



Model Child Protection Policy for Licensed Premises

Revised September 2011

Model Child Protection Policy for Licensed Premises where there may be children present.

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Supporting Information

- Government Guidance published by the Department of Health "What to do if You're Worried A Child is Being Abused"
- LSCB Signs of Child Abuse leaflet

1. Introduction

Children can be abused regardless of age, gender, disability, racial origin, religious beliefs or sexual identity. In the majority of cases, someone they know abuses them and this can be a member of their family, a friend, an instructor or any person in a position of trust. However, opportunistic strangers can also carry out abuse.

It is the responsibility of all staff members to protect children (people under eighteen years of age) from abuse. It is the purpose of this policy to give guidance in dealing with this sensitive issue.

2 Child Protection Policy

This child protection policy is for all staff involved in premises which have been licensed under the Licensing Act 2003 and is for the attention of staff including registered owners/ license holders. The protection of children from harm is a national licensing objective and the Lincolnshire Safeguarding Children Board is a Responsible Authority with a duty to either object to any application or to seek to a review of the existing permission if safeguarding children issues are identified.

This policy provides basic information about what to do if you are concerned about a child and how agencies in Lincolnshire will work together to respond to reports about children whose welfare is causing concern. This guidance should be read in conjunction with the Licensing Act 2003.

This policy has been drawn up in conjunction with the Lincolnshire Safeguarding Children Board and was revised by the LSCB in September 2011.

Everyone working in an environment where there may be children present has a duty to safeguard and promote the wellbeing of children. Staff must follow the

Government Guidance published by the Department of Health “What to do if You’re Worried A Child is Being Abused” a summary of which should be provided with the policy. This publication can be obtained from the Department of Health Publications on 08701 555455 and quoting reference 31815.

Advice is also available from Lincolnshire County Council Children’s Services on 01522 782111

All staff working in the public arena should have a basic awareness of child protection issues. Staff should be sensitive to the possibility of abuse and neglect; know who to raise concerns with; what action to take in an emergency and how to make a referral to Social Care. The licensee is responsible for ensuring that all staff are familiar with these procedures.

If any member of staff has concerns about a child, then they must discuss these concerns with the Customer Service Centre for Children’s Social Care at the earliest opportunity. These may include concerns about a member of staff or an activity taking place in the establishment where there is suspicion that a child is being placed at risk.

It is important to note that in any situation where there are concerns that there may be abuse, the needs of the child must come first even where there may be a conflict of interest e.g. where the suspected perpetrator may be a customer, client or employer/ employee.

3 Definition of child abuse

Child abuse and neglect is a generic term encompassing all ill treatment of children including serious physical and sexual assaults as well as cases where the standard of care for the child does not adequately support the child’s health and development.

Children may be abused or neglected through the infliction of harm or through a failure to act to prevent harm. Government Guidelines sets out definitions and examples of the four broad categories of abuse:

- Neglect
- Physical Harm
- Sexual Harm
- Emotional Harm

These categories overlap and an abused child does frequently suffer more than one type of abuse.

Neglect – includes the persistent failure 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. It may involve failure to provide a child with adequate food, shelter or clothing. It also includes a lack of willingness or capacity to give children love, affection and attention.

Physical abuse – can take many forms and is where someone physically hurts or injures children by hitting, shaking, throwing, poisoning, burning, biting, scalding, suffocating, drowning or otherwise causing physical harm to a child. Physical harm may also be caused when a parent, guardian or carer feigns the symptoms of, or deliberately causes ill health in a child who they are looking after.

Sexual abuse - where children are used to meet a person/s own sexual needs. This could include forcing or enticing a child or young person to take part in sexual activities whether or not the child is aware of what is happening. It involves contact offences (full sexual intercourse, oral sex, fondling etc) and non contact activities such as showing children pornographic material or encouraging children to behave in sexually inappropriate ways.

Emotional abuse - is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless, 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 very nervous and withdrawn. Some level of emotional abuse is involved in all ill treatment of a child.

4. Good Practice

Good practice creates a positive child protection climate and assists in protecting staff from false allegations of abuse. Good practice means:

- Always working in an open environment (e.g. avoiding private or unobserved situations) and encouraging an open environment (e.g. no secrets).
- Treating all young people equally, with respect and dignity.
- Always putting the welfare of each young person first.
- Ensuring that any form of manual assistance or physical support is provided openly. Children and parents, guardians or carers should be consulted and their agreement gained.
- Being an excellent role model.
- Never engage in rough physical or sexually provocative games
- Do not allow or engage in any form of inappropriate touching.
- Do not make sexually suggestive comments to a child, even in fun.
- Record any allegations made by a child

5. Control Measures

Good practice includes identifying potential risk factors and putting in place control measures to ensure children are adequately safeguarded.

The table below should be adapted by licensed premises to ensure they have appropriate preventative control measures in place.

Risk Factors	Potential Control Measures
<p>Any entertainment or services (regulated or otherwise) which include that of an adult or sexual nature.</p>	<p>People under 18 not admitted or taking part in the entertainment / services (including staff). Measures (including staff training) for ensuring non-admission of under 18 years such as door supervision, age checks (including staff).</p> <p>Note: age checks must be through a recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS)</p> <ul style="list-style-type: none"> - photo driving licence - passport - Citizen card supported by the Home Office - Portman Prove It card - Any other means approved and accredited by Lincolnshire Police Licensing Office <p>Sufficient screening of the relevant entertainment / services from view of those under 18 (including staff) e.g. smoked windows, doors closed. Clear signage that entertainment / services are occurring which are not suitable for under 18s. Specific measures agreed as regard the specific type of entertainment (e.g. lap dancing clubs).</p>
<p>Entertainment or services include strong and offensive language.</p>	<p>People under 18 not admitted (including staff). People under 18 not within hearing distance. Sound proofing may be required. Measure for ensuring non-admission such as door supervision, age checks (including staff).(see above)</p>

	Clear signage that entertainment / services are occurring which are not suitable for under 18s.
Convictions for under-age sales of alcohol.	<p>People under 18 not admitted (including staff).</p> <p>Evidence of suitable staff training and age identification scheme in place and followed (see above).</p> <p>Signs provided informing customers that sales will not be made to under 18s and that age identification may be required.</p>
Reputation for under-age drinking.	<p>People under 18 not admitted (including staff).</p> <p>Evidence of suitable staff training and age identification scheme in place and followed.</p> <p>Signs provided informing customers that sales will not be made to under 18s and that age identification may be required.</p> <p>Tighter restrictions on admission of under 18s.</p> <p>Proactive working with the police to challenge under age drinking</p>
Known association with drug taking or dealing.	<p>People under 18 not admitted (including staff).</p> <p>Evidence of suitable staff training and age identification scheme in place and followed (see above).</p>

Children in performances.	<p>Suitability and number of supervisors including care of children as they move from stage to dressing room etc. and to ensure that all children can be accounted for in case of an evacuation or an emergency.</p> <p>Suitability of the venue, for example, to ensure it can accommodate safely the numbers of children intended.</p> <p>Fire safety, for example, that all chaperones and crew receive</p>
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	<p>instruction on the fire procedures applicable to the venue prior to the arrival of the children.</p> <p>Special effects, as some may be in appropriate and may trigger adverse reactions in children, particularly e.g. flashing lights, smoke etc.</p>
Entertainment aimed at children.	<p>Suitability and number of supervisors (see Statutory Guidance).</p> <p>Measures to ensure that seating / standing arrangements for children are suitable.</p>
Concerns regarding admitting children to films which have been classified as beyond suitability for children's age.	<p>Staff training and age-identification procedures.</p> <p>Signage to explain that children will not be admitted to film showings which are not suitable for their age group, and that adults should not purchase tickets on children's behalf in this respect.</p>
Previous known concerns about danger to children at the premises.	<p>Measures to counter these specific dangers.</p>
Child-orientated premises located close to adult-orientated premises.	<p>Identification of any risks and control measures in place</p>
Risk of children visiting the premises unaccompanied.	<p>Evidence of training and procedures to deal with such situations where they are deemed to be of potential harm to children.</p>

6 Child Protection Procedures to be followed

False allegations of abuse do occur, but they are rare. Disclosures, suspicions and allegations should always be taken seriously and if the information gained causes concern action should be taken immediately.

It is not the responsibility of those implementing this policy to decide whether a child is being abused or not. That is a job for Social Care and the Police.

However, as the welfare of children is of paramount importance, it is necessary to act to protect children whenever possible.

Who to Contact:

If you are concerned that a child is at risk of or is being abused contact:

Lincolnshire Children's Social Care

Telephone our Customer Service Centre 01522 782111

Lincolnshire Police

Telephone on 0300 111 0300

When you contact Social Care you should provide the following:

- Your name
- Your address and a telephone number you can be contacted on
- The child's name if known
- Relevant information about the circumstances of your concerns including concerns relating to activities occurring at premises rather than individual children
- You should also discuss any concerning information about the premises involving child protection issues. For example, if you believe that children are at risk of sexual exploitation or you suspect that a member of staff is selling alcohol to people who are under age. You may not have all the details about a child, but this **SHOULD NOT** stop you from referring
- You may be in breach of your licence if you do not disclose information where child abuse is suspected.

You may wish to find out more information once you have made the referral. If so you should contact Social Care, however information sharing may be limited due to issues of confidentiality

Truancing

Licensed premises will need to consider an appropriate response where there are concerns that young people may be entering or hanging about the premises including truancing from school. If a young person of school age is 'hanging around' rather than being in school they are not actually breaking the law as it is their parents who are legally responsible for ensuring school attendance. If however, they are engaging in offending or anti-social behaviour then the police may be the appropriate first point of contact. If the school uniform is being worn, then a phone call to school may be appropriate. If they are on licensed premises and are unable to provide evidence of age then they can be removed from the premises.

Where there are concerns that a young person appears to be in distress, under the influence of alcohol or substances or is clearly at risk or in need of safeguarding, a referral to the Police/Social Care may be more appropriate. It is important to highlight that there may be young people who are legitimately out of school for e.g. part-time timetable, excludes, newly moved into the area, staff training days etc. so the licensee must act appropriately depending on the presenting circumstances.