

CHILDREN IN THE UNIVERSITY

POLICY AND GUIDANCE

Name of Policy:	Children in the University
Purpose of the Policy:	Sets out the procedures for Children and other young persons in the University
Policy Applies to:	All employees, Students, Contractors and Members of the Public
Approved by:	Health & Safety Committee
Responsible for its Updating:	Head of Health & Safety
Final Approval by:	Executive
Date of Approval:	March 2014
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Staffordshire University's commitment to equality and diversity means that this policy has been screened in relation to the use of gender neutral language, jargon free plain English, recognition of the needs of disabled people, promotion of the positive duty in relation to race and disability and avoidance of stereotypes. This policy is available in alternative formats on request.

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1.0 Introduction

- 1.1. The Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999 specifically include 'persons other than persons at work' in its provision for safety. Thus the general duty of care extends to include children (defined as up to age 16 years) and young persons.
- 1.2. The University's policy on the presence of children on University premises balances the requirements of health and safety regulations and the legitimate need, in certain circumstances, for children to be admitted to University premises. The policy is not designed to stop staff or students bringing children to work but to ensure the safety of the children whilst they are present in the University. It also identifies the responsibility of individuals and ensures they are aware of their statutory duty towards children in their care.
 - Where children are on University premises they should always be supervised by a responsible adult to ensure their safety is assured, so far as is reasonably practicable.
 - Children under the age of 16 may be admitted to University premises, other than areas open to the public, only with the prior knowledge of the Dean or Director, or of an authorised deputy, except where special arrangements have been made to accommodate them (e.g. the University Nursery, as subjects of study or medical examination, Faculty open days, etc.).
 - Children may not be admitted to laboratories, kitchens or other hazardous areas **(unless it is a planned event, they are accompanied by suitable and sufficient supervisors and suitable sufficient risk assessment is in place)**.
 - Deans/Directors in giving permission for children to be admitted to their departments should ensure that the appropriate procedures are in place so that risk assessments can be carried out, and suitable and sufficient control measures are in place and operational. It is not proposed that permission is sought or required on a daily basis, but as the Deans/Directors are responsible in law for safety within the department it is essential that they are made aware of any hazards that are introduced into their area of control. A generic risk assessment will suffice for most areas but specific assessments should be carried out for entry into locations where there are known hazards, i.e. laboratories, workshops, etc.
 - The University reserves the right to direct that a child be removed from campus where the presence of the child is causing an unacceptable health and safety risk or an unreasonable level of disruption to others.

2.0 Notes of Guidance (to assist Deans and Directors)

2.1. Background

2.2. The Health and Safety at Work Act imposes responsibilities on employers (and persons concerned with premises) towards those who are not their employees to ensure that, as far as is reasonably practicable, their premises are safe and without risk to health. The Management of Health and Safety at Work Regulations require employers to assess the risks to workers and any others who may be affected by their undertaking and for safety management systems to be in place.

2.3. Children may be on University premises for a number of reasons. The following are examples:

- a) 'Public' areas – University Sports Centres, etc.
- b) Client, patient (or child of client or patient)
- c) Subject of study
- d) University Nursery
- e) "Open days" and similar events
- f) Work experience
- g) In University accommodation when accompanied by parent, guardian or responsible adult
- h) Social occasions in University Departments/grounds e.g. Christmas parties, leaving parties, etc.
- i) Brought into Department/Office, etc., by staff or student parent(s), or guardian, by choice, or due to emergency situation
- j) Waiting, for example, after school for parent, guardian or other person
- k) Trespassers

Categories (a) – (j) are on the premises legitimately.

Trespassers (k) should not be on the premises but the university still owes them a duty of care.

Instances illustrated by (h), (i) and (j) are generally uncontrolled or unplanned and seem to present the most difficulties to the University.

3.0 General Procedures

3.1. Definitions

- The term "children/child" to apply to persons between birth and 16 years. (Individuals of 16 and 17 years are 'young persons', anyone over 18, adult).
- 'University premises' to include all buildings, grounds, roadways, vehicles and other means of transport.

- 3.2. The Dean/Director is responsible for what happens in his/her department and when drawing up departmental safety policies and procedures all members of the department should take into account the possible presence of children and young persons, just as they would any other person or visitor.
- 3.3. Deans/Directors must monitor and enforce their written policy regarding children and young persons, just as they must all other health and safety policies.
- 3.4. Parents have a responsibility and indeed a legal duty under the Health and Safety at Work Act, to ensure that their children and young persons are not put at risk or endanger others by their actions.
- 3.5. In all cases where children or young persons might be present on University premises, a risk assessment should be carried out and arrangements must be made for their safe containment and constant supervision.
- 3.6. The vast majority of University premises have not been, and are not designed with the needs of children or young persons in mind. In general the University does not have the facilities to accommodate children or young persons safely outside the University Nursery or where specific formal arrangements have been put in place, such as:
- Client, patient (or child of client or patient)
 - Subject of study
 - Open days or similar events
 - Work experience
- 3.7. Consequently the University does not encourage the presence of children or young persons on the majority of sites, but there are exceptions such as:
- Staff/Student Dining Facilities
 - Certain areas within the Students' Union
 - Where classes and activities may be specifically targeted at children or young persons
- 3.8. There are other areas such as the University Sports Centres which are not designed with children in mind but where people expect to be able to take their children, moreover it is available to the "public" for private functions etc. All such areas, and where children are admitted as 'the public' should take the particular needs of children into account e.g. spacing between stair rails and other structural design features.
- 3.9. Children and young persons are not allowed in laboratories (**unless it is a planned event and they are afforded suitable and sufficient supervision**), workshops, kitchens or other hazardous areas.

There may be exceptions in cases of work experience trainees, who are considered employees, open days or similar events, and where children or young persons are the subject of study or medical examination, but even in these circumstances they should not remain unsupervised.

- 3.10. Children should not normally be allowed to walk through Departments alone. They should be collected from some suitable predetermined point such as a reception area at a predetermined time and constantly supervised by a responsible adult.
- 3.11. It should not be forgotten that this policy and guidance applies equally to the children of University personnel, students and visitors.

4.0 Emergency Situations

- 4.1. There may be emergency situations where child care problems are encountered by parents or guardians, staff and students. These occasions should be rare and exceptional. Should such a situation arise:
- It is the clear responsibility of the responsible adult to make the Dean/Director aware of the child's presence, whenever possible **before the event**, and to discuss the safety aspects with him/her **at that time**.
 - At which time the Dean/Director may need to consult with the Faculty/Service Health and Safety Advisor or the University Head of Health and Safety, and others.
 - If the Dean/Director is unavailable then their authorised deputy should be consulted, and agreement obtained.
 - Such matters as supervision and containment of the child, and what to do if an emergency, such as a fire, arises etc should be discussed.
 - There have been a number of occasions when students/staff have thought that bringing their children, young babies in particular, into work was their only option, but on exploration of the situation it is very often found that this is not the case and other more satisfactory arrangements can be made, e.g. working from home, special leave – http://www.staffs.ac.uk/assets/internal/special_leave.pdf