

13. Safeguarding Children Policy for Licensed Premises

Text Size: [a](#) [a](#) [a](#) [a](#)

For amendment and updates see the [Amendments and Archives tab](#) above.

Contents

- 13.1 [Safeguarding Children Policy](#)
- 13.2 [Definition of Child Abuse and Neglect](#)
- 13.3 [Safeguarding Children Procedures to be Followed by Owners and Staff of Licensed Premises](#)
- 13.4 [Designated Safeguarding Children Person](#)
- 13.5 [Copy of Information Poster for Display](#)

13.1 Safeguarding Children Policy

Context

- 13.1.1 The protection of children from harm is a national licensing objective. The term 'children' refers to all babies, children and teenagers i.e. from birth till their 18th birthday. The words 'child protection' are included in the term safeguarding children. The statutory guidance Working Together to Safeguard Children 2018 sets out the roles and responsibilities of agencies in relation to children and what should happen when there are concerns.
- 13.1.2 This safeguarding children policy is for all staff (paid or unpaid) involved in premises which have been licensed under The Licensing Act 2003. This policy will give some basic information about what to do if you are concerned about a child and how your LA Children's Social Care and Metropolitan Police Team will respond to and deal with reports about children whose welfare is causing concern. This guidance should be read in conjunction with the Licensing Act 2003.

Policy Responsibility

- 13.1.3 This Policy has been drawn up by the Pan-London Safeguarding Children Board in consultation with the greater London Local Safeguarding Children Boards. Responsibility for revising the Policy rests with the Board -your feedback on policy implementation will be welcomed.

Government Guidance

- 13.1.4 The Government position is that everyone working in an environment where there may be children present should safeguard and promote the wellbeing of children. All adults (owner/license holders, staff and the wider community) must follow the Government Guidance (2015) "[What To Do If You're Worried A Child is Being Abused](#)". The Guidance describes the national framework within which local agencies and professionals should work and take action where there are concerns about the welfare of a child.

Advice can also be obtained during office hours from your local Police Station or LA Children's Social Care, and the Social Services Emergency Duty Team and Police (24 hour cover) on out of office hours.

Training and Competence

- 13.1.5 All owners/license holders and their staff should have a basic awareness of child protection issues. This includes:
- Being alert to the possibility of child abuse and neglect, i.e. the definition, prevalence, identifying features in a child or adult, legal parameters and social consequences;
 - Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances;
 - Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions;
 - Knowing who in the organization to raise your concerns with;
 - Being competent in taking the appropriate immediate or emergency action, and;
 - Knowing how to make a referral to LA Children's Social Care and/or the Police.

Information about this is included in this Child Protection Policy and in the "[What To Do If You're Worried A Child is Being Abused](#)" publication.

The licensee is responsible for ensuring that they and their staff are familiar with, and competent in following both this Safeguarding Children Policy and the Government Guidance.

Basic Principles

- 13.1.6
1. If anyone involved with premises which have been licensed has any concerns about a child, then they must discuss these with the local Police Child Abuse Investigation Team and the LA Children's Social Care at the earliest possible opportunity.

These may include concerns about a member of staff or a suspicion that an activity taking place in the establishment could place children at risk.
 2. In any situation where there is a suspicion that there may be abuse **the welfare needs of the child must come first** (see [Children Act 1989](#)) even where there may be a conflict in interest e.g. where the suspected perpetrator may be a customer, client or employee/employer.

Protection for All

- 13.1.7 All children must be safeguarded from harm and exploitation whatever their:
- Race, religion, first language or ethnicity;
 - Gender or sexuality;
 - Age;
 - Health, ill-health or disability;
 - Location or placement (e.g. living alone in a hostel or residential unit, with their family or a foster family, as a tourist in an hotel etc);
 - Criminal or offensive behaviour;
 - Wealth or lack of it; and
 - Political or immigration status.

13.2 Definition of Child Abuse and Neglect

Context

- 13.2.1 All the Local Authorities in London and the Metropolitan Police, use a single set of multi-agency procedures when working to safeguard children, these are the London Child Protection Procedures. The London Child Protection Procedures are also used all the other agencies in London who are in contact with children.

This section closely reflects the London Child Protection Procedures (See the [London Child Protection Committee](#) website).

Child Abuse and Neglect

- 13.2.2 'Child abuse and neglect' is a generic term encompassing all maltreatment of children. Children may be abused or neglected through the infliction of harm, or through the failure of the adults around them to act to prevent harm.
- 13.2.3 The term 'child abuse and neglect' therefore includes the impact on children from serious physical and sexual assaults through to situations where the standard of care for the child from their parent or carer does not adequately support the child's health or development.
- 13.2.4 Abuse and neglect can occur in a family or an institutional or community setting. The perpetrator of abuse may or may not be known to the child.
- 13.2.5 Working Together to Safeguard Children 2018 has defined four broad categories of abuse which are used by professional working in child protection. These are: neglect, physical abuse, sexual abuse and emotional abuse. These categories overlap and a child may suffer more than one type of abuse.

Physical Abuse

- 13.2.6 Physical abuse may take many forms, such as, hitting (including, with an object) or punching, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child or young person. It may also be caused when a parent or carer fabricates the symptoms of, or deliberately causes ill health to, a child or young person.

Emotional Abuse

- 13.2.7 Emotional abuse is the maltreatment of a child which has a severe and negative effect on the child's emotional development. It may involve conveying to a child or young person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve:
- Imposing expectations on a child or young person which are not appropriate for their age and/or development;
 - Causing children or young people to frequently feel frightened or in danger e.g. witnessing domestic or other violence; and/or
 - Exploitation or corruption of children or young people.

Some level of emotional abuse is involved in all types of maltreatment of children, though emotional abuse may occur alone.

Sexual Abuse

- 13.2.8 Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. Sexual abuse includes penetrative (i.e. vaginal or anal rape or buggery) or non-penetrative acts. Sexual abuse includes sexual exploitation of children.
- 13.2.9 Sexual abuse also includes non-contact activities, such as involving children in looking at, or in the production of, pornographic materials, watching sexual activities, or encouraging children to behave in sexually inappropriate ways including online abuse.
- 13.2.10 **The fact that it is abusive to children to allow or coerce them into witnessing acts of a**

sexual nature between adults, may be particularly relevant where children are exposed to adult focussed activities such as premises where sexual themes are prevalent.

Neglect

13.2.11 Neglect involves the persistent failure to meet a child or young person's basic physical and /or psychological needs, likely to result in the serious impairment of the child or young person's health and development:

13.2.12 This may involve failure to provide a child or young person with adequate food, shelter or clothing, failure to protect them from physical harm or danger or failure to ensure access to appropriate medical care or treatment. It may also include neglect of a child's basic emotional needs. This includes children or young people being present -with or without their parents, at venues unsuitable for their age e.g. venues with an 'adult only' activities such as;

- Events of a sexual nature;
- Where there are convictions of current members of staff for serving alcohol to minors;
- Premises where gambling is the main activity; and/or
- Premises where the supply of alcohol is the main activity.

13.2.13 **Children need to be protected even when it appears that they are not aware that the physical abuse, sexual activity they are involved in or witness, or the neglect they experience, is harmful to them.**

13.3 Safeguarding Children Procedures to be Followed by Owners and Staff of Licensed Premises

Action to be Taken

13.3.1 Local Authority Children's Social Care, the Police (and the children's charity NSPCC) are the only agencies which have a legal obligation to investigate child abuse.

13.3.2 If you suspect that a child under the age of eighteen years or an unborn baby is being harmed by:

- Experiencing or already has, experienced abuse or neglect; and/or is;
- Likely to suffer significant harm in the future.

You **must** talk to your designated safeguarding children person and make a referral to your local Children's Social Care and your local Police.

Who to Contact

13.3.3 **In Office Hours:** Children's Social Care, or the Local Police Station.

Out of Office Hours: Children's Social Care Emergency Duty Team, or the Local Police Station (24 hour cover).

What LA Children's Social Care and the Police will want to know

13.3.4 When you contact the Duty Officer you should provide the following details:

- Your name;
- Your address and a telephone number at which you can be contacted in case they require other information or to follow up;
- The child or young person's name, and any other details, if known (parent's name, address, school etc);
- Relevant information about the circumstances of your concerns – what you see, hear or suspect to be happening about an individual child and young person;

- Also concerns relating to activities you see, hear or suspect to be happening about the premise or linked to the premises e.g. if you suspect that a member of staff is selling alcohol to young people who are underage or you believe that children are at risk of sexual exploitation or abuse via the internet. You may not have all the details about a child or young person, or the activity but you should still refer.

13.3.5 You will be expected to put in writing within 48 hours the information which you have given verbally (telephone or face-to-face).

13.3.6 LA Children's Social Care and the Police should tell you how to respond to the situation in a way that supports their plan of action.

13.3.7 **You may be in breach of your license if you do not disclose information where child abuse is suspected.**

13.4 Designated Safeguarding Children Person

13.4.1 Recommended best practice is for the owner/license holder to designate themselves or a senior staff member to have the following responsibilities* in relation to safeguarding children for the licensed premises - to:

- Arrange safeguarding children training for all staff;
- Monitor and report on whether all staff have received the minimum (initial and refresher) safeguarding children training;
- Ensure that all staff have read and know where to find this policy and the Government Guidance: "[What To Do If You're Worried A Child is Being Abused](#)";
- Ensure that an up-to-date Safeguarding Children Procedures Poster is displayed for all staff at all times (see below);
- Provide advice and support to staff when they have a concern about safeguarding a child;
- Record all concerns raised by staff; and
- Be the contact person for the LA Children's Social Care and the Police in relation to all incidents or concerns related to the safeguarding of children on or linked to the premises.

* This list is not exhaustive

13.4.2 All staff should know that they can call the LA Children's Social Care and the Police if the person they suspect is senior to them in the licensed premises staff hierarchy.

13.5 Copy of Information Poster for Display

13.5.1 [Click here to view a template Information Poster.](#)

tri.x Policy

This website has been designed and is powered by [tri.x](#) and is the copyright of the London Safeguarding Children Board.