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Northamptonshire County Council

Policy for the Management of Learning Outside the Classroom

(Guidance to Employees)

Adopted by

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Northamptonshire County Council

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1. Provision of Employer Guidance

Northamptonshire County Council has formally adopted “*OEAP National Guidance*” as “*Northamptonshire Employer Guidance*”. This guidance can be found on the following web site:

<http://oeapng.info/>

It is a legal expectation that employees should work within the requirements of their employer’s guidance; therefore Northamptonshire County Council employees should follow the requirements of “OEAP National Guidance”, as well as the requirements of this Policy Statement.

Northamptonshire County Council employees should also follow OEAP NG recommendations.

Where another employer (such as the Governing Body of a Voluntary Aided school, Foundation School or Academy) wishes to opt into Northamptonshire County Council guidance, systems and processes for supporting and monitoring LOfC activities, they should produce a policy statement that makes this clear.

Where a Northamptonshire County Council employee commissions LOfC activity, they should ensure that such commissioned agent has either:

1. adopted Northamptonshire or OEAP National Guidance

or

2. have systems and procedures in place where the standards are not less than those required by OEAP National Guidance.

2. Scope and Remit

The OEAP NG “[*Status Remit and Rationale*](#)” clarifies the range of employees whose work requires them to use the guidance. In summary, it applies to employees whose work involves any one of the following:

- direct supervision of young people undertaking experiences beyond the boundary of their normal operational base;
- direct supervision of young people undertaking experiences that fall within the remit of Learning Outside the Classroom;
- facilitating experiences for young people undertaking experiences beyond the boundary of their normal operational base;
- deploying staff who will supervise or facilitate experiences of or for young people undertaking experiences beyond the boundary of their normal operational base;

This applies regardless of whether or not the activities take place within or outside of normal working hours, including weekends and holiday periods.

For a more expansive explanation of legal expectations, all users of the guidance are strongly recommended to read the OEAP NG document: "[Underpinning Legal Framework and Duty of Care](#)"

3. Ensuring Understanding of Basic Requirements

As an employer, Northamptonshire County Council is required to ensure that its employees are provided with

- appropriate guidance relating to visits and LOtC activity;
- employer-led training courses to support the guidance to ensure that it is understood;
- suitable systems and processes to ensure that those trained are kept updated;
- access to advice, support and further training from appointed Advisers that have proven expertise and professional understanding of the guidance, the training and expectations set by current good practice.

The appropriate guidance for the management of outdoor learning and LOtC in Northamptonshire is the OEAP National Guidance web site.

Northamptonshire County Council expects establishments and services to have staff trained to the following standards;

- Northamptonshire Educational Visit Coordinator (EVC) training - all Northamptonshire County Council Children's Services establishments are required to have a current, trained EVC in post. This training is available through the Outdoor Learning Service, please contact evc@firstforwellbeing.co.uk for further information.
- Northamptonshire Educational Visit Coordinator (EVC) Revalidation - all Northamptonshire Children's Services establishments are required to ensure that their EVC undertakes a formal revalidation from time to time.
- Northamptonshire Visit Leader Training – it is expected that those who lead LOtC activities undertake this training. Currently there is no revalidation requirement, however, to meet LOtC guidance requirements regarding leader competence, leaders must be current in their knowledge of expectations of good practice, so refresher training is strongly recommended.

For any enquiries regarding off-site educational visits please contact Northamptonshire's Outdoor Education Advisor by emailing evc@firstforwellebeing.co.uk
If your enquiry is urgent please mark this in the message subject box.

Please note that all schools and academies require a Service Level Agreement to access specific advice regarding off-site educational visits. General advice will be signposted through the NCC website.

4. Approval and Notification of Activities and Visits

Northamptonshire County Council delegates the responsibility for formal approval of category A and B visits and to establishment Heads and Managers. It is a requirement of this policy that Heads and Managers carry out this function in accordance with OEAP National Guidance.

NCC encourages all educational establishments to purchase a Service Level Agreement (SLA) for the Educational Visit Advisory and Notifications Service. This will provide access to the web based system EVOLVE which enables interaction with NCC's Outdoor Education Advisor for expert advice on visit plans and risk assessments.

Please note that Community and Voluntary Controlled Schools where NCC is the employer, who do not buy back this service from NCC, are required to send us notification of all Category C visits before the trip takes place. This notification should be sent to notifyCatC@northamptonshire.gov.uk

The notification should only state the

- type of trip (residential/ day or other)
- date of trip
- destination
- two emergency contact names and numbers.

This notification is required for monitoring purposes and in the event of an emergency. The specific trip details and risk assessments will not be required by us and the EVOLVE system will not be accessible by schools unless they have signed up to the SLA. You are strongly advised to obtain specialist advice regarding all category C trips from a suitably qualified adviser and are reminded that NCC cannot be held liable for the advice given by a third party.

Schools and Academies with a SLA

Establishments will seek advice and notify us through the EVOLVE system and gain authorisation from their head of establishment for visits and activities falling within the scope of Category C which are summarised below:

- involves a visit overseas
- involves a residential or overnight stay
- involves provision of an adventurous activity
- involves activities using natural watercourses, lakes or sea.

A comprehensive list of the activities and visits that fall within the remit of category C can be found at www.northamptonshire.gov.uk/evc . The above notification procedure requires the submission of the trip information onto Evolve, for which user accounts will be issued following completion of the [online booking form](#) for the SLA. A programme of training to staff will be made available.

Specific requirements in relation to Swimming in Open Water and the use of High Rope Courses are part of Northamptonshire County Council Employer Guidance and can be found at www.northamptonshire.gov.uk/evc .

5. Risk Management

As an employer, Northamptonshire County Council has a legal duty to ensure that risks are managed by requiring them to be reduced to an “acceptable” or “tolerable” level as elimination of risks may not be practicable. This requires that proportional (suitable and sufficient) risk management systems are in place, requiring Northamptonshire County Council to provide such support, training and resources to its employees as is necessary to implement this policy.

The risk management of an activity should be informed by the benefits to be gained from participating. Northamptonshire County Council strongly recommends a “Risk-Benefit Assessment” approach, whereby the starting point for any risk assessment should be a consideration of the targeted benefits and learning outcomes. This appreciation of the benefits to be gained through participating provides objectivity to a decision that any residual risk (i.e. the risk remaining after control measures have been put in place) is “acceptable”. HSE endorse this approach through their “*Principles of Sensible Risk Management*” and advocate that it is important that young people are exposed to well-managed risks so that they learn how to manage risk for themselves.

There is no legal or Northamptonshire County Council requirement to produce a risk assessment in a particular format; but there is a legal requirement for the process to be recorded and for suitable and sufficient control measures to be identified for any significant risks i.e. those that may cause serious harm to an individual, or harm several people.

Refer to OEAP NG document: "[Risk Management – an overview](#)"

6. Emergency Planning and Critical Incident Support

A critical incident is an incident where any member of a group undertaking an off-site activity has:

- either suffered a life threatening injury or fatality;
- is at serious risk;
- or has gone missing for a significant and unacceptable period.

As an employer, Northamptonshire County Council is committed to providing emergency planning procedures to support establishments in the event of a critical incident.

Refer to OEAP NG document: "[Emergencies and Critical Incidents – an overview](#)"

To activate support from Northamptonshire County Council, the following telephone numbers should be used:

Emergency Planning. Normal office hours: 01604 236844 Outside normal office hours: 07885 292851

These numbers should be carried by leaders at all times during an off-site activity but should only be used in the case of a genuine emergency. Under no circumstances should these numbers be given to young people or to their parents or guardians.

7. Monitoring

As an employer, Northamptonshire County Council ensures that there is sample monitoring of the visits and LOtC activities undertaken by its establishments. Such monitoring is in keeping with the recommendations of LOtC Employer Guidance.

Refer to OEAP NG document: "[Monitoring](#)"

8. Assessment of Leader Competence

OEAP National Guidance provides clear advice regarding the assessment of leader competence. It is an expectation of Northamptonshire County Council Policy that all Northamptonshire leaders and their assistants have been formally assessed as competent to undertake such responsibilities as they have been assigned in line with the LOtC guidance.

Refer to OEAP NG document: "[Assessment of Competence](#)"

9. Role-specific Requirements and Recommendations

OEAP National Guidance sets out clear and detailed responsibilities and functions of specific roles that relate to roles to be found within Northamptonshire County Council management structures. These are:

- Director of Children, Families and Education
- Lead Member(s) for Children's Services
- Line Manager of an Outdoor Education Adviser (or equivalent post)
- Outdoor Education Adviser
- Adviser (other than an OEA) including Health and Safety Adviser
- Manager of an Outdoor Centre

Refer to individual OEAP NG documents headed as above.

OEAP National Guidance sets out clear and detailed responsibilities and functions of specific roles that relate to roles to be found within most Children's Services establishments. These are:

- Member of Board of Governors or Management Board
- Headteacher
- Manager of an establishment other than a school
- EVC
- Visit or Activity Leader
- Assistant Visit leader
- Volunteer Adult Helper
- Those in a position of Parental Authority

Refer to individual OEAP NG documents headed as above.

10. Charges for Off-site Activities and Visits

Northamptonshire County Council Heads/Managers, Curriculum Planners, EVCs and Visit/Activity Leaders must take account of the legal framework relating to charging, voluntary contributions and remissions as set out in sections 449 to 462 of the Education Act 1996.

Refer to OEAP NG document: "[Charging for School Activities](#)"

11. Vetting and Disclosure and Barring Service (DBS) Checks

Northamptonshire County Council employees who work *frequently* or *intensively* with, or have *regular access* to young people or vulnerable adults, must undergo an enhanced DBS check as part of their recruitment process.

For the purposes of this guidance:

- *frequently* is defined as "once a week or more";
- *intensively* is defined as 4 days or more in a month or overnight.

However, it must be clearly understood that a DBS check (or other vetting procedure) in itself, is no guarantee as to the suitability of an adult to work with any given group of young or vulnerable people.

The placement of an adult within a situation of professional trust (where young people could be vulnerable to physical or mental exploitation or grooming) should always be on the understanding that an overview based on a common sense risk-benefit assessment process has been considered.

Refer to OEAP NG document: "[Vetting and Disclosure and Barring Service \(DBS\) Checks](#)"

12. Requirement to Ensure Effective Supervision

In general terms, the Law does not prescribe activity-specific staffing ratios; but it does require that the level of supervision and group management is "effective".

Effective supervision should be determined by proper consideration of:

- age (including the developmental age) of the group;
- gender issues;
- ability of the group (including special learning needs, behavioural, medical and vulnerability characteristics etc);

- nature and location of the activity (including the type of activity, duration, skill levels involved, as well as the time of year and prevailing conditions,
- staff competence.

However, as an exception to the above, Ofsted and DfE guidance prescribe ratios for Early Years.

Refer to OEAP NG document: "[Ratios and Effective Supervision](#)"

Refer to OEAP NG document: "[Group management and Supervision](#)"

13. Preliminary Visits and Provider Assurances

All visits should be thoroughly researched to establish the suitability of the venue and to check that facilities and third party provision will meet group expectations. Such information gathering is essential in assessing the requirements for effective supervision of young people. It is a vital dimension of risk management.

Wherever reasonably practicable, it is good practice to carry out a preliminary visit. Establishment policy should clarify the circumstances where a preliminary visit is a requirement.

It is good practice for Visit Leaders to take full advantage of the nationally accredited, provider assurance schemes that are now available, thus reducing bureaucracy.

Examples of such schemes include:

- The LOtC Quality Badge
- AALS licensing
- Adventuremark
- NGB centre approval schemes (applicable where the provision is a single, specialist activity).

Refer to: OEAP NG document "[Pre Visiting an Adventure Activity Provider mind map](#)"

14. Insurance for Off-site Activities and Visits

Employer's Liability Insurance is a statutory requirement and Northamptonshire County Council holds a policy that indemnifies it against all claims for compensation for bodily injury suffered by any person employed by it. This cover should extend to those persons who are acting in a voluntary capacity as assistant supervisors. Northamptonshire County Council also holds Public Liability insurance, indemnifying it against all claims for compensation for bodily injury from persons not in its employ, as well as for the accidental loss of, or damage caused to, property. Employees (as agents of the employer) are indemnified against all such claims, as are voluntary helpers acting under the direction of the employer's staff. The indemnity covers activities such as off-site activities and visits organised by all establishments and settings for which the employer is responsible.

Some level of Personal Accident Insurance is provided for all Northamptonshire County Council employees in the course of their employment, providing predetermined benefits in the event of an accident. However, Visit/ Activity Leaders should be advised that they should consider taking out less limited personal accident cover privately, or obtain cover through a professional association.

Northamptonshire County Council Visit and Activity leaders should contact the local authority Insurance Section to seek clarification of the above, including any circumstances requiring early notification of specialist activities to the insurer. They should also ensure they have obtained current information regarding any special policies that may be available to offer more comprehensive cover.

Refer to OEAP NG document: "[Insurance](#)"

15. Inclusion

Every effort should be made to ensure that outdoor learning activities and visits are available and accessible to all, irrespective of special educational or medical needs, ethnic origin, gender or religion. If a visit needs to cater for young people with special needs, every *reasonable* effort should be made to find a venue that is both suitable and accessible and that enables the whole group to participate fully and be actively involved.

Establishments should take all *reasonably practicable* measures to include all young people. The principles of inclusion should be promoted and addressed for all visits and reflected in establishment policy, thus ensuring an aspiration towards:

- an entitlement to participate
- accessibility through direct or realistic adaptation or modification
- integration through participation with peers

Employers, Heads/Managers, Curriculum Planners, EVCs and Visit Leaders should be aware of the extent to which Inclusion is or is not a legal issue.

Under the Disability Discrimination Act 1995, it is unlawful to:

- treat a disabled young person less favourably;
- fail to take reasonable steps to ensure that disabled persons are not placed at a substantial disadvantage without justification.

Refer to OEAP NG document: "[Inclusion](#)"

16. Adventure Activities Licensing Regulations

Employers, Heads/Managers, EVCs and Leaders should have a basic understanding of where and when the provision of adventurous activities is legally regulated.

The Activity Centres (Young Persons' Safety) Act 1995 established the Adventure Activities Licensing Regulations and the Adventure Activities Licensing Authority (AALA), initially responsible to the DfES. The scheme is now the direct responsibility of HSE and operated through the Adventure Activities Licensing Service (AALS).

The intention of the regulations is to provide a regulatory framework to protect children, parents, teachers and schools when using providers of defined adventurous activities in closely defined environments. The regulations and supporting inspection regime provide a formal process of professional inspection to accredit that providers have effective safety management systems and processes, meeting a national standard.

The definitive source of advice on the Licensing Regulations is to be found in the Health and Safety Executive publication: "*Guidance from the Licensing Authority on Adventure Activity Licensing Regulations 2004*".

Leaders should be aware that the AALS license is an assurance of safety. It does not accredit educational or activity quality.

Where Northamptonshire County Council outdoor centres are providers of "in scope" activities as defined by the regulations, they are required to be licensed.

Refer to OEAP NG document: "[AALA Licensing](#)"

17. Good Practice Requirements

To be deemed competent, a Northamptonshire County Council Visit / Activity Leader, or Assistant Leader must be able to demonstrate *the ability to operate to the current standards of recognized good practice for that role.*

All staff and helpers must be competent to carry out their defined roles and responsibilities.

OEAP National Guidance sets a clear standard to which Northamptonshire County Council leaders are expected to work. The guidance states:

“a competent Visit /Activity Leader (or an Assistant Leader where they may take sole responsibility for a sub-group) requires:

- *Knowledge and understanding of their employer’s guidance supported by establishment-led training. It is good practice for employers to provide formal and accredited training to support their guidance e.g. EVC Training, Visit Leader Training and such training may be a requirement prescribed by some employers.*
- *Knowledge and understanding of establishment procedures supported by a structured induction process specified by the establishment.*
- *Knowledge and understanding of the group, the staff, the activity and the venue.*
- *Appropriate experience*
- *In some circumstances (e.g. first aid, adventurous activities) a formally accredited qualification.”*

Staff participating in off-site activities and visits must be aware of the extent of their duty of care and should only be given such responsibilities as are in keeping with the above guidance. It is particularly important that careful consideration of competence issues is applied to both newly qualified and newly appointed staff. Establishments should view the original documents and certificates when verifying leader’s qualifications, and not rely on photocopies.

Where a Volunteer Helper is a parent (or otherwise in a close relationship to of a young person taking part in the visit) they should be made aware of the potential for their relationship to compromise the Visit Leader's plans for group management. The Visit Leader should directly address this issue as part of the Risk-Benefit assessment.

Refer to OEAP NG document: [“Good Practice Basics”](#)

18. Transport

Careful thought must be given to planning transport to support off-site activities and visits. Statistics demonstrate that it is much more dangerous to travel to an activity than to engage in it and establishments must follow the specialist guidance provided in the Northamptonshire County Council transport policy. All national and local regulatory requirements must be followed.

The level of supervision necessary should be considered as part of the risk management process when planning the journey, giving proper consideration to issues of driver-distraction when considering what supervision is required for the specific group of passengers being transported in a minibus.

The Visit Leader should ensure that coaches and buses are hired from a reputable company.

Transporting young people in private cars requires careful consideration. Where this occurs, there should be recorded procedures.

Refer to OEAP NG document: [“Transport General Considerations”](#)

Refer to OEAP NG document: [“Transport in Minibuses”](#)

Refer to OEAP NG document: [“Transport in Private Cars”](#)

19. Planning

Planning should reflect the consideration of legal and good practice requirements, ensuring:

- The plan is based on establishment procedures and employer guidance.
- All staff (including any adult volunteer helpers) and the young people to be involved, have a clear understanding of their roles and responsibilities, including their role in the risk management process.
- Those in a position of parental authority have been fully informed and, where appropriate, formal consents have been obtained.
- Proportionate assurances have been obtained from any providers (making full use of national schemes that accredit that assurances have already been obtained by credible inspection regimes).
- Designated emergency contact(s) have been identified that will work on a 24/7 basis where required.
- All details of the activity provision are accessible to the emergency contact throughout the period of the activity.

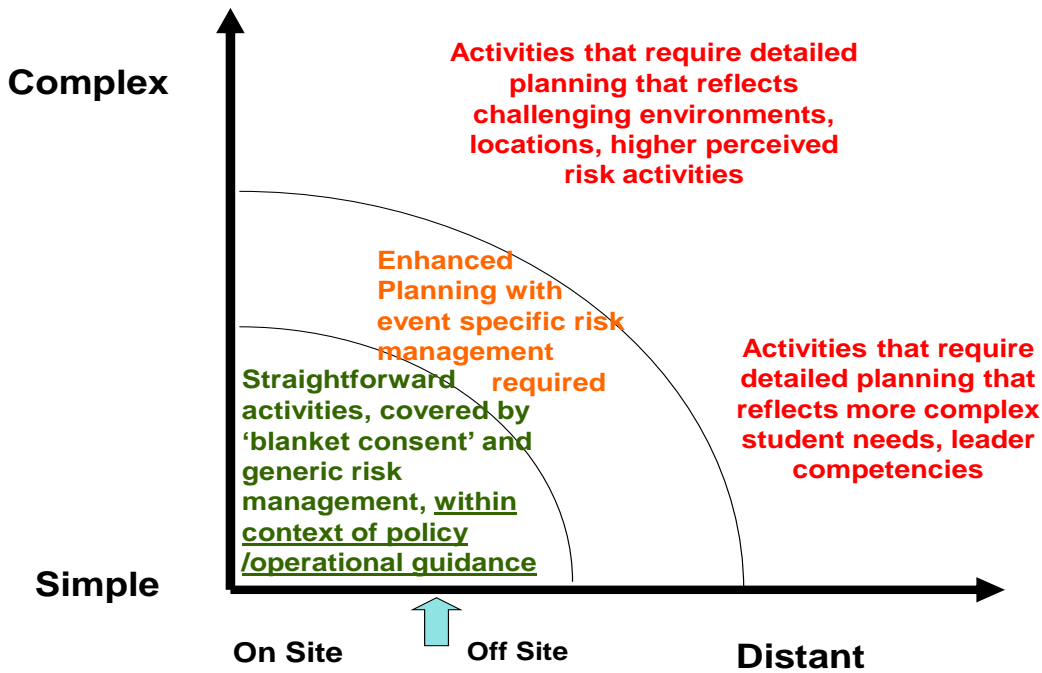
It is strongly recommended that at a very early stage of the planning process, the provisional staffing team carry out a brain storming exercise in order to identify the benefits and learning outcomes that the activity (or range of activities) might achieve. If the outcomes are to be evaluated with any rigor (an Ofsted expectation), then it will be essential that these outcomes are prioritised, and appropriately targeted. A record of these outcomes will help keep the plan focussed and also be a vital part of the risk management process in providing some objectivity in a “Risk Benefit Analysis”. Once the targeted outcomes have been recorded, it will then be possible to identify appropriate on-going review and evaluation strategies, including indicators.

To reduce bureaucracy and encourage activity, establishments need to take account of the legalities regarding a requirement for formal consent. When an activity is part of a planned curriculum in normal curriculum time and no parental contributions are requested, then a formal consent is not necessary. However, in the interests of good relations between the establishment and the home, it is good practice to ensure that those in a position of parental responsibility are fully informed.

This supports the move towards developing activity-specific policies at establishment level for regular or routine activities. Such policies should be robust and equate to “*operational guidance*” that makes it clear how the activity should be planned and delivered, meeting all necessary recommendations and requirements, as well as assuring educational quality.

The degree of complexity of a particular plan or policy (along with its supporting procedures) will need to reflect the nature and complexity of several variables that can impact on any given activity. These variables can be remembered as “SAGED” as explained below.

- **S**taffing requirements – trained? experienced? competent? ratios?
- **A**ctivity characteristics – specialist? insurance issues? licensable?
- **G**roup characteristics – prior experience? ability? behaviour? special and medical needs?
- **E**nvironmental conditions – like last time? impact of weather? water levels?
- **D**istance from support mechanisms in place at the home base – transport? residential?



Refer to OEAP NG document: [“Good Practice Basics”](#)

Refer to OEAP NG document: [“The Radar Introduction”](#)

20. The Value and Evaluation of LOtC

The Ofsted report "*Learning Outside the Classroom – How Far Should You Go?*" (October 2008) makes statements in the strongest terms to support the value of LOtC, including the fact that it raises achievement. Northamptonshire County Council Heads, Managers, EVCs and Visit Leaders are strongly recommended to familiarise themselves with the main content of this report.

Refer to OEAP NG document: [“Ofsted LOtC Summary”](#)

However, it also highlights the finding that *even where LOtC is highly valued and provided to a high standard, it is rarely evaluated with sufficient rigour* – i.e. in the way that classroom learning is evaluated – and a methodology to address this is provided within the LOtC Employer Guidance document: [“Rigorous Evaluation of LOtC: Meeting Ofsted Expectations”](#).