



CHILDREN
& FAMILY
PROTECTION

Licensing and Safeguarding Children

Procedure for licensed premises

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1. About this document

- 1.1 One of the key objectives of [The Licensing Act 2003](#) is 'the protection of children from harm'. This means that all licensed premises must be able to demonstrate that children are safeguarded, and appropriate measures are in place to avoid exposing them to risks.
- 1.2 This guidance has been produced for individuals and companies that are making an application for any form of license. It provides information and advice for licensed premises and gambling establishments on how to safeguard and protect children and young people who visit their premises.

2. Introduction

- 2.1 Warwickshire Children and Families Service is the 'responsible authority' for matters relating to the protection of children from harm under the [Licensing Act 2003](#).
- 2.2 It must be notified of all license variations and new applications for the sale and supply of alcohol and public entertainment.
- 2.3 Safeguarding children - from birth to their 18th birthday - is a national licensing objective.
- 2.4 This is not only about selling alcohol to children, but includes wider safeguarding concerns including:
 - Sexual exploitation
 - Substance misuse
 - Witnessing or being victims of crime
 - Anti-social behaviour
- 2.5 Licensed premises are those that have been licensed under [The Licensing Act 2003](#), and include: cinemas, clubs, department stores, festivals, hot food takeaways, off licenses, pubs, restaurants, shops and sports venues.
- 2.6 It also acts as the 'responsible authority' for matters relating to the protection of children from harm under the [Gambling Act 2005](#).

3. What risks can there be on licensed premises for children and young people?

- 3.1 The risks will vary from premises to premises depending on the type of licensing activity and the age of the children.
- 3.2 Young children may be at risk if they are not properly supervised or are exposed to adults who have become intoxicated. Young children can be dangerously intoxicated by quite small quantities of alcohol, so care needs to be taken to clear used glasses to protect them from this risk.
- 3.3 Young teenagers may attempt to buy and consume alcohol and then become vulnerable because their judgement is impaired, this could put them in danger from getting involved in fights, from drink driving or from sexual predators.
- 3.4 All children are at risk of adults who are viewed as a danger to them. Care must be taken when staff are appointed to ensure that such individuals are not placed in an environment where they can exploit their position.
- 3.5 Adult entertainment is not suitable for children. At premises where such entertainment is allowed arrangements must be enforced to ensure that children are not exposed to any inappropriate acts or material.

4. What can licensees put in place to reduce risks to children and young people?

- Use clear signs so that people are aware when and where children are welcome in the premises;
- Display signs and adhere to laws relating to alcohol and children;
- Licensees should have a clear policy for dealing with children on their premises, for example, having a policy which outlines age restrictions, thresholds, supervision, expectations of adults, timings, etc;
- Operate a ['Challenge 25'](#) age verification policy requiring proof of age by passport, photo driving licence or PASS accredited card that will be enforced at all times when selling alcohol;
- Keep a challenge log recording all challenges where both sales and refusals result and ensure this will be available to be inspected if required;
- Staff should be instructed on how the expectations on adults in the premises should be enforced;

- Vetting procedures for staff, to ensure that no unsuitable adults are employed;
- Staff should be easily identifiable (uniform or badge) and aware of safeguarding issues;
- Policy on clearing glasses to minimise opportunities for children to consume access left-over alcohol;
- Minimise the risk of passive smoking with clearly defined 'smoking' areas to which children have no access;
- Use CCTV to monitor the premises/event including toilets and play areas.

5. What is child exploitation?

5.1 There are lots of different types of exploitation:

- Child sexual exploitation - when a young person is encouraged, or forced, to take part in sexual activity in exchange for something
- Child sexual abuse - when a child is enticed or forced to take part in sexual activities
- Criminal exploitation - when someone is manipulated to commit crimes such as shoplifting, drug dealing and pickpocketing
- Online exploitation - people who use the internet to groom and exploit children and young people via social media and gaming sites
- County lines - organised crimes where criminals, often based in urban areas, pressurise vulnerable young people to transport, store and sell drugs into other towns
- Organised exploitation - when a group of offenders work together to force children to have sex with multiple adults
- Human trafficking - a form of modern slavery - the movement of people by force, fraud and deception with the aim of exploiting them

6. What are the risks of child exploitation at licensed premises?

6.1 The risks vary depending on the style and type of the business, but premises can be involved in the following ways:

- If an adult venue (night clubs or sex entertainment venue) is frequented by underage customers, this can attract perpetrators; or if a premises (or event) hosts under 18 events or mixed age activities;
- Where underage drinking takes place; children and young people are vulnerable as their judgement is impaired;
- There is a risk of CSE at premises where goods or services can be offered in exchange for sexual favours (such as free food, transport,

drinks, cigarettes, or free access to a venue). This can happen if a perpetrator is employed there (or works voluntarily) and has regular or private contact with children;

- Children and young people are vulnerable in areas of premises that are not monitored (such as toilets, beer gardens, private rooms);
- Risk may present if information technology is in use at a premises e.g. internet, mobile phones/cameras/video recorders;
- Premises providing facilities for private parties, private dancing/entertainment booths or overnight accommodation may be vulnerable to child sexual exploitation.
- Offenders may use shops and food outlets to purchase gifts that can be offered to children in exchange for exploitative acts, including alcohol to intoxicate children and make them more vulnerable to abuse.

7. How can licensees manage the risk of child exploitation at licensed premises?

7.1 Under the Licensing Act 2003, the 'due diligence' defence can be used to protect a business, if they can demonstrate that all reasonable steps have been taken to manage risk. Here are some suggested safeguarding measures to help evidence 'due diligence' and keep children safe:

- Undertake a written children and young people's risk assessment and use it to inform the licensee's operating policy and staff training;
- Staff should be trained to recognise indicators of child sexual exploitation and know how to report concerns;
- Staff should be trained to operate an age verification scheme, know what types of identification are acceptable and to recognise signs of proxy purchase of alcohol;
- Staff training records should be maintained;
- Activity at the premises should be monitored (for example using CCTV or by regular patrols. Patrol records should be maintained);
- Suspicious activity should be reported to the police (including details such as vehicle registration numbers, description of individuals) and should be recorded in the licensee's incident log. If the licensee thinks a young person is at imminent risk of harm, they should call 999 to report their concern. If there is no imminent risk of harm, they should call the police non-emergency number 101.
- If the licensee, or a member of their staff, is in a situation involving the supervision of a vulnerable young person at the premises, it is important to follow a consistent and auditable protocol;

- If the licensee has a delivery service (for example hot food) they should enforce a code of conduct to promote good safeguarding when deliveries are made to unaccompanied children.

8. Indicators of child exploitation for licensed premises

- Young people in the company of older guests;
- Older person purchasing alcohol for a young person/young people;
- Young person who appears under the control or instruction of others;
- Young people trying to buy alcohol without ID or with a fake ID;
- Young people being taken/collected from licensed premises;
- Young people that look distressed, intimidated, frightened, dishevelled or disorientated;
- Young people under the influence of drugs or alcohol;
- Young people with injuries such as bruising or blood stains;
- Change in the personality, wellness or demeanour of a young person seen regularly by the licensee;
- Young people displaying inappropriate sexualised behaviours or dressed inappropriately for their age;
- Young people being taken to areas of licensed premises that are not supervised or security checked;
- Victims may have more money than a young person ordinarily would or may own expensive mobile phones and clothing than would be expected for someone their age;
- Men requesting regular taxi rides to and from locations with young people ;
- Adults who appear edgy in the company of young people;
- The licensee may overhear conversations or witness sexual activity within the premises;
- Frequent suspicious activity in the same place;
- A frequent guest of the premises seen with different young people.

9. What are the requirements for safeguarding children under the Gambling Act 2005?

- 9.1 In September 2007 [the Gambling Act 2005](#) came into force and replaced numerous pieces of legislation governing gambling activities. The Gambling Act 2005 promotes safer practice at premises where gambling activities take place.

- 9.2 Under the legislation, licensees and their operators have a legal responsibility to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.
- 9.3 The local authority, have a statutory responsibility to ensure that licence holders operate in a way that safeguards children and young people and vulnerable adults and this is managed by the LADO Service within Children and Families.
- 9.4 The risks to children will vary, depending upon the type of gambling activities taking place at the premises. Children may be at risk of being:
- exposed to information or advertisements encouraging them to gamble;
 - allowed or invited to gamble or bet in a commercial setting;
 - financially exploited;
 - allowed to purchase and consume alcohol.
- 9.5 There are a number of measures that gambling establishments can put in place to manage the risks to children:
- Challenge 25 scheme operated by all door and bar staff and only recognised proof of age accepted (for example, photo driving licence, passport or a PASS card);
 - All points of entry monitored by security staff or a CCTV;
 - Signage prominently displayed at all points of entry regarding the prohibition of under 18's;
 - Signage displayed on machines highlighting age restrictions;
 - Signage prominently displayed in bar areas regarding the law and the sale of alcohol;
 - Operate a membership scheme;
 - All staff trained to be vigilant and respond (as outlined in the premises operating policy) if a child gains illegal access to the premises.
- 9.6 For gambling establishments that offer a range of gambling activities (regional casino, licensed entertainment centre, bingo premises, gaming machines in category C or above) they must operate systems to ensure that under 18's are prevented from accessing areas where adult activities (betting or high stakes gambling) take place or where adult gaming machines are located.
- 9.7 For such premises they may also need to operate the following systems:
- Designate family-friendly areas using physical barriers or cordons to segregate these from restricted areas;
 - Points of access and/or egress to be located for easy supervision by staff and regularly monitored;
 - Signage displayed to indicate access rules;
 - Signage to remind parents and/or adults of their responsibilities;

- Usage of bandit screens;
- Usage of the Challenge 25 scheme;
- Assign at least one member of staff as a 'children's safeguarding champion'.

10. Documents and further reference

10.1. Documents

- [Warwickshire Police CSE Information Sharing Form](#) - *This form is completed when sharing information with Warwickshire Police about perpetrators and concerns of child sexual exploitation occurring that is **NOT** an emergency and does not require immediate action.*
- [Child Sexual Exploitation \(CSE\) Multi-Agency Assessment Framework](#) *The Assessment Framework should be used by multi-agency practitioners, to identify the needs of a child/young person who may be vulnerable to being sexually exploited, is being groomed or targeted for the purposes of sexual exploitation or is being sexually exploited. The document will also support multi-agency practitioners to identify concerns and appropriate intervention(s) for the child and their family*
- [Warwickshire Missing, Exploited and Trafficked Children Strategy 2017-2020](#)
- [Children affected by Exploitation and Trafficking \(including Gangs\) - regional procedures](#)
- [Somethingsnotright](#) - *This website has been launched by Warwickshire County Council (WCC), Warwickshire Police, Warwickshire Safeguarding, Barnardo's and the Police and Crime Commissioner with the aim of raising awareness of child exploitation, how to spot the signs and how to report it.*
- [Barnardos - Language Matters](#)
- [Statutory Child Protection Procedures](#)
- [Regional Safeguarding Guidance](#)
- [Local Area Specific Safeguarding Information and Procedures](#)