

Section 8

Health and Safety

This section outlines what should be in place so that the environment is suitable for children and young people and the activities in which they are participating.

Those who are responsible for oversight of work with children and young people, and children's and youth workers need to be familiar with the content.

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8.1 PCC liability

The Parochial Church Council must acknowledge that one of its functions is to make and put into effect any provision made by the Diocesan Synod, but without prejudice to the powers of the Council on any particular matter.

In 1996 the Diocesan Synod resolved that each parish should have a policy and practice about the protection of children, ratified by the PCC. Any Parochial Church Council which has failed to put such a policy into effect is in breach of its duties and obligations. This is contained in the Parochial Church Councils (Powers Measure) 1956 as amended by the Synodical Government Measure of 1969.

It should be acknowledged that a PCC, including the incumbent, a chair of the PCC and priest in charge can be held liable for any claim for damages made against an individual who committed an abuse against a child, where the abuser was in their employment and was acting during the course of the employment, or if the abuser was an office holder for whom the PCC is therefore responsible. This liability can be extremely onerous, and whilst it will not attach to individual members of the PCC, it could extend to the total funds of the PCC in the event of a significant and successful claim.

A PCC can insure against any such potential liability (see 8.6). Note that, on its own, an insurance policy is not enough: it could be held to be invalid if the PCC has not formally adopted and implemented the Birmingham Diocesan Child Protection Policy and put in place a written parish policy.

It is essential that a PCC has an up-to-date policy in child protection.

8.2 Staffing ratios

Children

For safety reasons, it is recommended that at least the following number of PCC-appointed leaders are present at **each** session. This is only a minimum and should be adjusted according to the activity or the building and the ability of the children.

Age Group	Staff	Children
0 – 2 years	1 for every	3
2 – 3 years	1 for every	4
3 years +	1 for every	6
5 years +	1 for every	8

(Anyone under 18 years old cannot be included in staff ratios and should not be solely in charge of a group)

Working with children and young people

General guidance about the ratio of adults is affected by a number of variants. Ideally, there should be a minimum of two adults to each group. Other variants that affect ratios are:

- The age of the children or young people
- The venue in which they meet, the style of the building, its location
- The level of their abilities
- Any special needs
- The activity to be undertaken
- The need for special instruction

Judgements should be made on the basis of any varying circumstances, e.g. if children meet in a site with separate rooms, then open the doors and have a 'floating adult'.

It is also advisable to have staff or volunteers of both genders if working with a mixed gender group. If any of the group members come from a minority community, it is ideal if the adult team includes a member of that community.

When young people are being taken off the premises on residential events or on outdoor activities, the ratio of staff to young people will depend on added variants, such as:

- distance from home
- the 'risk' factor in the activities being undertaken
- the type of transport available
- the environment

Also be aware of changing circumstances, such as the weather.

When taking a group away, it is advisable to take a mobile telephone in case of emergency. However, if a group is being taken to an isolated area, it is advisable to check with the particular mobile phone company whether or not reception is available in the particular area, and when you arrive there make a test call.

8.3 Registration for group activities

Any activity involving children and young people should have a registration procedure, the purpose of which is:

- a. to record the presence of people in the case the building has to be evacuated upon hearing an alarm for fire, or to keep track of people on an excursion.
- b. to have a record of the numbers of children and young people on the premises at any given time.
- c. to be able to contact a parent or guardian when necessary.

This is a requirement under health and safety regulations.

See Appendices G, H and I for examples of forms.

The provisions of the Children Act 1989 contain certain requirements that have to be adhered to. Activities for under 8s that last for 2 or more hours a day on 6 or more days each year must be registered with the local authority. Summer play schemes and holiday clubs may well be affected, too. There are 2 registration fees applicable; one for activities lasting 2-4 hours, and the other for those that are over 4 hours duration. However, it is often the case that Ofsted (whose Child Protection or Under 8s Officers administer the Children Act

regulations and registrations) will give consideration to ad hoc activities run by voluntary groups, such as churches, and may not insist on registration, as long as they are kept informed of such events taking place (see Appendix X for a list of Social Service Offices).



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8.4 Young people and outdoor activities

A Briefing about the Adventure Activities Licensing Regulations 2004.

Introduction

Since the Lyme Bay tragedy, which resulted in the death of young people, the Government have implemented the licensing of adventure activities under the Activity Centres (Young Persons' Safety) Act 1995. The regulations were drawn up under this Act and replace the earlier 1996 regulations.

The Adventure Activities Licensing Regulations 2004 aim to give assurance that good safety management practice is implemented, so young people continue to experience outdoor activities in safety, without being exposed to risks of disabling injury or death.

Those agencies and individuals falling in the scope of the regulations must demonstrate compliance with relevant health and safety legislation, undergo inspection by The Adventure Activities Licensing Authority, and be issued with a licence to offer those activities that require it.

Who needs to be licensed?

Essentially, anyone who offers the activities described below to under 18 year olds and receives payment for doing so, has to go through the licensing process unless the regulations specifically exempt them (see below).

What activities come under the Adventure Activities Licensing Regulations?

Caving - exploration of underground passages in mines and natural caves.

- Climbing** - climbing, traversing, abseiling or scrambling over natural terrain or outdoor man-made structures, except on purpose built structures such as abseiling towers or climbing wall.
- Trekking** - journeying on foot, horse or pedal cycle or skiing over land which is moorland or over 600 metres above sea level, and which is remote, i.e. 30 minutes travelling time from the nearest road or refuge.
- Watersports** - using canoes, kayaks, rafts, sailing boats, windsurfers, sailing dinghies and other similar vessels on sea, tidal waters or large non-placid inland waters.

Who needs to be licensed?

Any person who provides, for money, facilities which consist of, or include, some element of instructions or leadership given to a young person(s) in connection with one of the adventure activities described above. A local authority who provide facilities to an educational establishment are also required to hold a licence.

What about churches?

It is recognized by the Licensing Authority that it is unlikely that an occasional trip organized by the church was meant to require licensing. With this in mind, they have defined criteria for what they call a 'legitimate voluntary outing', for which a licence is not required. A legitimate voluntary outing is defined as a church group organizing and taking responsibility for an adventure activity or outing, offering it free of charge, or receiving payment from participants which only covers actual, reasonable and out-of-pocket expenses.

What about church groups?

If the church has, for example, a youth project with an independent management committee, an adventure activity will also be exempt from licensing if the following apply:

- the organization and activity is non-profit making
- the activity is only offered to the formal registered membership

If any of the following conditions apply:

- all the participants are over 18 years of age
- each under 18 year old is accompanied on the activity by a parent or legal guardian (within sight and sound at all times). Persons in loco parentis are not defined as legal guardians.
- activities are offered free of charge

then no licensing is required

Licensing is required when the church group or youth group:

- is visiting a commercial activity centre
- is paying a fee (more than expenses) to a leader or expert to organize, run and be responsible for an activity session

Under these circumstances, you should enquire about their licence status.

Health and Safety

Irrespective of whether or not a licence is required, standard good health and safety practice should prevail. Any church undertaking an adventure activity of any sort should ensure good health and safety practice, including the use of qualified staff, properly maintained equipment, appropriate ratio of staff to young people, strategic planning, insurance, etc. Nothing should be left to chance.

Further information

If you are uncertain about any aspect of these regulations, then seek further advice. In the first place, you could approach your denominational youth officer. Further information can be sought from the Adventure Activities Licensing Authority, 17 Lambourne Crescent, Llanishen, Cardiff CF4 5GG. ☎ 0292 075 5715.

8.5 Premises

Premises in which young people meet should be to a good and acceptable standard. Common sense does apply, but often it is the minor fault that is left which eventually becomes unseen. If premises are in *regular* use, then a visual 'fault finding' inspection should be undertaken at least quarterly.

What should be in order? (This is not a comprehensive list, and if you require further information, contact your local Environmental Health Officer or the Bishop's Adviser for Youth Work – see Appendix A1).

The building should:

- be accessible – taking account of people who use a wheelchair or pushchair
- be in good repair
- be well lit for normal activities – internally and any external entrances and pathways
- be clean
- have appropriate fire exit notices posted appropriately (see section 8.7)
- have fire extinguishers placed appropriately and serviced regularly
- have furniture that is in good repair
- have licenses for music and entertainment (e.g. for discos)
- have a fire certificate
- have notices about what to do in the event of a fire
- have a First Aid box
- have a defined cupboard for storing cleaning materials (away from food, and inaccessible to small children)

When hosting a youth group or activities for children and young people, ensure:

- equipment is in good repair
- there are enough staff and of mixed gender for a mixed group (see section 8.2)
- the premises are suitable for the activities undertaken
- there is adequate insurance (see section 8.6)
- staff know about relevant procedures, including the parish child protection policy

- there are no trailing leads when equipment is put out
- young people are protected from danger (e.g. boiling kettles)
- there are no obstructions in passageways
- out of sight places are regularly checked, e.g. toilets.

Please see Appendix O for a health and safety check list.

8.6 Insurance

Statement from Ecclesiastical Insurance Group (House of Bishops' Policy 2004)

The groups concerned with this document will be insured through a number of different companies whose policies will be subject to various terms, conditions and exceptions. However, the majority of PCCs, parish groups, etc. will be insured with Ecclesiastical, who have made the following statement in respect of those policies they have issued for:

- a. Churches, in use for worship;
- b. Youth Groups, through the Diocesan Youth Group Scheme.

Under such policies, Public Liability (Third Party) insurance, where in force, will operate to protect the interests of the insured where they are found to be legally liable for accidental death of or bodily injury to a third party or accidental loss of or damage to third party property, subject to the policy terms, conditions and exceptions.

The policy will provide an indemnity to the insured if they are held legally liable for an incident leading to accidental bodily injury or illness as a result of abuse.

It is not Ecclesiastical's intention to provide an indemnity to the perpetrator of an incident of abuse.

This statement clearly only applies to policies issued by Ecclesiastical. Where parishes are insured with another company, the position of that company should be clarified.

Policies of insurance require the insured to take all reasonable steps to prevent injury, loss or damage occurring. Failure to take such precautions may prejudice the insurance arrangements in force. A duty therefore exists upon the insured to research and adopt best practice based upon current and ongoing guidelines.

It is also a condition of a policy of insurance that any incident or allegation is notified to the insurer *immediately*. Failure to comply with this requirement may prejudice any cover provided by the policy.

Public Liability insurance indemnity limits should be kept under regular review. Guidance is available from Ecclesiastical.

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The insurance will not cover liability assumed by agreement, damage to premises, furniture and fittings where the group meets, and certain other risks.

The starting point for insuring your group(s) is with the PCC and their existing parish insurance (usually the Parishguard policy). This covers youth and children's work organized under the auspices and control of the PCC anywhere in the British Isles. However, for a group to be working 'under the auspices and control' of the PCC, the following should apply:

- The PCC must specifically accept responsibility for the activities of the group, and minute such in its records in detail (e.g. that the PCC has agreed to this disco, with these staff, date and between these hours, for this financial purpose, rather than to the concept of discos in general).

- The PCC must have full details of any proposed new activities, so as to decide whether to accept responsibility for these activities, and this must also be minuted.
- The PCC must select all leaders and maintain records of these appointments.

The nature of the cover provided is for public liability, for the PCC as the insured.

It is clear that, whereas such cover will normally be sufficient for regular church activities with a standard format (e.g. choir, confirmation classes, servers, bell-ringers, bible studies, etc.), it will **not** provide cover for much of the youth work that is undertaken within the parish.

Take special care whenever you go out on a trip. Check the insurance of the place you are going to; most will be covered. If in doubt about a local activity – ring your parish insurance company. Usually you will be covered, but if you are planning something more exotic (e.g. a holiday, outdoor pursuits), you are almost certainly going to need extra cover. Also check with your car insurance if you are using your own car.

- **Contacts**

Ecclesiastical Insurance Group

☎ 01452 528533

Email: Ecclesiastical@eigmail.com

8.7 Fire safety

As part of fire precaution legislation, staff should undertake an assessment of fire risks. Any risks which are identified by the assessment should be addressed and any necessary changes made to minimise the risk

Fire drill

Staff should be familiar with the procedures in the event of a fire alarm. The alarm should be a continuous signal, electronic or manual. Staff should know:

- what the sound of the fire alarm is
- where exits and emergency exits are located
- how to use any fire fighting equipment
- to take the register of children with them
- where the assembly area is situated
- where the nearest telephone is
- the name and address of the premises
- who will meet the fire brigade when it arrives

A practice of evacuating the premises with the children and/or young people should take place at least twice every year.

Routes to all exits from the premises must be kept clear at all times.

Fire signs

Fire Exit signs should be in line with the European Community regulations. Signs which consist of words alone do not meet the current regulation.

All signs are to incorporate a graphic symbol and may be supplemented by words. The following signs should be in place according to their intended use.

All these signs must be GREEN in colour with WHITE insets



Way Out door used normally for access and exit from the building



Normal Exit route in direction of arrow.



Door not normally used for exit, but is fire exit.



The shortest available exit route.



This style of sign is an acceptable alternative, but could be phased out in the future, in favour of the above.

The **graphic Symbol** is the **Regulation**

The **arrow** tells you the **direction**

The **words** are **good practice**

Signs placed above exit doors do not require an arrow. Arrows are used to indicate the direction of the travel exit.

Be consistent with the style sign within one building.

Directional arrows colour GREEN with WHITE insets



Straight on from here



Down from here



Right from here



Down and right from here



Left from here



Up and left from here

Existing illuminated signs with the words FIRE EXIT or EXIT do not meet the Regulation. However whilst the equipment functions correctly you may supplement it with the necessary signs adjacent to it to ensure compliance

Example



Fire Fighting Equipment

Premises must be equipped to an appropriate extent with fire-fighting equipment and with fire detectors and alarms. These should be tested regularly. All fire fighting equipment should be easily accessible simple to use and have a locating graphic symbol above it, or by colouring the background behind the equipment RED. This will enable staff to readily identify the location from a distance. This is a Regulation.

It is always good practice to display the words Fire Extinguisher with the graphic symbol.

(RED background with WHITE inserts)



Fire Extinguisher



Fire Alarm



Fire Hose Reel



Fire Point

8.8 Food and hygiene

Anyone owning, managing, or carrying on a 'food business' is affected by the Food Safety Act 1990. This includes any business or undertaking in which food is sold or supplied for human consumption, whether run for profit or not; hence it extends to vending machines and food sold at charity fund-raising events.

Any premises which qualify as Food Premises must by law be registered by the local environmental health department Applications for registration must be made at least 28 days before the first use as Food Premises. Failure to register could lead to imposition of a fine.

Any Food Premises may be inspected at any time.

Exemptions to register include premises that are used on less than five days in any consecutive weeks, and premises used by voluntary organizations if no food is stored on the premises.

All premises used for food-related business must be in an acceptable condition, state of repair and cleanliness, as should all equipment and utensils, in order to ensure that there is no risk of contamination to the foodstuffs. The premises must also be proofed against infestation by pests.

Food handlers includes any person who handles food and/or any equipment and utensils which may come into contact with food during all stages of the production and distribution cycle. They must take care to prevent food becoming contaminated, keep themselves clean, and cover wounds and abrasions with suitable waterproof dressings.

As with fire safety, an assessment and analysis of risk must be undertaken to minimise risk. New legislation from the European Union will be introduced in April 2006, and those undertaking a 'food business' must be aware of this.

For more detailed information, contact your local environmental health department – See Appendix U.

8.9 Transport

It is important to clarify the context in which transport is being offered in order for those who have parental responsibility to give informed consent.

Transport may be provided by a church leader, acting on behalf of the church, or by an individual, requested by a church leader to provide a lift for a child or young person on behalf of the church – in this context the guidance given in this section must be followed.

Alternatively, transport may be provided by a private individual offering to provide transport for other individuals; e.g. a parent offering to give a lift to the child or young person of another parent – in this context it is the responsibility of the private individual and the parent or carer involved to obtain/give consent and negotiate arrangements.

Private cars

Only cars fitted with seat belts (both front and rear) may be used, and the numbers of children transported should not exceed the number of seat belts available. All children should be restrained by an appropriate car seat belt and/or child seat as defined by current legislation. (see Appendix T1 for details of where to find information.) The legal obligations outlined in paragraph a. of the section below relating to mini-buses are also binding upon car drivers in this respect.

Another responsible person must accompany the driver, to assist with any emergencies.

The Church Council must advise car owners that it is their responsibility to check that they HOLD A VALID DRIVING LICENCE, THAT THEIR VEHICLE HAS A VALID TAX DISC DISPLAYED, HAS A CURRENT MOT CERTIFICATE (if applicable) AND IS INSURED for the transportation of children and young people. While the transportation of passengers without reward (i.e. for petrol money only) would normally be covered under "social/domestic use", vehicle owners MUST check with their insurers that they are insured to transport passengers on behalf of an organisation rather than as an individual. Additional cover can very often be included for a small extra charge.

Those organizing outings requiring the use of private cars are responsible for ensuring that car drivers are aware of the above. A risk assessment for each outing should always be carried out.

Mini-buses

Only mini-buses with fitted seat belts (both front and rear) may be used. Furthermore, the seat belts must be used. If children under 14 are carried without wearing an available belt, the driver is committing an offence. The driver is not responsible for passengers of 14 years and above.

The Law contains complex references to child ages and heights, and can be summarized as follows:

- a. If there is a seat belt available anywhere in the vehicle, it must be used.
- b. Children under 12 and under 1.50 metres in height may not be carried unrestrained in the front of a vehicle, even if there are no belts available.
- c. Children under 3 should be carried in a child restraint.
- d. Children under 12 should wear an appropriate child restraint, but if this is not available, they should wear an adult belt.

Unless specifically restricted, a full ordinary licence entitles holders to drive cars and other vehicles with a maximum capacity of 8 passengers, and small buses (up to 16 passengers) driven not for hire or reward. Drivers of any vehicle with a capacity of 9 or more passengers must normally be at least 21 years old.

When using a mini-bus, whether owned, hired or borrowed, be sure to check you have the correct permit on your driving license or take the appropriate driving test. Advice can be sought from the Diocesan Youth Officer.

There should be another adult travelling in the rear of the vehicle, in most cases sitting next to the door. The adult should be responsible for ensuring a reasonable standard of behaviour, and particularly that children's seat belts remain fastened. The adult should also supervise boarding and alighting.

General

- All drivers/responsible persons must be recruited following the procedures set out in Section 9 of this policy
- Drivers must always drive within the speed limits, obey all current road legislation and never use a mobile phone whilst driving
- Parental consent must be obtained for every child passenger (see Appendices H and I)

8.10 First Aid

Accident prevention is preferable to First Aid but, nevertheless, it is important to be able to respond when someone is hurt.

It is strongly recommended that at least one of the leaders in a children's or youth group has attended a recognized First Aid course, i.e. one-day Emergency First Aid Training and received a certificate. These are run by the St John Ambulance, the British Red Cross, and by local authorities for voluntary organizations.

A properly stocked First Aid kit should always be available, and all leaders should know where to find it. If it is kept in a locked cupboard, then this should be unlocked during meetings. It should be clearly marked "FIRST AID" by a white cross on a green background. (A "Childminders' and Playgroups' First Aid Kit" is available from the Red Cross.)

The responsibility for keeping the First Aid box up to date must be clearly delegated to an individual by the Church Council. Medicines, painkillers or tissues should not be kept in the First Aid box.

Where First Aid is required, this should only be administered by a qualified First Aider. If the injury appears to be serious, the emergency services should be called without delay. If First Aid in an emergency needs to be administered by untrained staff, they should act reasonably and do the minimum necessary to preserve life and limit the consequences of injury until qualified assistance is obtained. There is a risk that a leader undertaking First Aid could face an allegation of negligence if an injury worsened, but this is a remote risk, provided the leader has acted reasonably in a genuine attempt to assist in an emergency.

An accident book should be kept, recording the date, time and circumstances of any accident or injury, what action was taken and by whom. Parents should be told and then asked to sign the book to confirm that they have been informed (see Appendix L).

NOTE:

Whenever possible, parents, guardians or carers should be contacted in the event of an accident to a child or young person, unless it is very slight. In the case of a slight injury to a child, the parent should be told when the child is collected. No medicines should be given without the prior permission of the parents.

8.11 Hirers of Church Premises

The PCC has a duty of care to advise individuals and organisations working with children and young people who hire or use church property, of their responsibility as hirers for the welfare and safety of the children in their care and the importance of maintaining a healthy and safe environment.

All hirers should be made aware of the Parish policy and a copy should be displayed prominently in each room being hired. They should be informed of the name and contact details of the Parish Child Protection Co-ordinator (see 11.1.9) and made aware that their activity is not insured under church insurance.

Organisations who hire church premises for activities with children or young people should sign the statement in Appendix V confirming that workers/volunteers who staff their activities will follow the guidelines in 'Safe from Harm' and will make themselves familiar with the Parish's Child Protection Policy.

Private individuals who wish to hire church premises for ad-hoc events must sign the statement in Appendix V agreeing to take full responsibility for the children and young people at their event.