



**University of  
Leicester**

# **Supplementary Policy for the Safety of Children of Staff and Students on University Premises**

**Guidance for University  
Departments and Functions**

**December 2003**

**Safety Services Office**

**Issued with the approval of the Health and Safety Committee**

# **POLICY FOR THE SAFETY OF CHILDREN ON UNIVERSITY PREMISES**

## **Introduction**

This Policy is supplementary to the University of Leicester's Statement of Safety Policy and Statement of Organisation and Arrangements.

Children could be vulnerable to risks the consequences of which they may not appreciate. Some risks regarded as everyday and trivial by adults may be significant risks to children. In general the University premises were designed with the needs of an adult population in mind.

Allowing children to be brought on site can be interpreted as approval and acceptance of the child's presence by the University. Although a parent or guardian may accept responsibility for the safety of the child, the University still retains a degree of responsibility once the child is allowed on its premises.

In the majority of cases the children will be welcomed, will not come to any harm and will cause no disruption. However, an accident on site involving a child carries the probability of public condemnation and loss of reputation as well as legal sanction. Consequently it is appropriate that risk assessments go beyond 'scientific' analysis and include society's perceptions and expectations.

Other potential problems arising from the presence of children include:

- The risk of assault or inappropriate behaviour by adults towards children;
- Perceived inequality of opportunity e.g. the fortunate staff member with single occupancy workspace enabling supervision of children;
- Objection of staff (and students) to the presence of children at their place of work or study because of noise or other disruption.
- If staff bring children into work with them, there will inevitably be an impact on the quality and quantity of work produced whilst looking after the children.

This Policy aims to consider the needs of the children, parents, and the University's staff and students. It provides a basis for developing or reviewing local rules and promoting employee awareness, thereby minimising risks.

## **Scope of this policy**

For the purposes of this policy a child is defined as a person who has not yet attained the age of 16 years.

This Policy applies mainly to children being brought onto site by staff, students or visitors. It does NOT apply to situations in which children can be considered to be users of a facility in a normal way, such as:

- Organised and supervised events and visits, e.g. Open Days and school visits;
- Organised and supervised work experience;
- Nurseries and crèches;
- Playschemes;

- Attendance at performances e.g. at the Richard Attenborough Centre;
- Use of catering facilities e.g. in the Charles Wilson Building;
- Use of the University bookshops;
- Attendance at private functions e.g. in the Charles Wilson Building;
- Organised and supervised use of sports facilities;
- Accompanying families visiting students in Halls of Residence.

There is no restriction on parents being accompanied by their children under these circumstances, although the need for vigilance and supervision remains.

It is acknowledged that uninvited and unsupervised children are at times present on University sites. The University undertakes, so far as is reasonably practicable, to make University buildings and grounds of as low a risk to children as is consistent with its access/security needs. Otherwise this Policy does not apply to uninvited children.

## **Bringing children onto the site**

**The norm is that children are excluded from University sites. All members of staff are required to seek specific permission from their Head of Department before bringing a child to work.**

Subject to this requirement the following arrangements will apply.

### *Arrangements*

1. Children must only be brought into the University under supervision by a parent or guardian.
2. Departments must include in their Departmental Safety Policies local rules regarding the admission of children and arrangements for their safety within the Department.
3. Bringing children into University departments:
  - a. In the company of parents whilst at work (e.g. in the event of temporary childcare difficulties):  
Staff are expected to make use of the various types of leave available under their conditions of service (holiday entitlement, parental leave, time off for dependents, and compassionate leave) to cover these eventualities. Bringing children to work should be the very last resort. In wholly exceptional circumstances, children are permitted to be in company of a parent at work with the permission of the Head of Department or his/her appointed deputy. This permission must be sought for each instance and granted on a case-by-case basis. The child should be brought to work for the minimum possible period of time. Heads of Department or other staff in control of an area may in some instances implement specific controls or restrictions at their discretion. Having individual workspace, e.g. an individual office, should not be

used as a justification for bringing children to work.

b. Children (including newborns) accompanying staff paying social visits  
- perhaps with siblings:

On an exception basis, children are permitted to be in the company of a parent who is a staff member visiting the workplace, subject to the permission of the staff member's Head of Department or his/her appointed deputy. This permission must be sought for each instance and granted on a case-by-case basis. Under these circumstances the children should be brought only into rest areas and communal areas (e.g. staff rooms and tea rooms), rather than areas used for work. Where possible, visits should be arranged during meal breaks and rest breaks, but depending on the circumstances the Head of Department may agree to visits during other times.

c. Students who wish to bring children into teaching areas:

In the event of childcare difficulties, the Student Welfare Service should be consulted. If local rules do permit the admission of children, in exceptional circumstances permission to attend a formal teaching session should be sought from the lecturer in advance. The lecturer's decision to admit the child or not will be final. Children must never be admitted to teaching sessions in hazardous areas such as laboratories.

4. When it is known that a child will be present then some basic precautions must be taken, for example ensuring that hazardous items such as kettles, scissors and letter knives are kept out of reach. Other staff working in the area must be made aware that a child is present so that they may take any appropriate extra precautions.

## **Supervision**

When permission is given for children to be brought on site, it is on the understanding that the person who brought them on site will be responsible for the child at all times. The duty of parents/guardians towards the children they bring on site is to supervise them such that they are always in their immediate vicinity, close enough for accidents to be prevented and to prevent hazardous situations from arising, including being able to intervene if necessary. Parents must be made aware of these duties. Children must not be left unsupervised. Particular care must be taken when children are negotiating staircases, raised walkways and other uneven surfaces. This duty to supervise cannot be delegated to another person.

### ***Unsafe or unacceptable behaviour***

A child behaving in an unsafe manner may be excluded from University premises. Examples of unsafe and/or unacceptable behaviour are:

- Disturbing employees or students who are working;
- Causing a nuisance;
- Horseplay;
- Causing damage to University property;

- Causing damage to other persons' property.

The final decision on whether behaviour is unacceptable or unsafe and should result in exclusion is at the discretion of the Head of Department, who is responsible for the implementation of University policy.

## **Areas from which children must always be excluded**

Children are not allowed under any circumstances to enter the following areas:

- Construction sites
- Rooftops
- Plant rooms
- Kitchens
- Workshops
- Laboratories
- Stores
- Any area furnished with a sign denoting "Authorised Persons Only" or similar
- Any other area not designated by the Head of Department or his/her appointed deputy as being suitable for children.

## **Accidents**

Any accident or near-miss involving a child must be reported to the Safety Services Office using the University accident report form.

If an accident results in a child being taken from a University site to hospital, Safety Services need to submit a report to the Health and Safety Executive (a requirement of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.) Such an accident should therefore be reported to Safety Services immediately, by telephone or in person. All such accidents will be investigated.

## **Responsibilities**

### ***Heads of Department:***

- Ensure awareness within the Department of this Supplementary Policy;
- Ensure that this Supplementary Policy is implemented within their Department;
- Ensure that Departmental Policies, procedures, risk assessments and local rules take account where necessary of the presence of children;
- Consider requests for permission to bring children into the Department.

### ***Parents and guardians***

- Bring children onto University premises only with the appropriate permission;
- Supervise the child at all times;
- Be aware of any areas that children must not enter, and abide by Departmental policies, procedures, risk assessments and local rules.

***The Safety Services Office***

- Advise Heads of Department and other staff as necessary;
- Investigate accidents involving children and report to the Health and Safety Executive as appropriate;
- Act as a reference point for information and advice on good practice.

***All members of staff***

- Be aware of and abide by Departmental policies, procedures, risk assessments and local rules;
- Be aware of and comply with any access restrictions for children.

## Appendix

### *The University's legal duties*

1. The University has duties under the *Health & Safety at Work etc. Act 1974*, section 3, to those who are not its employees but who may be exposed to risks arising from its undertakings.
2. The University has a duty under the *Management of Health & Safety at Work Regulations 1999* to consider in its risk assessments any risks to which non-employees may be exposed.
3. The University has a common law duty of care to non-employees whilst they are on its premises. The *Occupiers' Liability Acts 1957 and 1984* confer duties on occupiers of premises, and anyone who is injured while visiting premises may be in a position to sue the occupier for damages. Children are viewed by the law as being more vulnerable than adults and consequently a greater duty of care is owed to children. An occupier must be prepared for children to be less careful than adults and must be aware of any lure or attraction to children, such as a pond or scaffold, that could constitute a "trap".
4. A member of the university holds a duty of care towards children that are seen to be patently at risk of imminent and significant injury and must act reasonably to prevent such injury. Not to act is to neglect this duty. (Reasonable action might be seeking to remove the child from the danger or to remove the danger from the child.)