

## Children and Young Persons guidance

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## 1.0 Introduction and legislation

Children and Young Persons frequently visit the University of Westminster for planned and non-planned visits. Under UK health and safety legislation, the University of Westminster owes a duty of care to all visitors to ensure their health and safety as far as reasonably practicable, particularly to those of a young age. It is important to ensure that the normal business of the University is not adversely impacted by the presence of children or young people on the premises. Children and Young Persons are more vulnerable to hazardous environments due to their inexperience, level of knowledge and maturity. It is therefore important that University of Westminster has robust Health and Safety arrangements in place to ensure the health and safety of Children and Young Persons on campus, and that this duty is extended to off-campus activity. This document aims to give the framework for both Colleges and Professional Services Departments to ensure that these are in place.

The University's premises are primarily a study/workplace for our students, colleagues and contractors; they are not public buildings. As such, University buildings and services are not designed with the attendance of children in mind and there are many hazards both in the layout of the buildings and in the equipment and machinery provided for teaching and other purposes.

Under section 3 of the Health & Safety at Work etc. Act 1974, the University of Westminster has responsibilities to prevent, so far as is reasonably practicable, harm to persons who are not its employees but who are exposed to the risks of its undertakings. The Management of Health & Safety at Work Regulations 1999 also requires that non-employees and persons that may be more vulnerable are considered in its risk assessments.

For the purposes of Health and Safety legislation, a young person is anyone under 18 and a child is anyone who has not yet reached the official minimum school leaving age (MSLA). Pupils will reach the MSLA during the school year in which they turn 16.

Any visits by Children or Young Persons arranged by the University, e.g. for open days or other specific activities such as research studies and exhibitions/shows, requires the University to take sufficient preventative and protective precautions to ensure the health and safety of all. Risk assessment is the responsibility of the event organizer.

It should be noted that this document does not consider the ethical implications of research, nor the safeguarding of Children and Young People, and that, as the University is predominantly an adult environment, University colleagues and students are not routinely subject to Disclosure and Barring Service (DBS) checks.

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## 2.0 Children and Young Persons on premises

When undertaking risk assessments and making local health and safety procedures and arrangements, the possibility of Children and Young Persons being present should be taken into account where reasonably foreseeable (e.g. where a venue may be open to the public) and where they could be exposed to significant risk of harm. This will identify safety, and child protection measures that are needed for unplanned events / adhoc activities involving Children or Young Persons, or the presence of Children and Young Persons on premises (e.g. colleagues bringing their children onto campus). Local procedures must be in place to monitor and ensure the implementation of arrangements for the safety and child protection of Children and Young Persons.

For planned events, where children or young persons are to be present on University premises, a risk assessment should be carried out and procedures / arrangements put in place to ensure their health and safety and safeguarding during the event. A new or separate risk assessment is not necessarily required for each planned event or activity, as long as an existing risk assessment has adequately considered the specific factors for Children / Young Persons, is up to date, and sufficient arrangements / procedures have been put in place to mitigate arising health and safety risks. This risk assessment must include the required level of supervision and identify a person responsible for the visit.

Where a group of Children/ Young Persons are being invited into the University (e.g. school visit), written instructions must be provided, in advance, to the group leader (e.g. teacher) by the responsible person outlining the following for the building(s) that they are visiting:

- the emergency evacuation procedures
- the location of the emergency assembly point
- the name and contact number of the responsible person
- identifying areas of the building to which access is restricted or prohibited

The group leaders must:

- have a list of the names of each member of the group
- confirm that they will be in attendance throughout the event and responsible for the supervision of the young people attending
- obey any instruction given by the Head of Department or their representative
- only enter those areas of the building indicated as being safe by the Head of Department or their representative
- contact the University if they feel that the University evacuation procedures are not sufficient for a member of their party (staff or student)

### **3.0 Adults working alone with Children**

All adults who may work alone with a Child or Young Person, and adults who will have significant unsupervised access to Children or Vulnerable Adults, must contact Human Resources with regards to undertaking a disclosure by the Disclosure and Barring Service (DBS), noting that these are required in very specific circumstances, as the University is an adult environment. This must only be done with the express permission of their Head of School or Professional Service Department, who will be responsible for ensuring that any necessary DBS checks have been undertaken and safeguarding measures put in place. Reference should be made to the University's Safeguarding Framework and further advice should be sought from Human Resources.

### **4.0 Children of colleagues**

In exceptional circumstances, a colleague may be allowed to bring their own children or children in their care to their normal place of work, provided that:

- 1 their child is under constant supervision by a parent or guardian;
- 2 they sign the child in at reception as a visitor to identify that they are on the premises;
- 3 their child will not enter any laboratory, workshop, studio, classroom, lecture theatre, seminar room, computer room, library (other than at the Student Centre desk) or media facility or any other area containing learning resources, laboratory substances or other equipment;
- 4 the Head of Department (or equivalent) has given prior approval, and this has been communicated to the local Estates Services Manager;
- 5 the child does not impede the work of others.

Children on premises are at all times the responsibility of their parent / guardian, who must ensure their Children are under constant supervision, and that they do not enter any of the 'higher risk' areas on campus.

'Higher risk' areas may include, but are not limited to, waste stores, storage areas, building sites, kitchens, and also any other area identified / defined as high risk by the Head of Department. Additionally, Children must not enter any other area defined as being of 'higher risk' by a local risk assessment.

## **5.0 Children of students**

In exceptional circumstances, a student may be allowed to bring their own children or children in their care to accompany them when making a short visit to the University for such things as returning/renewing a book or submitting an assignment, provided that:

1. they sign the child in at reception as a visitor to identify that they are on the premises;
2. their child is under constant supervision by a parent or guardian;
3. their child will not enter any laboratory, workshop, studio, classroom, lecture theatre, seminar room, computer room, library (other than at the Student Centre desk) or media study space or any other area containing learning resources, laboratory substances or other equipment;
4. the Course Leader (or equivalent) has given prior approval, and this has been communicated to the local Estates Services Manager;
5. the child does not impede the work of others.

Children on premises in non-public areas are at all times the responsibility of their parent / guardian, who must ensure their Children are under constant supervision, and that they do not enter any of the 'higher risk' areas on campus.

'Higher risk' areas may include, but are not limited to, waste stores, storage areas, building sites, kitchens, and also any other area identified / defined as high risk by the Head of Department. Additionally, Children must not enter any other area defined as being of 'higher risk' by a local risk assessment.

## **6.0 Young persons enrolled on University courses**

Risk assessments for activities that might pose a significant risk should address the possible lack of experience of Young Persons and the extra duty of care required. In practice, for many of the University's activities, the control measures identified to protect less experienced students from harm may also be adequate for the protection of young persons. The supervisors of Young Persons who are enrolled on courses at the University should ensure that they have adequate levels of supervision.

It should be noted that apprentices attending the University as part of their degree-level apprenticeships will not normally be children or young people, and that they should be considered as other undergraduate students during the risk assessment process

## **7.0 Work experience**

At present, the University is only able to support work experience for children of current colleagues. In line with the learning focus of work experience, the University also limits work experience to school children aged 14 and over, in alignment with the national programmes of study. Typically, work experience placements will last one to two weeks.

This guidance applies to requests for school children of colleagues (minors), who are of compulsory school age, to undertake an unpaid, temporary and short-term work placement at the University, during which time they will undertake junior-level tasks for the purpose of gaining experience and insight into the University's business.

In the event that line managers are approached regarding hosting work experience for minors, it is the line manager's responsibility to seek the appropriate approval from their Head of Department or Professional Services Director. The line manager must then ensure that the appropriate planning and checks are undertaken and documented prior to agreeing and commencing any period of work experience.

The colleague must complete the checklist in appendix A.

## **8.0 Employment of Young Persons (including apprenticeships)**

The University may employ colleagues who are considered Young Persons, including those on apprenticeships. Contractors/sub-contractors may also employ Young Persons as apprentices. The University/their employer has the same duties to protect these Young Persons and a suitable and sufficient risk assessment must be undertaken.

## **9.0 Further advice and guidance**

Students requiring guidance on support and adjustments that can be put in place to assist them to balance their childcare and studying responsibilities may discuss these with their [personal tutor](#) or contact the [Student Wellbeing](#) Team. The support available includes [financial assistance schemes](#) to assist with the additional cost of childcare and [advice on external sources of funding](#), including Government benefits.

Colleagues requiring guidance on support and adjustments that can be put in place to assist them to balance childcare and their work should consult the [Family Friendly benefits](#) page on SharePoint, and contact [Human Resources](#) for further information if required.

Further guidance on the health, safety and welfare of Children and Young Persons at work can be found on the HSE website:

<https://www.hse.gov.uk/young-workers/index.htm>

The University's Safeguarding Framework is at:

<https://universityofwestminster.sharepoint.com/sites/Resources/SitePages/Health%20and%20Safety%20policies%20and%20guidance.aspx>

## **10.0 Appendix A:**

[Work Experience Checklist](#)