SUBJECT: Off-Site Excursions for Children

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EXECUTIVE SUMMARY

1 Objective of the Audit

The objective of the audit was to review the adequacy of controls introduced by management to safeguard children and employees on off site excursions managed by the Education and Communities Division.

2 Remit and Scope

Included in scope

The review focused on the key processes and controls designed by management in Education and Communities to ensure that:

- children and employee safety is paramount;
- Midlothian Council is adhering to national guidelines and legislative requirements;
- staff are adequately trained to lead groups on outdoor learning activities; and
- trips are arranged to provide adequate learning and development opportunities for children.

Although excursions organised by Social Work did not form part of the original brief the adequacy of the high level Council policy relating to Health and Safety on off site excursions was reviewed in relation to Social Work.

Excluded from scope

- Service providers within Midlothian Council (e.g. Ski Centre / Leisure Centres and Ranger Service).

3 Background

Off-site excursions form part of the learning programme for all children and young people in schools, community learning centres and other learning environments and is further promoted through the development of the Curriculum for Excellence programme. The benefits include adding to educational studies as well as allowing young people to develop social skills. A wide variety of excursions are arranged from excursions to local parks to overseas visits to for example New York.

A number of areas in Education and Communities are involved in taking young people on off site excursions. This includes: the school network (30 Primary schools, 6 Secondary schools, and one special school); the TOP service (which provides educational services to children who are not currently able to sustain a place in main stream education and attend the TOP service on either a full or part time basis); Community Learning and Development (who provide after school activities and periodic overseas visits) and the Integration team (which provides an integrated approach to supporting
EXECUTIVE SUMMARY

children, young people and families). In total some 11,500 young persons may potentially be involved in off site excursions.

The Outdoor Learning team provide central support through the publication and update of policies and procedures (for example where there is a change in legislation); vetting certain requests for travel, providing advice on trips and providing and maintaining registers of training.

Our expectations over off site excursions was that there would be in place: competent persons in each establishment to manage each trip; the use of standard documentation; independent monitoring; risk assessments; excursion supervision and adequate insurance cover.

4 Audit Conclusion

Our review has highlighted that there is a real commitment by Education and Communities staff to provide off site excursions to young people with corresponding benefits for learning and the development of social skills. This is particularly worthy of note. The variety and abundance of trips on offer to children and young people is commendable.

We did however identify a number of concerns in relation to the administration and support of these off site excursions which could impact on Midlothian Council’s ability to demonstrate compliance with legislation and best practice:

- the high level Health and Safety Policy on off site excursions does not provide sufficient clarity to Social work due to the range and types of excursions which they undertake and is not sufficiently visible to all divisions and lacks links to divisional procedures;
- the current Education and Communities polices and procedures are out of date and although a new policy has been drafted this has not been issued;
- we also identified through testing, elements of non compliance with the current procedures and elements of confusion in relation to the role and authority of the Outdoor Learning team. The new policy helps to clarify their responsibilities although there is a need to define escalation routines in the event that there is a disagreement between the school and the Outdoor Learning team over a specific excursion; there is a lack of routine independent monitoring by management of the level of compliance with Council policy in relation to off site excursions and a lack of clearly defined escalation where non compliance is identified;
- the new draft procedures in Education and Communities contain omissions which need to be rectified before the new policy becomes operational; and
- improvements are required to the way training records are managed.

Because of the weaknesses identified we have on this occasion rated the review as amber as defined in the table on the following page.
<table>
<thead>
<tr>
<th>Assurance Level</th>
<th>Color</th>
<th>Description</th>
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<tbody>
<tr>
<td>Full Assurance</td>
<td>BLUE</td>
<td>There is a sound system of internal control designed to achieve the system objectives and the controls are being consistently applied. Risk is managed to a high standard.</td>
</tr>
<tr>
<td>Reduced Assurance</td>
<td>GREEN</td>
<td>Whilst there is basically a sound system of internal control there are some areas where it is viewed improvements can be made and risk controlled further.</td>
</tr>
<tr>
<td>Limited Assurance</td>
<td>AMBER</td>
<td>There are weaknesses in the system of internal control which should be addressed within a reasonable timescale. Improvements are required in the way risks are managed.</td>
</tr>
<tr>
<td>No Assurance</td>
<td>RED</td>
<td>There are significant weaknesses in the system of internal control which must be addressed as a matter of urgency. Unnecessary risks are being carried and the Council remains exposed.</td>
</tr>
</tbody>
</table>
High Risk

1. The current Health and Safety Policy on off-site excursions needs to be updated to provide clearer guidance to Divisions and communicated more effectively so that there is greater awareness of the policy.

There are three distinct levels of involvement that Midlothian Council may have in relation to off-site excursions:

- providing the physical site and / or supervision (e.g. ski centre / ranger service / leisure centre etc) for the visit;
- arrange, manage and supervise the off site excursion with parental or guardian consent (e.g. school trips / social work outings / Community Learning and Development / TOP Services and Integration team etc); and
- act as the legal guardian and provide authority for attendants on trips (including trips arranged and undertaken by foster carers).

Whilst the high level policy approved in November 2005 does provide details of the Council staff that are expected to comply with the guide in our opinion it does not adequately differentiate between these different activities and therefore there may be an element of confusion over which elements of the policy apply to which area and in what circumstances.

This is compounded by the fact that the policy does not clearly define what is meant by 'off site', for example, does it include trips made from individual children's homes out of school hours or only when they would normally be at a council site.

In addition we identified that not all relevant staff were aware of the high level procedures and that although the policy regularly refers to the need for each division to have their own more detailed procedures there were no links contained within this policy. There was also no requirement to have in place some form of monitoring in each division to determine if the polices outlined where being followed in practice.

<table>
<thead>
<tr>
<th>Finding No</th>
<th>Recommendation</th>
<th>Priority</th>
<th>Manager</th>
<th>Target Date</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>The current Council Health and Safety Policy on off-site excursions should be updated to provide greater clarity for divisions such as Social Work on the Council’s expectations so there is no room for ambiguity or misunderstanding. This should be jointly performed by Health &amp; Safety with input from Social Work Division.</td>
<td>High</td>
<td>Senior Health &amp; Safety Adviser / Head of Children &amp; Families and Criminal Justice</td>
<td>30/06/10</td>
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</tbody>
</table>
2. The current Education and Communities guide for out of school visits is not up to date and does not reflect all up to date National guidance. There is a new draft policy to replace the old one but it is yet to be finalised and published. There were in addition some instances of non compliance with the current policy.

The current Education and Communities policy and procedural guide on excursions is out of date, and does not reflect all the requirements of the 2004 National guidance. As a consequence users may not be applying best practice and potentially may not be complying with updated legislation.

Examples of changes which are not reflected in the current policy but are included in the updated policy include:

- changes in relation to disclosure checks;
- licensing regulations for third party providers (Adventure Activity Licensing Agency);
- mobile telephone usage; and
- child protection issues

In addition our testing highlighted a small number of instances of non-compliance with existing policy:

| 2 | The policy should make it mandatory for each division to monitor whether there is compliance with the policies and procedures over off site excursions. | High | Senior Health & Safety Adviser | 30/06/10 |
| 3 | Staff should be alerted to the fact that a new policy has been issued by placing it on the news page of the Council's Intranet. | High | Senior Health & Safety Adviser | 30/06/10 |
| 4 | The updated policy should require management to obtain relevant staff signatures to confirm that they have read and understood these polices and retain this evidence in individual's personnel files. | High | Senior Health & Safety Adviser | 30/06/10 |
| 5 | The policy should include links to divisional policies and procedures which expand upon the high level policy. | High | Senior Health & Safety Adviser | 30/06/10 |
MANAGEMENT ACTION PLAN

- ratios of pupil to staff being below that required in the standard (testing highlighted 9% of a sample of 47 forms submitted did not meet the required ratio. The Outdoor Learning has indicated that these instances may have been subject to discussion with the school but this is not evidenced on the forms);
- forms failing to detail the exact numbers of staff or the male / female split (testing highlighted 40% of a sample of 47 forms submitted did not give either the staff or pupil ratio);
- a lack of evidence that an individual had undertaken the relevant training (training received outwith Midlothian is not logged);
- forms signed off by Outdoor Learning after a trip had occurred (note this was because the responsible officer was contracted to follow school holidays and was therefore not available over the summer);
- examples of risk assessments that did not cover all relevant risks (this is the responsibility of the Head of Establishment who should check the standard of risk assessments submitted);
- failure to keep registers of training within establishments; and
- certain schools failed to produce an itinerary of events for forthcoming trips.

We also noted some dubiety between the policy and standard forms in the appendix in that the text in the policy implies that the Outdoor Learning team are there for advice but does not mention them being responsible for authorisation of trips whilst the form, on the other hand, requires their authorisation before trips may proceed. There is therefore some confusion both for those administering the trips and for the Outdoor Learning team on their exact roles and responsibilities.

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<tr>
<td>6</td>
<td>The new Education and Communities policy needs to be finalised and disseminated to all establishments as soon as possible.</td>
<td>High</td>
<td>Director Education and Communities</td>
<td>30/06/10</td>
</tr>
<tr>
<td>7</td>
<td>Divisional units providing off site visits should be reminded to comply with council policy.</td>
<td>High</td>
<td>Director Education and Communities</td>
<td>30/06/10</td>
</tr>
<tr>
<td>8</td>
<td>The policies, procedures and related forms should be synchronised and be clear on the roles and responsibilities of the Outdoor Learning team. Where there is disagreement between the school and the Outdoor Learning team on whether an excursion should proceed, final approval should be obtained from the Director Education and Communities.</td>
<td>High</td>
<td>Director Education and Communities</td>
<td>30/06/10</td>
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3. Only limited routine monitoring is undertaken to determine the level of compliance with the Council’s policies and procedures on Health and Safety on off site excursions.

The Outdoor Learning team provide limited monitoring by reviewing forms submitted for certain types of high risk excursions although this role is not clearly defined in the current policy. They are not however confirming that the detailed policies and procedural guides over excursions are being followed in practice or assessing the quality of risk assessments undertaken and this responsibility has not been clearly designated to any other team and is consequently not being performed. In addition there is no regular reporting to the Divisional Management team of the number and types of trips undertaken.

Without regular monitoring there is a risk that poor practice and non compliance with Council policy is not identified and rectified. Also good practice may not be shared between providers.

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<tr>
<td>9</td>
<td>Routine monitoring needs to be introduced so that the Council can be sure that policy is applied in practice with appropriate escalation routes available where evidence is found of non compliance.</td>
<td>High</td>
<td>Director Education and Communities &amp; Senior Health &amp; Safety Adviser</td>
<td>30/06/10</td>
</tr>
<tr>
<td>10</td>
<td>Regular reports (for example at the end of each term) will be provided to the divisional management team so that they can track the number and nature of excursions being undertaken within the Education and Communities Division and this will also be used to identify schools that potentially may not be submitting forms through the appropriate channels.</td>
<td>High</td>
<td>Director Education and Communities</td>
<td>30/06/10</td>
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<tr>
<td>11</td>
<td>The Risk Management group will discuss Off Site Excursions and the risk registers will be updated to reflect the findings from these discussions and from the findings of this review.</td>
<td>High</td>
<td>Risk &amp; Audit Manager</td>
<td>30/06/10</td>
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4. A review of the new Education and Communities policies and procedures guide for off site excursions identified a number of omissions.

- there is no guide on what documentation should be retained following an excursion including risk assessments, parental consent forms, checklist used etc or the period which this should be retained (our testing identified variations on what was retained). For example information relating to trips could be retained for one academic year before destruction;
- the guides do not provide guidance on when or if disclosure checks are required on parent helpers and consequently we found that different rules were being applied across different areas as well as different schools;
- guidance on the requirement for male / female supervision on certain types of excursions (for example where there is a residential stay or the intended location is only staffed by a single sex);
- the requirement to complete and retain checklists to evidence that the key stages required by the procedures have been complied with in practice (including those on the actual trip eg practice fire drill etc);
- the guides do not require independent checking of motor insurance policies to confirm business usage is included where staff cars are used or the requirement to check that valid driving licenses are held (boxes could be included on the EV1 form, to evidence that Heads of establishments have checked these details prior to authorising an excursion);
- insurance requirements for Community Learning and Development (CLD) are not sufficiently clear in relation to when and in what circumstances the team need to obtain their own insurance to cover trips;
- policy and procedure notes do not provide guidance in relation to twinning where children might stay with host families (and was a concern to teaching staff) ; and
- the detailed roles and responsibilities of the Outdoor Learning Team are not described in the new guides and some schools were unclear as to Outdoor Learning Team’s exact responsibilities (including the offering of advice).

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<tbody>
<tr>
<td>12</td>
<td>The new policies and procedures should be updated to reflect the omissions identified.</td>
<td>High</td>
<td>Director Education and Communities</td>
<td>30/06/10</td>
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**Medium Risk**

5. Adequate training is available and provided by the Council, however it is not being fully utilised and training outwith the Council is not currently recorded.

The Council makes available a wide range of training courses to support staff involved in off-site excursions. The Outdoor Learning Team currently record in a
The database attendants at Council arranged training and use this database to confirm that staff are adequately trained prior to recommending that the excursion may proceed. The following concerns were however identified:

- the existing policy requires that at least one party leader on a residential trip must have first aid to a minimum of emergency aid level. This is not regarded as adequate as groups may separate and there could potentially be a lack of first aid cover in the group;
- the guides make recommendations on expected courses but does not make these mandatory (e.g. training course for overseas visits);
- there is not a mandatory requirement that staff inexperienced in leading trips, should be mentored or shadowed before being fully responsible for a trip;
- external training is not recorded and validated by the Outdoor Learning team; and
- not all schools are retaining copies of their staff training records and are therefore non compliant with the current policy.

In the event of an accident it would be important for the Council to be able to demonstrate that it has adequately trained staff and be able to demonstrate that they have validated the training that staff claim to have.

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<tr>
<td>13</td>
<td>Prescribed training should become mandatory for all staff involved in certain types of excursions (including overseas training / mentoring before leading an excursion etc).</td>
<td>Medium</td>
<td>Director Education and Communities</td>
<td>30/06/10</td>
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<tr>
<td>14</td>
<td>External as well as internal training should be recorded and validated by the Outdoor Learning team. Where staff are unable to provide proof that they have completed a course it should be assumed that they have not completed the training.</td>
<td>Medium</td>
<td>Director Education and Communities</td>
<td>30/06/10</td>
</tr>
<tr>
<td>15</td>
<td>Schools should be reminded of the need to maintain records of all training and hold copies of all relevant certificates.</td>
<td>Medium</td>
<td>Director Education and Communities</td>
<td>30/06/10</td>
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