsible care, children not being adequately fed or clothed, children being extremely physically punished and the occurrence of domestic violence when children are present.

Inappropriate behaviour. This occurs less frequently, but nevertheless of great concern, is the inappropriate behaviour of adults (guests or staff) and sometimes young people. Examples of incidents which have occurred on parks include overt photography of young children in the

swimming pool, serious child sex offenders purchasing caravan holiday homes, adults loitering in play areas, incidents of “sexual touching” in a swimming pool and staff storing inappropriate material on-site in their work space.

In very rare circumstances it may be discovered that a convicted offender is, or is attempting to purchase or hire accommodation, on a park. Park owners and managers are often tipped off anonymously in this regard by telephone or letter. It is very important to refer the concern without delay to the local police who will always take the matter seriously. The concerns will be dealt with sensitively: very often the police will advise the person/people involved about their behaviour/the issue. In extreme situations, however, they will remove them from the park and/or arrest them.

In certain cases, park owners may become concerned as to the validity of such claims and whether or not they are false or unfounded. However under the Public Interest disclosure Act 1998 (“Whistleblowing Act”) anyone who, in good faith, has concerns about the welfare of a child; or that a crime is being committed against a child/children may share that information with the appropriate authorities e.g. children’s social care services and/or the police.

As can be seen from the above, a park needs to consider a wide range of potential incidents in its child safety planning and procedures. Specific legislation places obligations on park owners and managers where certain child-focused facilities are provided (see below). However, even when children’s activities and clubs are not offered, holiday parks must ensure that basic measures are in place to deal swiftly and precisely with any child safety related incident. In many cases, as well as being a legal requirement and best practice, it is also a basic insurance requirement that park employees are properly vetted so that businesses are protected from possible claims against them.

New legislation and guidance

Following the tragic death of Victoria Climbié and subsequent review of her case, there was a radical reform of government social policy through the “Every Child Matters” agenda and the

implementation of the Children Act 2004 with the accompanying guidance “Working Together to Safeguard Children” 2006.

All organisations that provide services for, or work with, children must:

- Have senior managers who are committed to children’s and young people’s well being and safety
- Be clear about people’s responsibilities to safeguard and promote children’s and young people’s welfare
- Have effective recruitment and human resources procedures, including checking all new staff and volunteers to make sure they are safe to work with children and young people
- Make sure staff get training that helps them do their job well
- Have procedures about how to safeguard and promote the welfare of young people

To ensure that these requirements and the “duty of care” are fulfilled, SAFEchild recommends that all holiday parks, as a minimum:

- Appoint a senior officer and deputy (more in larger companies) to oversee safeguarding arrangements
- Adopt a safeguarding children policy
- Review recruitment procedures
- Review/and or adopt handling allegations, complaints and “whistle blowing” procedures
- Implement a training strategy appropriate to the job roles and needs of staff
- Download or order copies of “*What to do if you are worried a child is being abused*” free of charge from the Department of Health (www.dh.gov.uk, telephone 020 7210 4850) for management and key members of staff, e.g. sports, entertainments and activity supervisors.

Managers should note that insurance companies are continuing to retreat from covering claims involving child abuse, especially where businesses have scant arrangements in place.

SAFEchild Standards

One way in which park owners and managers can get tailored help in developing child safety procedures is to contact SAFEchild.

SAFEchild is a charity, which aims to fill the national gap in child protection information available to the non-statutory sector, including the parks industry. It has established national standards which can help businesses fulfil their duty of care to children in line with the most current national guidance and law. It has strong links with the parks and leisure industry including with the National Caravan Council. SAFEchild's work is undertaken by staff and volunteers dedicated to the protection of children and it is a not-for-profit organisation.

SAFEchild provides advice, consultation, policy and procedures, management briefings, seminars, staff training and CRB checks. The SAFEchild Child Protection Toolkit sets standards and encourages businesses to carry out comprehensive 'safeguarding children' risk assessments of the facilities, staffing and activities. It is available on-line as a self-audit toolkit for small and medium enterprises and as external audits for larger organisations.

With its one-stop-shop approach to child safety management, SAFEchild may provide a useful starting point for parks that don't know where to begin or wish to improve or revise existing policies. Costs are quoted per park and vary depending on the size of the operation and its requirements. Details of how to contact SAFEchild can be found at the end of this article.

Many leisure industry members have already become involved with SAFEchild and have found it an extremely positive business step to have taken. Craig Hulme, the Regional Director charged with co-ordinating the SAFEchild standards across the 35 parks in the Park Resorts group comments:

“SAFE(child) has been fundamental in helping us raise awareness about child safety issues within the business. It is not a nice subject to have to address and the British way is often to ignore it. However, there is no doubt whatsoever that holiday parks are a target for people wanting to access children for the wrong reasons, so it is imperative that we can prevent and deal with incidents capably. All staff members receive training as part of their induction and key management attend a comprehensive training day.

If one of our team members is unhappy about anything they see, from a child being left at the swimming pool without a towel or clothing to an adult hanging around a play area inappropriately – they can call SAFE(child) and ask for advice. Having this point of contact for staff members who may not otherwise know what to do is essential.

SAFE(child)’s park audits are also extremely comprehensive. They highlight any areas we need to improve on and help us to introduce measures to address them at both individual park level and across the business. We are very confident in our child safety policies and procedures as a result of working with them. ”

Alan Castledine, Operations Director at Park Resorts (Retired) adds:

“On the rare occasion an allegation or accusation is made, SAFE(child)’s advisers will guide the park in making an appropriate and professional response – and from a business perspective it is essential to get this sort of thing right. Because of our involvement with SAFEchild, we are also in a position to be able to answer any queries about our child safety policies and procedures in a positive and efficient manner.”

Recruitment

Whether they choose to work with SAFEchild or alone, one of the key factors park owners and managers must get right in order to protect their young customers and their business is recruitment. Regardless of their position and nature of their contract (e.g. full-time, part-time, temporary, casual), safeguards should be put into place to ensure that **ALL** employees who may come into ***unsupervised contact with children*** on-site are suitable for the post.

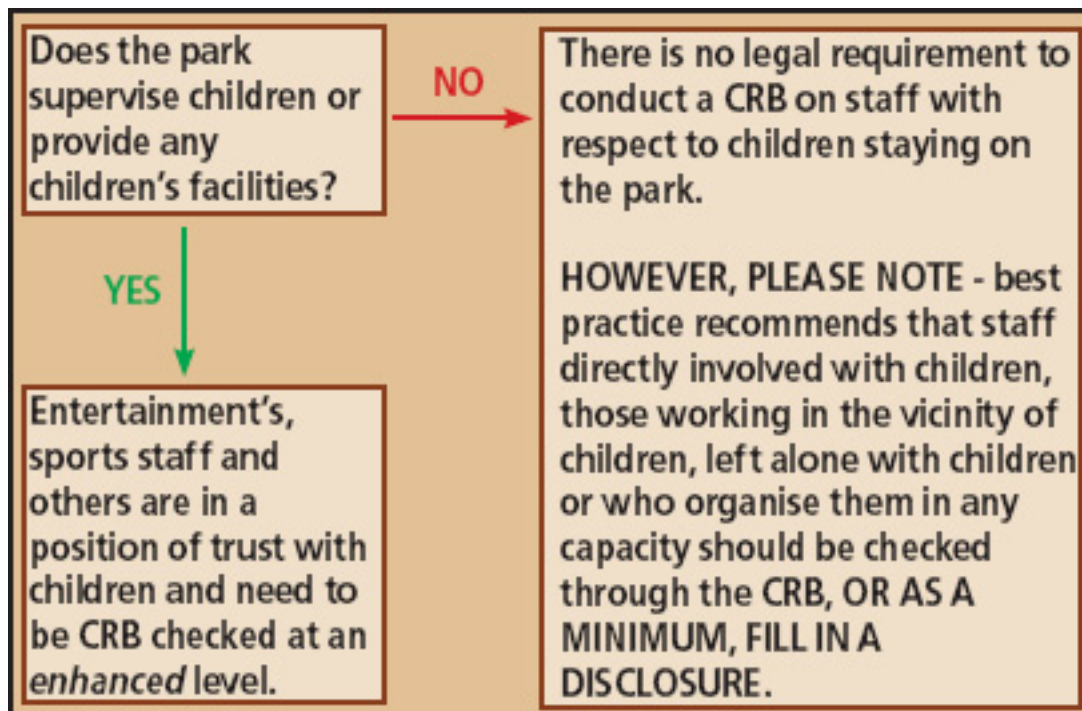
It is important to remember that some people who want to access children for the wrong reasons may apply for ancillary jobs such as maintenance, as they know the levels of checks will be naturally lower. It should also be noted that where individuals cannot be officially cautioned or convicted, but are nevertheless considered a danger, they should not be considered suitable for posts where unsupervised contact with children may occur. Managers should note that if there is additional, background police information about an individual, these details will **only** show up via an ***enhanced*** Criminal Records Bureau (CRB) check.

CRB checks

Carrying out CRB checks on potential members of staff is a legal requirement under certain circumstances as illustrated in the flowchart below. There are two types of CRB checks available: a standard check costs £31 and an enhanced check, which is recommended, costs £36. Administration fees will also apply. Parks will need to employ a 'registered body', such as SAFEchild, to carry out this work. A full list of registered bodies can be found at www.crb.gov.uk

The following flowchart is provided to give park owners and managers an indication as to the legal requirement for CRB checks. ***Please note that individuals up to the age of 18 are considered to be children in law.***

To be clear, CRB checks should be carried out, **prior** to a candidate beginning their employment with the park. BH&HPA reinforces the statement that even where a CRB check is not a legal requirement, *“best practice recommends that staff directly involved with children, those working in the vicinity of children, left alone with children or who organise them in any capacity should be checked through the CRB.”*



Disclosures

Where a CRB check is not a legal requirement, but employees still have an opportunity to have unsupervised contact with children (which could apply to almost any employee on a park), they should be asked to sign a disclosure before their employment commences. By ensuring that disclosures are signed, parks will be fulfilling their **common law ‘duty of care’**. The park will also be covered legally should it be discovered that the employee has given false information. Under such circumstances the employee can be dismissed without any fear of recrimination, and of course their details should be passed to the police.

The disclosure should detail the name, date of birth and address of the employee. They should then sign a basic declaration as follows:

"I have no previous criminal convictions, "spent" or otherwise; and I have no pending court cases. I know of no reason why I should not work with children/young people.

Remember - the only way in which parks can be sure that they are not employing a past offender or someone about whom there are serious concerns is to carry out enhanced Criminal Records Bureau checks on all potential employees.

SAFEGUARDING VULNERABLE GROUPS ACT 2006

The Independent Safeguarding Authority (ISA) has now been established and, from October 2009, it will become a legal requirement for all staff that work directly with children and young people to be registered with the ISA – each such employee will be given a unique ISA registration number.

All organisations employing an individual in a **'regulated or controlled activity'** (see below) will commit a criminal offence if they fail to check the status of an applicant, employee, or volunteer. It is also a criminal offence for an individual who has been barred by the ISA to apply for work that involves contact with a child or vulnerable adult. Employers also have a further responsibility to refer individuals who may pose a risk to vulnerable groups to the ISA.

However, at the time of going to press, it is still unclear when the ISA will facilitate vetting and barring for the independent sectors. It is also important to note that, especially in the leisure industry where staff are very transient, CRB checks will still need to be carried out – i.e. they will be required additionally to an ISA registration check.

There are two categories, which apply to all staff that have direct contact, either frequently or on three or more days in a 30-day period, with children or vulnerable adults:

Regulated activities

Regulated activities include:

- Any activity which involves contact with children or vulnerable adults and is of a specified nature which includes sports and leisure officers, entertainment and childcare staff

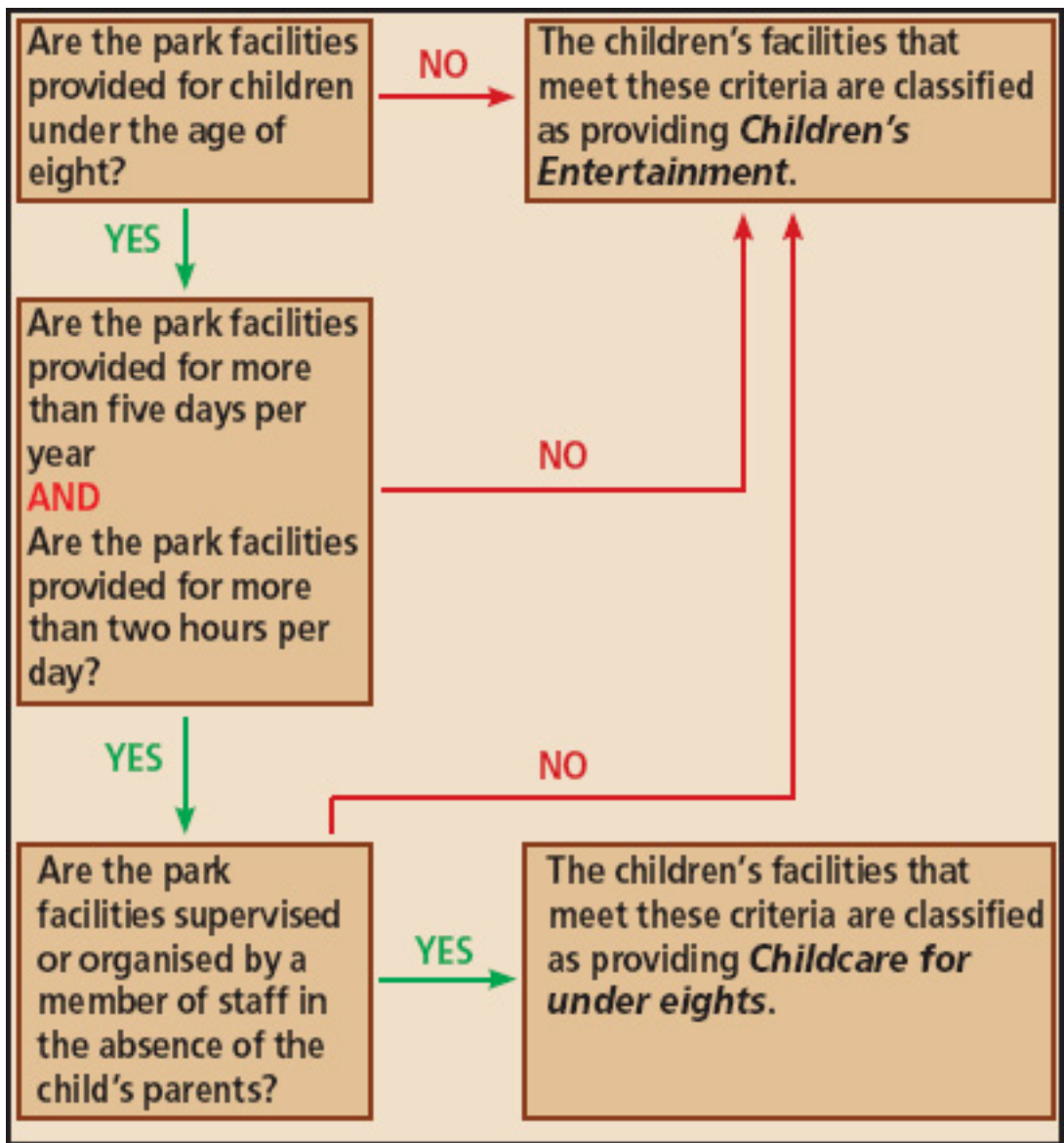
Controlled Activities

Controlled activities include:

- Frequent or intensive support work in general settings such as childcare, sports facilities and could include cleaners, caretaker, shop workers, caterers.

Children's facilities

Depending on their nature, children's facilities are classed as either "children's entertainment" or "childcare facilities". The two different categories of facility place very different legal requirements on parks and it is imperative that owner and managers correctly identify which it is that they are providing. The following flowchart will help managers to do this:



Providing 'childcare'

There is a legal requirement under the Children Acts 1989 and 2004 for childcare facilities to be registered with the Ofsted. Parks falling into this category should contact their local authority for registration.

The criteria that the Ofsted considers include the following:

- Specifying the maximum number of children who may be looked after on the premises
- Requiring the premises and equipment used there *'to be adequately maintained and safe'*
- Requiring the registered person to keep a record of the name and address of any child looked after on the registered premises and any person who assists in looking after any such child.
- Specifying the number of persons required to assist in looking after children on the premises and requiring the registered person to keep a record of the name and address of any child looked after on the registered premises and any person who assists in looking after any such child.

The requirements of Ofsted may vary in terms of staffing ratios etc., and they can also vary these conditions at any time. Registration may also be cancelled if the Ofsted takes the view that circumstances justify this, or where the requirements of the registration have not been complied with.

Ofsted is also empowered to refuse registration if the premises to which the application relates is unfit for looking after children under the age of eight. This may be because of the premises' condition, the condition of any equipment used on the premises, or for any other reason connected with their situation, construction or size.

Ofsted has special powers to inspect the premises at any reasonable time and is under a duty to inspect the premises at least once every year.

There are provisions for appeal against a refusal or the imposition of requirements to the High Court, the County Court or the Magistrates Court.

Failure to comply with the requirements of the Act is a criminal offence, punishable by fine.

SAFEchild's advice to parks providing childcare facilities – i.e. facilities for children under the age of eight, more than two hours per day, more than five times a year - is that they should check their status with Ofsted (www.ofsted.gov.uk ; tel: 08456 404040). Failure to comply with Children Acts 1989 and 2004, Care Standards Act 2000 and the new Childcare Act 2006 is a criminal offence.

Providing children's entertainment

The following is a list of considerations park owners and managers can take into account for the running of 'children's entertainment' or clubs falling outside the previously detailed legal requirements. These points will help park owners and managers to satisfy their common law duty of care to their guests, however it is not exhaustive and as such, businesses must consider their individual circumstances alongside these suggestions:

- Any age restrictions for those wishing to take part in club activities. Children under the age of eight should be accompanied unless the activity is registered under Ofsted
- Staff directly involved with children should be CRB checked
- References should be taken up for people running the clubs and activities
- Parents/carers should be informed of start and finish times for clubs and the activities that are planned

- Parents/carers should be asked to declare any special needs of children and where these exist, a decision should be made as to whether they can be accommodated
- Procedures should be made for the collection of children and what to do in the event that parents/carers do not arrive at allotted times
- All activities should be pre-planned ensuring risk assessments have been carried out for each and the appropriate controls have been put in place
- Normal operating procedures should be drawn up for the running of clubs and all activities offered
- Emergency Action Plans (EAP) should be in place in the event someone is injured or goes missing

When issues arise with respect to children's facilities, clubs and the like, situations can very quickly become emotive and should be handled quickly and efficiently with the utmost sensitivity and professionalism. Should allegations or concerns be raised, managers should involve the relevant agencies, such as the children's' social care services or the police, immediately.

Dealing with concerns

In terms of the ***family-related incidents*** described above, it is essential that park owners, management and key staff members know how to refer incidents to the appropriate agencies. Normally this will be via local children's ' social care services (or equivalent) teams or the local child protection police teams. Every local authority area has a Local Safeguarding Children Board (LSCB) and all local agency contacts and multi-agency procedures can be found on the relevant LSBC website.

All managers are advised to source these contact details from their LSCB and ensure that they are kept by the telephone(s). All staff members - but especially those working with or around children, managers and receptionists - should be alerted to their significance and presence.

However – in an emergency – DO NOT DELAY – dial 999.

Missing children

It is not uncommon for children to go missing on a park. For some of the larger businesses, it is a daily occurrence. Regardless of the size of the park, however, it is prudent to plan for missing child incidents in advance and have tight, robust policies and procedures in place to deal with them. It is essential that **all** staff are aware of, and trained in, these procedures.

Missing child action planning

In advance, park owners and managers need to assess their park(s) and:

- Plan how best parents/carers can alert staff that there is a problem and how staff will respond and alert colleagues
- Consider:
 - The likely frequency of such an incident
 - Where children are often found, e.g. a popular amusement area
- Identify danger “hot” spots e.g. open water, busy roads
- Plan the most effective way for staff to “sweep” the park thoroughly for the missing child at any time of day or night
- Assess the appropriate timescale for calling the police
- Develop a clear procedure for all staff and identify two lead people to manage the process
- Produce a clear incident form to detail: the name of the child, age, appearance, name of parent or carer, last time seen, where, and who they were with. The form should record the date, time, actions taken and the outcome. This should be agreed and signed by the parent/carers, member of staff involved and signed off by the park owner or manager afterwards.
- Consider, if the worst should happen, how the park will liaise with the media and who should be assigned this task

- Run a practice at the beginning of the new season and when new staff arrive so everyone knows clearly what their individual role is and how to communicate with each other
- Remember children are often not very far away and can hide in the smallest of places.

Conclusion

Child safety in all forms is under ever increasing examination, not least because some areas of child related crimes, including abduction, are on the increase. Park owners and managers need to be clear that holiday parks are (as was recently broadcast on a BBC documentary about paedophilia) a target for individuals who want to access children for the wrong reasons. Ensuring that they have adequate child safety procedures in place means that managers will never find out how well their efforts have protected their customers; it is only in this aspect that managers can afford for ignorance to be bliss.

SAFEchild can be contacted on:

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Tel: 01449 677497

General and CRB enquiries: 01379 788933

Web: www.safecild.co.uk