

## 1 Health and safety policy

### Aim

RCC is a suitable, clean and safe place for children to be cared for, where they can grow and learn. We aim to meet all statutory requirements for health and safety and fulfil the criteria for meeting the Early Years Foundation Stage Safeguarding and Welfare Requirements.

### Objectives

- We recognise that we have a corporate responsibility and duty of care towards those who work in and receive a service from our provision. Individual staff and service users at RCC also have responsibility for ensuring their own safety as well as that of others. Adherence to policies and procedures and risk assessment is the key means through which this is achieved.
- Insurance is in place and an up-to-date certificate is always on-site to view.
- Risk assessment is carried out where it is helpful to do so, to ensure the safety of children, staff, parents, and visitors. Legislation requires all those individuals in the given workplace to be responsible for the health and safety of premises, equipment and working practices.
- **Smoking and vaping are not allowed on the premises**, both indoors and outdoors. If children use any public space that has been used for smoking or vaping, members of staff ensure that there is adequate ventilation to clear the atmosphere. Staff do not smoke or vape in their work clothes and are requested not to smoke or vape within at least one hour of working with children. The use of electronic cigarettes is not allowed on the premises.
- Staff must not be under the influence of alcohol or any other substance which may affect their ability to care for children. If staff are taking medication that they believe may impair them, they must seek further medical advice and only work directly with children if that advice is that the medication is unlikely to impair their ability to look after children. The setting manager must be informed.
- Alcohol must not be bought onto the premises for consumption.
- A risk assessment and access audit are carried out for each area as required and the procedure is modified according to needs identified for the specific environment **(FOUND IN ASSESSMENTS AND FORMS FOLDER)**
- Risk assessments are monitored and reviewed by those responsible for health and safety.

### Legal references

Health and Safety at Work etc Act 1974

Health and Safety (Consultation with Employees) Regulations 1996

Management of Health and Safety at Work Regulations (1999)

Regulatory Reform (Fire Safety) Order 2005)

Electricity at Work Regulations (1989)

Regulation (EC) No 853/2004 of the European Parliament and of the Council on the hygiene of foodstuffs

Manual Handling Operations Regulations (1992) (Amended 2002)

Medicines Act (1968)

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) (Amendment) Regulations 2012

Control of Substances Hazardous to Health (COSHH) Regulations 2004

Health and Safety (First Aid) Regulations 1981

Childcare Act 2006

#### **Further guidance**

Dynamic Risk Management in the Early Years (Alliance Publication)

Health and Safety Executive [www.hse.gov.uk/risk](http://www.hse.gov.uk/risk)

Food Standards Agency [www.food.gov.uk](http://www.food.gov.uk)

Ministry of Housing, Communities & Local Government [www.communities.gov.uk](http://www.communities.gov.uk)

## **1 Health and safety procedures**

### **1.01 Risk assessment**

Risk assessment is carried out to ensure the safety of children, staff, parents, carers, and visitors. Individuals in the workplace are responsible for the health and safety of premises, equipment and working practices. We have a 'corporate responsibility' and 'duty of care' to those who work in, and receive a service from our provision. Individuals are also responsible for ensuring their own and others safety.

- **1.01a Generic risk assessment form** is completed for each area of work, and the areas of the building that are identified in these procedures.
- **1.01b Access audit** is completed to ensure inclusion and the health and safety of all visitors, staff, and children. The relevant procedure is modified if required to match the assessment.

#### **• FORMS FOUND IN ASSESSMENTS AND FORMS FOLDER**

Risk assessment means: *Taking note of aspects of your workplace and activities that that could cause harm, either to yourself or to others, and deciding what needs to be done to prevent that harm, making sure this is adhered to and is updated when necessary.*

The law does not require that all risk be eliminated, but that 'reasonable precaution' is taken. This is important when balancing the need for children to take appropriate risks through physically challenging play. Children need opportunities to work out what is not safe and what to do when faced with a risk.

#### **Daily safety sweeps and checks indoors and outdoors.**

- Safety sweeps are conducted before children arrive when setting up for the day or closing in the evening. Sometimes a safety sweep will identify a risk that requires a formal risk assessment on a form. For example, if a window latch is stiff and an educator must stand on a chair to reach it to ensure it has closed properly.

### ***Health and safety risk assessments***

Health and safety risk assessments inform procedures. Staff, parents, and carers should be involved in reviewing risk assessments and procedures, as they are the ones with first-hand knowledge as to whether the control measures are effective, and they can give an informed view to help update procedures accordingly.

The setting manager undertakes training and ensures staff have adequate training in health and safety matters. The setting manager ensures that checks/work to premises are carried out and records are kept.

- Gas safety by a Gas Safe registered gas/heating engineer.
- Electricity safety by a qualified electrician.
- Fire precautions to check that all fire-fighting equipment and alarms are in working order.
- Hot air heating systems/air conditioning systems cleaned and checked.
- Deep clean is carried out in kitchen.

The setting manager ensures that staff members carry out risk assessments that include relevant aspects of fire safety, food safety, in each of the following areas of the premises:

- Entrance and exits.
- Outdoor areas.
- Off-site venues used regularly.
- Passageways, stairways and connecting areas.
- Group rooms.
- Sleep areas.
- Main kitchen.
- Milk kitchen (if applicable).
- Staff/parent/carers room.
- Rooms used by others or for other purposes.

The setting manager ensures staff members carry out risk assessment for off-site activities, such as children's outings (including use of public transport), including:

- Forest school and beach school.
- Home visits.
- Other duties off-site such as attending meetings, banking etc.

The setting manager ensures staff members carry out risk assessment for work practice including:

- Changing babies, and the intimate care of young children and older children.
- Arrivals and departures.
- Preparation of milk and other food/drink for babies.
- Children with allergies and special dietary needs or preferences.
- Serving food in group rooms.
- Cooking activities with children.
- Supervising outdoor play and indoor/outdoor climbing equipment.
- Settling babies/young children to sleep.
- Assessment, use and storage of equipment for disabled children.
- Visitors bringing equipment or animals for children's learning experiences, for example fire engines.
- Following any incidents involving threats against staff or volunteers.
- Following any accident or incident involving staff or children.

The setting manager liaises with Crime Prevention Officers as appropriate to ensure security arrangements for premises and personnel are appropriate.

## **1. Health and safety procedures**

### **1.2 Group rooms, stairways and corridors**

- Significant changes such as structural alterations or extensions are reported to Ofsted.
- A risk assessment is done to ensure the security of the building during building work.
- Door handles are placed high, or alternative safety measures are in place.
- Chairs are stacked safely and not too high.
- There are no trailing wires; all radiators are guarded.
- Windows are opened regularly to ensure flow of air.
- Floors are properly dried after mopping up spills.
- Staff and visitors remove outdoor shoes in baby areas.
- Children do not have unsupervised access to stairways and corridors.
- Stair gates are in place at the foot and top of the stairs.
- Floor covering on stairways and corridors is checked for signs of wear and tear.
- There are child height stair rails as well as adult height in place.
- Children are led walking upstairs one at a time and hold the rail.
- Staff hold the hand of toddlers and children who require assistance.
- Materials and equipment are not generally stored in corridors, but where this is the case, it does not block clear access or way out.
- Walkways and stairs are uncluttered and adequately lit.
- Stairways and corridors are checked to ensure that safety and security is maintained, especially in areas that are not often used, or where there is access to outdoors
- Socket covers (that cover the whole socket and switch) may be used, please note these are different to socket inserts.
- The use of blinds with cords is avoided. Any blinds fitted with cords are always secured by cleats. There are no dangling cords.

### 1.03 Kitchen

#### General safety

- Doors to the kitchen are always kept closed.
- Shutters to hatches are kept closed when cooking is taking place.
- Children do not have unsupervised access to the kitchen.
- Children are not taken to the kitchen when meal preparation is taking place.
- Staff do not normally take tea breaks in the kitchen unless there is no alternative, in which case, tea-breaks are not taken in the kitchen when food is being prepared.
- Wet spills are mopped immediately.
- Mechanical ventilation is used when cooking.
- A clearly marked and appropriately stocked First Aid box is kept in the kitchen.

#### Cleanliness and hygiene

Staff follow the recommended cleaning schedules in Safer Food Better Business (SFBB).

- Floors are washed down at least daily.
- All work surfaces are washed regularly with anti-bacterial agent.
- Inside of cupboards are cleaned monthly.
- Cupboard doors and handles are cleaned regularly.
- Fridge and freezer doors are wiped down regularly.
- Ovens/cooker tops are wiped down daily after use; ovens are fully cleaned monthly.
- If dishwashers break down, washing up done by hand is carried out in double sinks, where available, one to wash, one to rinse.
- Where possible all crockery and cutlery are air dried.
- Plates and cups are only put away when fully dry.
- Tea towels, if used, are used once. They are laundered daily.
- Any cleaning cloths used for surfaces are washed and replaced daily.
- There is a mop, bucket, broom, dustpan, and brush set aside for kitchen use only.
- Any repairs needed are recorded and reported to the manager.
- Chip pans are not used.

**Further guidance:** Safer Food Better Business: Food safety management procedures and food hygiene regulations for small business: [www.food.gov.uk/business-guidance/safer-food-better-business](http://www.food.gov.uk/business-guidance/safer-food-better-business)

## **1 Health and safety procedures**

### **1.04 Children's bathrooms/changing areas**

- Older babies/toddlers have low changing surfaces they can be assisted to climb on to, or floor surface is used. Staff should not have to lift heavy toddlers on to waist high units.
- Changing mats are cleaned and disinfected in baby change areas.
- Disposable nappies/trainers are cleared of solid waste and sent home as we do not have nappy waste provisions.
- Staff use single use gloves and aprons to change children and wash hands when leaving changing areas. Please note that gloves are not always required for a wet nappy if there is no risk of infection, however, gloves are always available for those staff who choose to wear them for a wet nappy. Gloves are always worn for a 'soiled' nappy.
- Staff never turn their backs on or leave a child unattended whilst on a changing mat.
- Changing areas or stands are provided for older (disabled) children, if required.
- Changing mats are disinfected after each change.
- Anti-bacterial spray is not used where residue may have direct contact with skin.
- Anti-bacterial sprays used in nappy changing areas are not left within the reach of children.
- All other surfaces are disinfected daily.

#### **Children's toilets and wash basins**

- Children's toilets are cleaned twice daily using disinfectant cleaning agent for the bowls (inside and out), seat and lid, and whenever visibly soiled.
- Toilet flush handles are disinfected daily.
- Toilets not in use are checked to ensure the U-bend does not dry out and are flushed every week. Taps not in use are run for several minutes every two to three days to prevent infections such as Legionella.
- Cubicle doors and handles are washed weekly.
- Children's hand basins are cleaned twice daily and whenever visibly soiled, inside, and out using disinfectant cleaning agent. Separate cloths are used to clean basins etc. and are not interchanged with those used for cleaning toilets.
- Mirrors and tiled splash backs are washed daily.
- Paper towels are provided.
- Bins are provided for disposal of paper towels and are emptied daily.
- All bins are lined with plastic bags.
- Staff who clean toilets wear rubber gloves.
- Staff changing children wear gloves and aprons as appropriate.
- Wet or soiled clothing is sluiced, rinsed, and put in a plastic bag for parents to collect.
- Floors in children's toilets are washed twice daily.
- Spills of body fluids are cleared and mopped using disinfectant.
- Mops are rinsed and wrung after use and stored upright, not stored head down in buckets.
- Mops used to clean toilets or body fluids from other areas are designated for that purpose only and kept separate from mops used for other areas. Colour coding helps keep them separate.

## **1 Health and safety procedures**

### **1.05 Short trips, outings and excursions**

#### **Planning and preparation**

- The excursion does not go ahead if concerns are raised about its viability at any point.
- Parents/carers are informed of an outing and staff check that consent forms on children's registration were signed.
- A minimum of two staff accompanies children on outings. There is a ratio of 1:2 for some disabled children, and children up to 3 years. Older children have a ratio of 1:5, depending on the risk assessment.
- Children are specifically allocated to each member of staff/volunteer; they are responsible for supervising their designated children for the duration of the excursion.
- Parents/carers on outings are responsible for their own children only.
- Parents/carers who have undergone vetting as volunteers may be included in the ratio.
- A mobile phone belonging to the setting and small first aid kit is taken out.
- Staff make sure they have water, plastic cups, spare nappies/change of clothes and wet wipes for the children going out appropriate to the length of time they are out for.
- Sun cream is applied as needed and children are clothed appropriately.
- Children wear badges or 'high viz' vests with the name and number of the setting.
- Staff have emergency contacts, medication and equipment needed for children.

#### **Risk assessment**

- Risk assessment if required, is completed prior to the outing and signed off by the setting manager and all staff taking part. Any existing risk assessments are reviewed/amended as required.
- Children with specific needs have a separate risk assessment if necessary.

#### **Outing venue (larger outings)**

- Venues used regularly are 'risk assessed' and an initial pre-visit is made to look at the health and safety aspects. If pre-visits cannot be made, risk assessment is achieved by calling the venue and asking for their risk assessment.

#### **Transport**

- If coach hire is required for an outing, only reputable companies are used.
- The setting manager ensures that seat belts are provided on the coach, and that booster seats and child safety seats are used as appropriate to the age of the children.



- The maximum seating capacity of the coach or minibus is not exceeded.
- Contracted drivers are not counted in ratios.
- Public transport should always be within a ratio of 1-2 (unless agreed with the setting manager).

#### **Where transport is provided by the setting**

- Records are kept including insurance details and a list of named drivers.
- Drivers using their own transport should have adequate insurance cover.

#### **Forest School and Beach School sessions (not on site)**

- A separate risk assessment is conducted, and Forest/Beach School standard procedures are followed.
- The sessions always have a level 3 trained Forest/Beach school educator.

#### **Farm and zoo visits**

Staff are aware of the risks posed by infections such as E. coli being contracted from animals. They are also aware of toxic substances used on farms that could be hazardous to health. Staff are vigilant of the natural dangers presented by a farm or zoo visit and conduct a risk assessment prior to the visit.

- The venue is contacted before the visit to ensure no recent E. coli outbreaks or other infections. If there has been an outbreak the visit will be reviewed and may be postponed.
- Hands are washed and dried thoroughly after touching an animal.
- Nothing is consumed whilst going round the farm. Food is eaten away from animals, after thoroughly washing hands.
- Children are prevented from putting their faces against animals or hands in their own mouths.
- If animal droppings are touched, hands are washed and dried immediately.
- Shoes are cleaned and hands washed thoroughly as soon as possible on departure.
- Staff or volunteers who are or may be pregnant should avoid contact with pregnant ewes and may want to consult their own GP before the visit.
- Farmers have a responsibility to ensure that hand washing and drying facilities are available and are suitably located, that picnic areas are separate and clean, and that all other health and safety laws are fully observed. For further guidance, refer to the insurance provider.

#### **Larger outings checklist**

There is an identified lead person for the outing.

- The outing has an educational purpose and has been agreed with the setting manager.

- Risk assessments if required, are completed/updated and shared with every staff, student/volunteer accompanying the children.
- Staff understand the potential risks when they are out with children and takes all reasonable measures to remove minimise risks.
- Bouncy castles and similar attractions are not accessed by children on an excursion.
- The designated lead is the last to leave the venue, or transport being used.
- The designated lead conducts a 'safety sweep' before during and after the outing.

**Further guidance**

Daily Register and Outings Record (Alliance Publication)

Introducing Forest School in the Early Years (Alliance Publication)

Preventing Accidents to Children on Farms (Health and Safety Executive 2013)

## **1 Health and safety procedures**

### **1. 06 Outdoors**

- At RCC all gates and fences are childproof, safe, and secure.
- Areas are checked daily to make sure animal droppings, litter, glass etc. is removed. Staff wear rubber gloves to do this.
- Bushes or overhanging trees are checked to ensure they do not bear poisonous berries.
- Stinging nettles and brambles are removed if they pose a risk to younger children.
- Wooden equipment is maintained safely, put away daily and not used if broken.
- Wooden equipment is sanded and varnished as required.
- Broken climbing equipment or outdoor toys are removed and reported to the setting manager.
- Children are always supervised within ratios outside.
- Children are suitably attired for the weather conditions and type of outdoor activities.
- Sun cream (if parents have given permission) is applied and hats are worn during the summer months.
- Outdoor play is avoided in extreme heat between noon and 3pm.
- Children who have no adequate means of sun protection, such as hat, long sleeves and trousers or sun cream, will not be able to play outdoors in un-shaded areas.
- Children are supervised on climbing equipment, especially younger children.
- Water play is not left out but is cleared, cleaned and stored after each use.
- Receptacles are left upturned to prevent collection of rainwater, this is important in areas where there are vermin to prevent urine/faeces contaminating the water.
- Sightings of vermin are recorded and reported to the manager who reports to the Environmental Health's Pest Control Department.
- Outdoor areas that have flooded are not used until cleaned down and restored. Grassed areas are not played on for at least one week after the floodwater has gone.
- If paddling pools are used, a risk assessment is conducted and consideration given to the needs of disabled children or those less ambulant.

#### **Drones**

If there are concerns about a 'drone' being flown over the outdoor area, that may compromise children's safety or privacy, the setting manager will contact the police on 101.

- Children will be brought inside immediately.

- Parents/carers will be informed that a Drone has been spotted flying over the outdoor area and will be advised fully of the actions taken by the setting.
- The police will have their own procedures to follow and will act accordingly.
- If at any point following the incident, photographs taken by a drone emerge on social media that could identify the nursery or individual children, these are reported to the police.
- A record is completed in the Notifiable Incident Record unless there is reason to believe that the incident might have safeguarding implications, for example:
  - the drone has hovered specifically over the outdoor area for any length of time
  - there is a likelihood that images of the children have been recorded
  - is spotted on more than one occasion
  - if the Police believe there is cause for concern

Where this is the case, 06 Safeguarding children, young people and vulnerable adults procedures are followed.

#### **Further guidance**

Reportable Incident Record (Alliance Publication)

## **01 Health and safety procedures**

### **1.07 Staff cloakrooms**

- All areas at RCC are kept tidy and always uncluttered.
- Doors to staff/visitor toilets and cloakrooms are kept always shut.
- Staff are provided with lockers or a secure area for storing personal belongings, including any medication they are taking. Lockers are emptied each evening.
- Toilet areas are not used for storage due to the risk of cross-contamination.
- Staff/visitor toilets are cleaned daily using disinfectant and all cleaning procedures for **policy 1.04** are applied.
- Bins are provided for sanitary wear and cleared daily (or as per contract agreement).

## **01 Health and safety procedures**

### **1.08 Maintenance and repairs**

Any faulty equipment or building fault at RCC is recorded, including:

- Date fault noted.
- Item or area faulty.
- Nature of the fault and priority.
- Is a risk assessment required?
- Who the fault reported to for action.
- Action taken and when.
- If no action taken by the agreed date, when and by whom the omission is followed up.
- Date action completed.

Any area that is unsafe because repair is needed, such as a broken window, should be made safe and separated off from general use.

- Any broken or unsafe item is taken out of use and labelled 'out of use'.
- Any specialist equipment (e.g. corner seat for a disabled child) which is broken or unsafe should be returned to the manufacturer or relevant professional.
- Any item that is beyond repair is condemned. This action is recorded as the action taken and the item is removed from the setting's inventory.
- Condemning items is done in agreement with the setting manager. Condemned items are then disposed of appropriately and not stored indefinitely on site.
- Where maintenance and repairs involve a change of access to the building whilst repairs are taking place, then a risk assessment is conducted to ensure the safety and security of the building is maintained.

## **01 Health and safety procedures**

### **1.09 Laundry area**

- Detergents/detergent pods and cleaning materials are stored out of reach of children.
- Biological detergents are not used due to the risk of allergies.
- Buckets are provided to soak soiled bedding in suitable disinfectant solution.
- If children's clothes are soiled, they are rinsed only if there is a suitable sluice in which to do so. They are then bagged and sent home.
- Members of staff wash their hands after handling dirty laundry and laundry chemicals.

## **1 Health and safety procedures**

### **1.10 Staff personal safety**

#### **General**

- Members of staff at RCC who are in the building early in the morning or late in the evening, ensure that doors and windows are locked.
- Where possible, the last two members of staff in the building leave together after dark and arrange to arrive together in the morning – if Lone working, please see [policy 8.05](#)
- Visitors are allowed access only with prior appointments and once identifications are verified.
- Staff make a note in the shared WhatsApp Group of meetings they are attending and when they are expected back.
- The setting manager liaises with local police for advice on any issues or concerns.

#### **Dealing with agitated parents/carers or other visitors in the setting**

- If a parent/carer or visitor appears to be angry, mentally agitated, or possibly hostile, two members of staff will lead them away from the children to an area less open but will not shut the door behind them.
- If the person is standing, staff will remain standing.
- Staff will try to empathise, for example: 'I can see that you are feeling angry at this time'.
- Staff offer to discuss the issue of concern and show they recognise the concern.
- Staff will ensure that the language they use can be easily understood.
- Staff will make it clear that they want to hear issues and seek solutions.
- If the person makes threats and continues to be angry, members of staff make it clear that they will be unable to discuss the issue until the person stops shouting or being abusive, avoiding expressions like 'calm down' or 'be reasonable'.
- If threats continue, members of staff will explain that the police will be called and emphasise the inappropriateness of such behaviour in front of the children.
- Procedure [1.11 Threats and abuse towards staff and volunteers](#) is implemented where staff feel threatened or intimidated.
- If the event involves a child's parent or carer, it is recorded in the child's file together with any decisions made with the parents/carers to rectify the situation.
- Any situation involving threats to members of staff are reported to the line manager, following procedure [1.11Threats and abuse towards staff and volunteers.](#)
- Copies of correspondence regarding the incident will be kept in the relevant child's file.

**01.12 Threats and abuse towards staff and volunteers**

*RCC is responsible for protecting the health and safety of all staff and volunteers in its services and has a duty of care in relation to their physical and emotional well-being. We believe that violence, threatening behaviour and abuse against staff are unacceptable and will not be tolerated. Where such behaviour occurs, we will take all reasonable and appropriate action in support of our staff and volunteers.*

- Staff and volunteers have a right to expect that their workplace is a safe environment, and that prompt and appropriate action will be taken on their behalf if they are subjected to abuse, threats, violence or harassment by parents, service users and other adults as they carry out their duties.
- The most common example of unreasonable behaviour is abusive or intimidating and aggressive language. If this occurs, the ultimate sanction, where informal action is not considered to be appropriate or has proved to be ineffective, is the withdrawal of permission to be on the premises.
- Where a person recklessly or intentionally applies unlawful force on another or puts another in fear of an immediate attack, it is an offence in law which constitutes an assault. We would normally expect the police to be contacted immediately.

There are three categories of assault, based on the severity of the injury to the victim.

1. Common Assault - involving the threat of immediate violence or causing minor injury (such as a graze, reddening of the skin or minor bruise).
2. Actual Bodily Harm - causing an injury which interferes with the health or comfort of the victim (such as multiple bruising, broken tooth or temporary sensory loss).
3. Grievous Bodily Harm - causing serious injury (such as a broken bone or an injury requiring lengthy treatment).

There is also an aggravated form of assault based upon the victim's race, religion, disability or sexual orientation and other protected characteristics as defined in the Equality Act 2010 which carries higher maximum penalties.

It is important to note that no physical attack or injury needs to have occurred for a common assault to have taken place. It is sufficient for a person to have been threatened with immediate violence and put in fear of a physical attack for an offence to have been committed.

Any staff member or volunteer who feels under threat or has been threatened, assaulted, or intimidated in the course of their work must report this immediately to their manager who will follow the setting manager's procedures and guidance for responding.

**999 should always be used when the immediate attendance of a police officer is required. The police support the use of 999 in all cases where:**

- there is danger to life
- there is a likelihood of violence
- an assault is, or is believed to be, in progress
- the offender is on the premises
- the offence has just occurred, and an early arrest is likely

If it is not possible to speak when making a 999 call because it alerts an offender, cough quietly or make a noise on the line, then follow the prompts to dial 55 (mobiles only) for a silent call. Police may be able to trace the call and attend the premises.

**Harassment and intimidation – including sexual harassment**

Staff may find themselves subject to a pattern of persistent unreasonable behaviour from individual parents or service users. This behaviour may not be abusive or overtly aggressive but could be perceived as intimidating and oppressive. In these circumstances staff may face a barrage of constant demands or criticisms on an almost daily basis, in a variety of formats for instance, email or telephone. They may not be particularly taxing or serious when viewed in isolation but can have a cumulative effect over a period of time undermining their confidence, well-being, and health. In extreme cases, the behaviour of the parent/carer or other service user may constitute an offence under the Protection from Harassment Act 1997, whereby:

*A person must not pursue a course of conduct:*

*(a) which amounts to harassment of another, and*

*(b) which he knows or ought to know amounts to harassment of the other.*

If so, the police have powers to act against the offender. Such situations are rare but, when they do arise, they can have a damaging effect on staff and be difficult to resolve. If the actions of a parent/carer are heading in this direction, staff should speak to their manager who will take appropriate action to support. This may include the manager sending a letter to the aggressor, warning them that their behaviour is unacceptable and may result in further action being taken against them. All incidents must be recorded and reported to the owners/directors/trustees.

**Banning parents/carers and other visitors from the premises**

- Parents/carers and some other visitors normally have implied permission to be on the premises at certain times and for certain purposes, and they will not therefore be trespassers unless the implied permission is withdrawn.



- If a parent/carer or other person continues to behave unreasonably on the premises a letter will be sent to them from the owners/directors/trustees withdrawing the implied permission for them to be there.
- Further breaches may lead to prosecution of the person concerned by the police, and they are treated as a trespasser.
- Full records are kept of each incident, in the Reportable Incident Record, including details of any person(s) who witnessed the behaviour of the trespasser(s), since evidence will need to be provided to the Court.

#### **Dealing with an incident**

- We would normally expect all cases of harassment, assault, and all but the most minor of other incidents, to be regarded as serious matters which should be reported to the setting manager and/or the police and followed up with due care and attention.
- A record of the incident must be made whether the police are involved or not.
- Whilst acknowledging that service users i.e. parents and families, may themselves be under severe stress, it is never acceptable for them to behave aggressively towards staff and volunteers. Individual circumstances along with the nature of the threat are considered before further action is taken.
- All parties involved should consider the needs, views, feelings and wishes of the victim at every stage. We will ensure sympathetic and practical help, support and counselling is available to the victim both at the time of the incident and subsequently.
- A range of support can be obtained:
  - from the setting manager, owners/directors/trustees and/or a staff colleague
  - from Victim Support on giving evidence in court
- In non-urgent cases, where the incident is not thought to be an emergency, but police involvement is required, all staff and volunteers are aware of the non-emergency police contact number for the area.
- 999 calls receive an immediate response. Unless agreed at the time, non-emergency calls are normally attended within 8 hours (24 hours at the latest).
- When they attend the setting or service, the police will take written statements from the victim (including a 'Victim Personal Statement') and obtain evidence to investigate the offence in the most appropriate and effective manner.
- The police will also consider any views expressed by the setting manager and owner/directors/trustees as to the action they would like to see taken. The manager should speak to the victim and be aware of his or her views before confirming with the police how they wish them to proceed.
- In some cases, the victim may be asked by the police if he/she wishes to make a complaint or allegation against the alleged offender. It is important to ensure that the victim can discuss the matter with their line

manager, a colleague or friend before deciding on their response. It is helpful for the victim to be assured that, if there is a need subsequently to give evidence in court, support can be provided if it is not already available from Victim Support.

- The decision regarding whether an individual is prosecuted is made by the police or Crown Prosecution Service (CPS) based on the evidence and with due regard to other factors.
- After the incident has been dealt with, a risk assessment is done to identify preventative measures that can be put in place to minimise or prevent the incident occurring again.

#### **Harassment or intimidation of staff by parents/carers/visitors**

- Through open communication between staff and parents/carers a culture of respect and tolerance should always be promoted. Should this communication and relationship break down due to a parent or parents/carers behaviour towards the staff member the setting manager should contact their line manager for advice and support. Where the staff member feels threatened or intimidated the aggressive and unacceptable behaviour should be addressed.
- Where the parent/carers behaviour merits it, the setting manager, with another member of staff present, should inform the parent/carer clearly but sensitively that staff feel unduly harassed or intimidated and are considering escalating the issue and making a complaint to the police if the behaviour does not desist or improve. The parent/carer should be left in no doubt about the gravity of the situation and that this will be followed up with a letter drafted by the setting manager but sent to their line manager for approval before being issued.
- The letter to the parent/carers should outline the zero-policy approach for any form of harassment, intimidation or abuse directed at staff.
- Staff must keep a record of incidents, including dates, times, locations, and witnesses, to support future action and meet reporting procedures as outlined in policy 7 – record keeping
- If the investigation concludes that the parents/carers expectations and demands are unreasonable, and that they are having a detrimental effect on staff, the findings can strengthen the setting manager's position in further discussions with the parent/carer and subsequently, if necessary, with the police. See procedures above relating to banning parents/carers from the premises.
- If the investigation concludes that the parents/carers expectations and demands are reasonable and if the parent/carer feels unhappy with the staff member or the setting itself the setting manager and/or owners/directors/trustees might wish to consider advising the parent/carer to make a formal complaint. Information about how to complain is clearly displayed for parents/carers and service users.

Complaints relating to potential breaches of the EYFS Safeguarding and Welfare requirements will be managed according to the **10.02 Complaints procedure for parents/carers and service users.**

#### **Further guidance**

[Complaint Investigation Record](#) (Alliance Publication)

[Reportable Incident Record](#) (Alliance Publication)

## **1 Health and safety procedures**

### **1.12 Entrances and approach to Rainbow Children's Corner building(s)**

- Entrances and approaches are kept tidy and always uncluttered.
- In public or shared buildings, staff ensure that members of the public cannot access areas used by children during sessions.
- All gates and external fences are childproof and safe.
- Main doors are always kept locked and shut.
- Where possible, entry phones and 'spy holes' are used in the main door at a suitable height. If CCTV is used, the setting manager adheres to **1.21 CCTV procedure**.
- The identity of a person not known to members of staff is checked before they enter the building, or at the point they seek access to the area where children are being cared for.
- All staff and visitors to the setting sign in and out of the building.
- A member of staff is available to open and close the door and to greet arrivals, say goodbye to parents/carers and to make sure that doors and gates are shut.
- Back doors are always kept locked and shut if they lead to a public or unsupervised area, unless this breaches fire safety regulations or other expectations.
- Where building works or repairs mean that normal entrances/exits or approaches to the building are not in use, a risk assessment is conducted to maintain safety and security whilst the changes are in place.
- Building works or other changes to the premises which may affect the space available to children and the quality of childcare available to them, must be notified to Ofsted.

## **1 Standard Health and Safety Procedures**

### **1.13 Control of Substances Hazardous to Health (COSHH)**

- Staff at RCC implement the current guidelines of the Control of Substances Hazardous to Health (COSHH) Regulations.
- Personal protective equipment (PPE), such as rubber gloves, latex free/vinyl gloves, aprons etc., is available to all staff as needed and stocks are regularly replenished.
- Hazardous substances are stored safely away from the children.
- Chemicals used in the setting should be kept to the minimum to ensure health and hygiene is maintained.
- Risk assessment is done for all chemicals used in the setting.
- Environmental factors are considered when purchasing, using and disposing of chemicals.
- All members of staff are vigilant and use chemicals safely.
- Bleach is not used in the setting.
- Anti-bacterial soap/hand wash is not normally used, unless specifically advised during an infection outbreak, such as Pandemic flu or Coronavirus.
- Anti-bacterial cleaning agents are restricted to toilets, nappy changing areas and food preparation areas and are not used when children are nearby.

Members of staff wear suitable rubber gloves when using cleaning chemicals.

## **01 Health and safety procedures**

### **1.14 Manual handling**

- All staff at RCC comply with risk assessment and have a personal responsibility to ensure they do not lift objects likely to cause injury. Failure to do so may invalidate an insurance claim.
- Members of staff bring the setting manager's attention to any new risk, or situations where the control measures are not working.
- Risk assessments may need to be changed for some individuals, such as a pregnant woman, or staff with an existing or previous injury or impairment that may affect their capacity to lift or move items.
- Risk assessment is carried out of the environment in which the lifting is done. Features such as uneven floor surfaces, stairs, etc. add to the general risk and need to be taken into consideration.
- The setting manager ensures that they and their staff are trained to lift and move heavy objects and unstable loads correctly. Babies and young children are also heavy and need to be lifted and carried carefully and correctly.

#### **Guidelines:**

- Do not lift heavy objects alone. Seek help from a colleague.
- Bend from the knees rather than the back.
- Do not lift very heavy objects, even with others, that are beyond your strength.
- Use trolleys for heavy items that must be carried or moved on a regular basis.
- Items should not be lifted onto, or from, storage areas above head height.
- Do not stand on objects, other than proper height steps, to reach high objects and never try to over-reach.
- Push rather than pull heavy objects.
- Do not carry heavy objects up or down stairs; or carry large objects that may block your view of the stairs.
- Do not hold babies by standing and resting them on your hips.
- Please note this is not an exhaustive list.
- Managers are responsible for carrying out risk assessment for manual handling operations, which includes lifting/carrying children and lifting/carrying furniture or equipment.

## **1 Health and safety procedures**

### **1.15 Festival (and other) decorations**

#### **General**

- Basic safety precautions apply equally to decorations put up for any festival as well as to general decorations in the setting. Children are informed of dangers and safe behaviour, relative to their level of understanding.

#### **Decorations**

- Only fire-retardant decorations and fire-retardant artificial Christmas trees are used.

- Paper decorations, other than mounted pictures, are not permitted in the public areas of the buildings, for example, lobbies, stairwells etc.
- Lit candles are never used.

#### **Electrical equipment.**

- Electrical equipment (a light, extension leads etc) must be electrically tested before use.
- If using tree lights, place the tree close to an electrical socket and avoid using extension leads. Always fully uncoil any wound extension lead to avoid overheating.
- Remember to unplug the lights at the end of the day.
- Electrical leads are arranged in such a way that they do not create a trip hazard.

#### **Location**

- Trees and decorations must never obstruct walkways or fire exits.
- Do not place decorations on or close to electrical equipment (e.g. computers); they are a fire hazard.
- Decorations must be clear of the ceiling fire detectors, sprinklers, and lights.

### **1 Health and safety procedures**

#### **1.16 Jewellery and hair accessories**

- Health and safety take precedence over respect for culture, religion or fashion.
- Members of staff do not wear jewellery or fashion accessories, such as belts or high heels, that may pose a danger to them or to young children. These include large rings with sharp edges, earrings - other than studs, chain necklaces, or bracelets with attachments that can be pulled off, or belts with large buckles.
- Parents/carers must ensure that any jewellery worn by children poses no risk, for example, earrings which may get pulled, bracelets which can get caught when climbing, or necklaces that may pose a risk of strangulation.
- Children may wear small, smooth stud earrings.
- Children, staff, and volunteers do not wear anything with sharp edges that could scratch children, or jewellery with small elements that could become detached and swallowed.
- Hair accessories that may come loose pose a choking hazard are removed before children sleep or rest.
- Parents/carers are requested not to send children wearing hair beads. If staff see beads that are coming loose, they will remove them.
- Hair accessories that may pose a choking hazard to other children should they become detached, should be removed if members of staff consider this to be a possibility.
- Amber beads for teething pain relief are not to be worn due to the risk of choking posed to the infant and other children who may remove them.

## **1 Health and safety procedures**

### **1.17 Animals and pets**

- Views of parents/carers and children are considered when selecting a pet for the setting.
- Staff will be aware of any allergies or issues individual children may have with any animals/creatures.
- A risk assessment is conducted and considers any hygiene and safety risks posed by the animal or creature.
- Suitable housing for the animal is provided and is regularly cleaned and maintained.
- The correct food is offered at the right times, and staff are knowledgeable of the pet's welfare and dietary needs.
- Arrangements are made for weekend and holiday care for the animal/creature.
- There is appropriate pet health care insurance or other contingencies agreed and put in place to pay for veterinary care and the animal is registered with a local vet.
- All vaccinations and health measures such as de-worming are up to date.
- Children are taught correct handling of the pet and are always supervised.
- Children wash hands after handling a pet and do not have contact with pet faeces, or soiled bedding.
- Members of staff wear single use vinyl/latex free gloves when cleaning/handling soiled bedding.
- Snakes and some other reptiles are not suitable pets for the setting due to infection risks.
- The manager will check with the owners/directors/trustees before introducing a new pet into the setting.

#### **Animals brought in by visitors**

- The owner of the animal/creature maintains responsibility for it in the setting.
- The owner carries out a risk assessment detailing how the animal/creature is to be handled and how any safety or hygiene issues will be addressed.
- No dogs on the Government's Banned Dogs list are to be brought on site at any time. All other dogs brought on site by parents/carers during arrival and departure times must be on a lead and under control. The manager reserves the right to request that a dog is not brought on site, if the animal is out of control, or likely to pose a risk.
- If staff are concerned that a family owns a dog which is on the 'banned dog' list, it is treated as a safeguarding concern and it is reported to the relevant authority and safeguarding procedures are followed.

#### **Further guidance**

<https://www.gov.uk/control-dog-public/banned-dogs>

## **1 Health and safety procedures**

### **1.18 Face painting and mehndi**

Children are face painted only if parents/carers have given prior written consent. Verbal consent is fine at events where parents/carers are present.

- A child who does not want to have their face painted will not be made to continue.
- Children under two years of age are generally not fully face painted, however a nose and whiskers (or similar) is fine. Having an arm or hand painted with a flower, star or butterfly is also an option for very young children who may not sit still.
- Children with open sores, rashes or other skin conditions are not painted.
- Glitter based face paints are not used on children under two years of age.

- Members of staff painting children's faces wash their hands before doing so, cover any cuts or abrasions and ensure they have the equipment they need close to hand.
- Only products with ingredients compliant with FDA regulations for skin contact are used.
- Clean water is used to wash brushes and sponges between children. Ideally a sponge is used once only before being machine washed on a hot cycle.
- Staff face painting at an event ensure they have a comfortable chair or shoes if standing, to reduce the risk of back or neck strain. Face painting is an activity that can cause repetitive stress injuries; therefore, regular breaks are taken at events such as fetes.

#### **Mehndi painting**

- Staff never mehndi paint children under three years old using henna/henna-based products.
- Parental permission must be gained before staff mehndi paint children over the age of three years old.
- Children prone to allergies, anaemic or suffering from any illness that may compromise their immune system are never painted under any circumstances.
- Black henna is never used and only 100% natural red henna (diluted with water) is used on children
- Non-henna products are preferable to create mehndi patterns but if the setting operates in an area where mehndi is practiced by families and the criteria above is followed then henna may be used.

## **1 Health and safety procedures**

### **1.19 Notifiable incident, non- child protection**

Staff respond swiftly, appropriately and effectively in the case of an incident within the setting. Notifiable incidents in this procedure are those not involving child protection.

A 'notifiable' incident' could include:

- fire or suspected arson
- electric or Gas fault
- burst pipe, severe leak or flooding
- severe weather that has caused an incident or damage to property
- break-in with vandalism or theft
- staff, parent, carer or visitor mugged or assaulted on site or in vicinity on the way to or from the setting
- outbreak of a notifiable disease
- staff or parent threatened/assaulted on the premises by a parent or visitor
- accidents due to any other faults (that are reportable under RIDDOR)
- lost child
- any event or information that becomes known, that may have implications for the setting or the wider organisation in the future use

The designated health and safety officer or another named person:

- has all emergency services numbers immediately to hand
- has a list of contacts for maintenance and repair
- ensure that members of staff know what to do in an emergency
- risk assess the situation and decides, with the owners/trustees/directors, if the premises are safe to receive children before any children arrive or to offer a limited service

#### **Emergency evacuation**

In most instances, children will not be evacuated from the premises unless there is an immediate risk or unless they are advised to do so by the emergency services.

- There is an emergency evacuation procedure in place which is unique to the setting and based upon risk assessment in line with others using the building.



- Emergency evacuation procedures are practised regularly and are reviewed according to risk assessment (as above).
- Staff evacuate children to a pre-designated area (as per the fire drill), unless advised by the emergency services that the designated area is not suitable at that time.
- Once evacuated, nobody enters the premises, until the emergency services say so.
- Members of staff will always act upon the advice of the emergency services.

*Potter Street Academy: Exit school through gate closest to neighbouring park and gather at the park which has enclosed gates (Use School Playing field as evacuation meeting point if not possible, OR exit via main entrance or other side gates and gather at park).*

*The Parent Hood of Harlow Hub: Use far end of car park as evacuation area.*

*From 2026 - Latton Lodge: Exit via fire exit door and gather on field. If not available use main exit and access field this way instead.*

### **Emergency Closure**

The circumstances under which the setting may be closed due to an incident include:

- The owners/directors/trustees make the decision to close – thereby withdrawing the service.
- A third party makes the decision to close for example:
  - a school, where the setting is on a school site
  - the children's centre (if on a children's centre site)
  - the emergency services
- A parent/carer makes the decision for their child not to attend.
  - If a parent/carer makes the decision for their child not to attend due to a critical incident, the child's fees are due as normal.
  - Further consideration of individual incidences must be done in consultation with the owners/trustees/directors.

### **Recording and reporting**

- On discovery of the notifiable incident, the member of staff reports to the appropriate emergency service, fire, police, ambulance, if those services are needed.
- The member of staff ensures that the setting manager and/or deputy are informed (if not on the premises at the time) and that the owners/trustees/directors are informed.

- The setting manager completes and sends an incident record to the owners/trustees/directors, who, according to the severity of the incident notifies Ofsted, the childminder agency, and/or RIDDOR.
- If the incident indicates that a crime may have been committed, all staff witness to the incident should make a written statement.
- Staff do not discuss the incident with the press.

RIDDOR reportable events include:

- Specified injuries at work, as detailed at [www.hse.gov.uk/pubns/indg453.pdf](http://www.hse.gov.uk/pubns/indg453.pdf)
- Fatal accidents to staff, children, and visitors (parents/carers).
- Accidents resulting in the incapacitation of staff for more than seven days.
- Injuries to members of the public, including parents/carers' and children, where they are taken to hospital.
- Dangerous 'specified' occurrences, where no-one is injured but they could have been. (these are usually industrial incidents).

This may include:

- a member of staff injures back at work through lifting and is off for two weeks
- a parent/carer slips on a wet floor near the water tray and is taken to hospital
- a child falls from a climbing frame and is taken to hospital
- the ceiling collapses
- an outbreak of Legionella

The setting manager informs the owners/trustees/directors and completes an accident and/or incident record; witness statements are taken as previously detailed.

- If the incident is RIDDOR reportable, the setting manager telephones HSE Contact Centre on 0345 300 9923 or reports online at [www.hse.gov.uk/riddor/report.htm](http://www.hse.gov.uk/riddor/report.htm)
- RIDDOR Reportable events require reporting to RIDDOR within 15 days of the event occurring.

The local authority investigates all reported injuries, diseases, or dangerous occurrences. They will decide if there has been a breach in health and safety regulations and will decide what measures will be taken.

The owners/trustees/directors review how the situation was managed, as above, to ensure that investigations were rigorous, and that policies and procedures were followed.

If an insurance claim is likely:

- Incidents such as fire, theft or flood are notified to the insurance provider immediately.
- The setting does not admit liability.
- If broken or faulty equipment is involved, it must not be repaired, destroyed, or disposed of, in case it is needed during the investigation.
- If communication from a solicitor is received on behalf of the injured party, this is sent directly to the insurance provider; the setting manager will then write to the solicitor to confirm that the letter has been passed on.
- The incident is not discussed with any outside persons, or other parents/carers, no matter what questions they may ask about their own child's safety in relation to the incident, as it is regarded as confidential under the Data Protection Act.

## **1 Health and Safety Procedures**

### **1.20 Emergency evacuation and lock-down**

#### **Lockdown**

Most procedures for handling an emergency are focussed on an event happening in the building. However, in some situations you will be advised to stay put (lock-down) rather than evacuate. 'Lock-down' of a building/group of buildings is intended to secure and protect occupants in the proximity of an immediate threat. By controlling movement, emergency services can handle the situation more effectively.

- The setting manager at [name of setting] assesses the likelihood of an incident happening based on their location.
- The setting manager ensures that the emergency evacuation and lockdown procedures are included in staff training and induction.
- The setting manager will check their police website for advice and guidance.
- Local police contact numbers are clearly displayed for staff to refer to.
- Staff rehearse simple 'age appropriate' actions with the children such as staying low to the floor, keeping quiet and listening to instructions. Lock-down should be rehearsed and recorded termly.
- The setting manager is aware of the terrorist alert level, as available at [www.mi5.gov.uk/threat-levels](http://www.mi5.gov.uk/threat-levels).
- The setting manager follows any additional advice issued by the local authority.
- Emergency procedures are reviewed and added to if needed.
- Information is shared with parents/carers and all staff are aware of their role during 'lockdown.'
- A text/phone message is issued to parents/carers when lockdown is confirmed.

#### **Wording for parent/carer message**

***Due to an incident, we have been advised by emergency services to secure the premises and stay put until we are given the 'all clear'. Please do not attempt to collect your child until it is safe to do so. We will let you know as soon as we are able to, when that is likely to be. In the meantime, we need to keep our telephone lines clear and would appreciate your cooperation in not calling unless it is vital that you speak to us.***

#### **Lock-down procedures**

If an incident happens the setting manager assesses the likelihood of immediate danger. In most cases the assumption will be that it is safer to stay put and go into 'lockdown' until the emergency services arrive. As soon as the emergency services arrive at the scene staff comply with their instructions.

#### **During 'lock-down'**

- Staff and children stay in their designated areas if it is safe to do so.
- Doors and windows are secured until further instruction is received.
- Curtains and blinds are closed where possible.
- Staff and children stay away from windows and doors.
- Children are encouraged to stay low and keep calm.
- Staff tune into a local TV or radio station for more information.
- Staff do NOT make non-essential calls on mobile phones or landlines.
- If the fire alarm is activated, staff and children remain in their designated area and await further instructions from emergency services, unless the fire is in their area. In which case, they will move to the next room/area, following usual fire procedures.

**The door will not be opened once it has been secured until the manager is officially advised "all clear" or is certain it is emergency services at the door.**

During lockdown staff do NOT:

- Travel down long corridors.
- Assemble in large open areas.
- Call 999 again unless there is immediate concern for their safety, the safety of others, or they feel they have critical information that must be passed on.

#### **Following lockdown:**

- Staff will cooperate with emergency services to assist in an orderly evacuation.
- Staff will ensure that they have the register and children's details.

- Staff or children who have witnessed an incident will need to tell the police what they saw. The police may require other individuals to remain available for questioning.
- In the event of an incident, it is inevitable that parents will want to come to the setting and collect their children immediately. They will be discouraged from doing so, until the emergency services give the 'all clear'. Staff will always be acting on the advice of the emergency services.

#### **Recording and reporting**

- The setting manager reports the lockdown to the owners/directors/trustees as soon as possible. In some situations, this may not be until after the event.
- A record is completed as soon as possible.

#### **Further guidance**

Members of the public should always remain alert to the danger of terrorism and report any suspicious activity to the police on 999 or the anti-terrorist hotline: 0800 789 321.

For non-emergency, call the police on 101.

## Emergency evacuation

*This emergency evacuation plan should be displayed clearly on the door of each room alongside a floor plan. In shared premises, the plan must be implemented alongside any other plans in place for the rest of the building.*

1. The manager will walk into the room holding up an evacuation card. The fire alarm is <u>not</u> to be sounded.
2. The manager will gather, or ensure that staff for each group/room have the following with them: <ul style="list-style-type: none"><li>• The visitor book.</li><li>• Signing in/out sheet.</li><li>• Register.</li><li>• Nursery management software tablets (if applicable).</li><li>• <u>Essential</u> medication that is required by individual children.</li><li>• The setting's mobile phone.</li><li>• An emergency 'grab bag'.</li></ul> <p><b>NOTE</b> no other personal items are to be retrieved/collected. Staff do not empty their personal lockers.</p>
3. The manager identifies the safest evacuation route to be used, depending on whether there are visible signs of danger.  Evacuation of the building commences – LIFTS ARE NOT USED
4. As the building is evacuated the manager checks each area and closes doors on the way out. If <u>safe</u> to do so, electrical mains and gas supplies are switched off before leaving. The locations are detailed here:  Gas supplies ..... ..... ..... Electrical mains..... ..... .....
5. Once the building is evacuated the manager checks with each room/group that all children/staff or visitors are accounted for by (insert method of recording registration i.e. software or paper register) ..... .....
<b>EVACUATION OF BABIES</b>  A member of staff is identified to support the evacuation of non-mobile babies. The procedure for evacuating babies could include the following: <i>(please amend suggestions below as necessary)</i> :  <i>Babies are carried to the assembly point, if there are not enough available staff to carry babies, they are placed in an evacuation cot (the number of children per cot should not exceed the manufacturer's instructions) and wheeled to the evacuation point.</i>
<b>EVACUATION OF CHILDREN WITH ADDITIONAL NEEDS</b>  Children with additional needs must have a Personal Emergency Evacuation Plan. Staff must be aware of children who have plans in place and the support measures which to be followed to keep all children safe.  Children with additional needs may experience a sensory overload due to a change in routine and the noise of the fire alarm sounding. To support self-regulation and co-regulation, consider including comforting objects in your emergency bag that a child can hold whilst the evacuation is in process.

## **1 Health and safety procedures**

### **1.21 Closed circuit television (CCTV)**

CCTV is used for the purpose of providing additional security for children, staff, parents/carers, visitors and other agencies concerned with the setting.

The use of CCTV at RCC is informed by the guiding principles of the Surveillance Camera Code of Practice (Home Office 2013) as follows:

1. Use of a surveillance camera system must always have a specified purpose which is in pursuit of a legitimate aim and necessary to meet a pressing need.

The purpose will be to further support the perception of the safety and well-being of children, staff and visitors to the setting; to protect the setting and its assets; to assist in the detection of any crime that may have been committed and ultimately to further ensure that the safeguarding and welfare requirements of the Early Years Foundation Stage are adhered to at all times. CCTV is never used without a specified purpose and likewise is not reviewed by staff members who do not have authority and a specific reason for doing so.

2. The use of a surveillance camera system must consider its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

The Human Rights Act (1998) gives every individual the right to private life and correspondence. This means that CCTV will only be used in public areas of the setting i.e. reception and group rooms. The owners/directors/trustees will review the continued use of CCTV at least annually and will discuss any issues arising from the use of CCTV during routine supervision with the setting manager.

3. There must be as much transparency in the use of surveillance camera systems as possible, including a published contact point for access to information and complaints.

There are signs clearly displayed for staff, parents and visitors, informing them that CCTV is in operation and that they may be recorded. The procedure is displayed for staff, visitors and parents/carers. Complaints relating to the use of CCTV should be discussed with the setting manager in the first instance following 10.2 Complaints procedure for parents/carers and service users.

4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.

The setting manager is responsible for the day-to-day management of the CCTV system. Images are stored on the system for up to 4 weeks and are then automatically recorded over. Images are not routinely scrutinised unless there is a legitimate reason to do so, i.e. a complaint or allegation is made by a parent, member of staff or visitor to the premises, or an allegation is made by a child.

5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated with all who need to comply with them.

The procedure covers all aspects and is reviewed annually. All staff are aware of the procedure and their role and responsibility.

Parents/carers and visitors are made aware of the procedure which is displayed clearly for them to view at any time. The following details are kept:

- name of setting manager responsible for day-to-day CCTV use
- name of setting manager's line manager
- name of CCTV system used
- number and positions of cameras in use daily
- names of staff authorised to view CCTV images (ensuring this is only staff with a legitimate reason to do so)

- how CCTC procedures are explained to all staff, students, parents/carers and visitors
  - contact number for CCTV maintenance
6. No more images and information should be stored than that which is strictly required for the stated purpose of the surveillance camera system, and such images and information should be deleted once their purpose is discharged.
  7. Images are recorded over or destroyed after 4 weeks and are only used as stated above. Images must not be destroyed before this time if an official request to view them is made.
  8. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place for law enforcement purposes.

Only the setting manager, their line manager and deputy have access to retained CCTV images. If an instance arises where the CCTV images need to be reviewed to prove or disprove an allegation or incident, this is the responsibility of the setting manager who will share the images with the police, social care, Ofsted or their childminder agency to assist with an official investigation if required. A record is retained, containing the date of the incident/allegation; camera number of positions; brief description of the incident/allegation – with reference to related safeguarding forms; who the footage was viewed by date viewed and action taken – and counter signed by a senior member of staff. Images may also be requested by the owners/directors/trustees for the purpose of investigating an incident.

9. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to maintain those standards.

The setting manager and their line manager will take heed of local and national guidance for the use of CCTV in the setting. The setting manager ensures that all staff involved understand their duty to adhere to section 07 Record keeping procedures, which also detail how others may request a copy of the data and under what circumstances.

10. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.

The setting manager is responsible for the security measures to safeguard against unauthorised access and use. This will include the security of the location where images are stored.

11. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.

The setting manager is responsible for ensuring that policies and standards are always adhered to, seeking further advice from the owners/directors/trustees at any point when the images must be scrutinised for the purpose of investigating an incident.

12. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.

If CCTV images are reviewed following an incident or an allegation, a record is made. Under no circumstances are CCTV images shared with parents or other service users unless there is a legitimate reason for doing so, i.e. to disprove an allegation against a member of staff. The process for using CCTV in these circumstances is as follows:

- an allegation or incident occurs that may have been caught on CCTV
- setting manager reviews CCTV footage and retains a record
- setting manager reports their findings to the owner/trustees/committee



- if there is reason to believe that a crime may have been committed then an investigation takes place following the 06 Safeguarding children, young people and vulnerable adults procedures and 07 Record keeping procedures.
- a parent/carer or other person whose image has been recorded, retained, and wishes to access the images must apply to the setting manager in writing
- the Data Protection Act gives the manager the right to refuse a request to view the images, particularly where such access may prejudice the prevention or detection of a crime
- if access to the image is refused then the reasons are documented and the person who made the request is informed in writing within 28 days. The images are not destroyed until the issue is resolved
- at all times, 06 Safeguarding children, young people and vulnerable adults' procedures are followed.

13. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

#### **Legal basis**

Human Rights Act 1989

Data Protection Act 1998

Protection of Freedoms Act 2012

GDPR 2018

#### **Guidance**

Surveillance Camera Code of Practice (Home Office 2013 updated 2021)