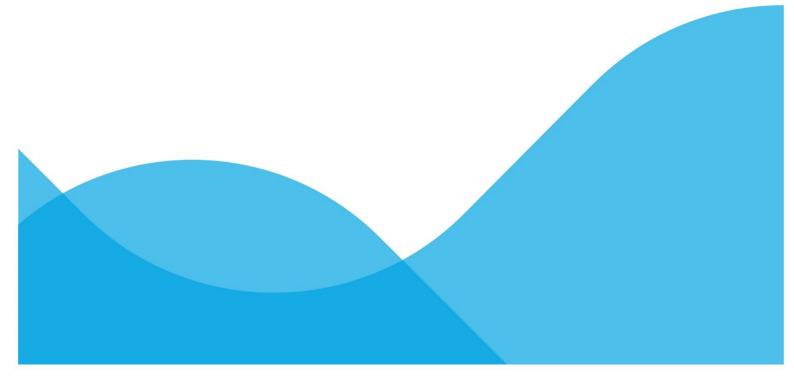






# Schools' Offsite Visits Procedures 2024

Leanne Bentley



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## Introduction

East Sussex County Council (ESCC) recognises that offsite activities and educational visits for young people enrich the curriculum and provide numerous benefits to a young person's development.

The council encourages exploration of the wide range of opportunities available for learning outside the classroom. This policy supports this by clearly identifying what is needed to deliver a successful trip. Administration of this should be kept to a minimum.

The target audience for these procedures is any educational establishments undertaking offsite visits. Key personnel include:

- the Visit Leader
- the Educational Visit Coordinator
- the Headteacher
- a designated governors where applicable

The owner of this document is the Director of Children's Services. The document administrator is the Children's Services Offsite Education Adviser (OEA). Contact details for relevant officers within the council are at section 14 below.

This document is an update of the Offsite Activities and Educational Visits Policy 2023. The policy has been reviewed and updated based on revised guidance from:

- the Outdoor Education Advisers' Panel (OEAP)
- ESCC

Where there is a clear conflict between the establishment policy, National Guidance and the Employer Procedures, follow the Employer Policy.

The National Guidance endorses several key national organisations. These include:

- The National Union of Teachers
- The Association for All School Leaders
- Aspect- the union for professionals
- The Council for Learning Outside the Classroom
- The Health and Safety Executive (HSE)
- The Independent Outdoor Group

The guidance is also compatible with the Offsite Approvals software - Exeant. By continuing to adopt National Guidance, the council can give full assurance that the health and safety of pupils and young people undertaking outdoor activities will be managed effectively and consistently. In conjunction with the expertise of the Offsite

Education Service (OES) and the intuitive offsite approvals software, a high level of support is available for the users of the system.

This document is reviewed at least annually or in response to legislative change and lessons identified from incidents and near misses.

# 1. Roles - specific requirements and recommendations

## 1.1 ESCC role

ESCC has a responsibility as an employer and service provider for outdoor education. In summary ESCC will provide:

- Appropriate Guidance National Guidance, <u>The Outdoor Education Advisers' Panel</u> (OEAP) and this document
- Training Courses to support the guidance to ensure it is understood (see section 'Training Courses')
- A suitable system to approve visits. These include residential visits, adventurous activities and, or demanding environments, overseas visits and for the notification of visits outside 'Sussex.' This is through the <u>Exeant approvals software system</u>
- Access to advice, support and key updates Any national guidance updates and reviews are highlighted in the 'updated document' section, the documents section on the Exeant website and the resources page of the ESCC webshop. Updates will be sent out through Exeant messenger to all Educational Visits Coordinators (EVCs).

## 1.2 Children's Services establishment roles

OEAP National Guidance sets out clear and detailed roles, responsibilities and functions. Refer to the individual OEAP documents to meet the requirements for specific roles. <u>OEAP National Guidance</u>

#### 1.3 Assessment of Leader and Assistant Leader competence

There is clear advice about the assessment of leader competence, which is reinforced through EVC training and Visit Leader training. ESCC has an expectation that Visit Leaders are experienced and are deemed competent to undertake the responsibilities of the role. There should, in most circumstances, be an Assistant Leader who is deemed competent to take responsibility if the Visit Leader is unable to do so.

Schools should have a clear process for approving people to lead visits or activities. They should be able to demonstrate the ability to operate to the current standards and recognise good practice for that role. All staff and helpers must be competent to carry out their defined roles and responsibilities. It is a requirement that Early Career Teachers (ECT) only lead visits once the Headteacher has approved them as competent and having the relevant experience. It is highly recommended that they complete Visit Leader training. Careful consideration of competence issues must be undertaken in respect of newly appointed staff.

Role	Requirements and responsibilities	
<u>Chiddingly</u> Head of School Kayleigh Vile <b>East Hoathly</b> Head of School	Confirms overseas, residential and visits involving adventure activities and, or demanding environments including those close to open water through Exeant.	
Alice Briley    Park Mead Head of School   Heidi West	Gives the verbal go ahead with class teachers for other trips and before class teachers book Assesses Visit Leader competency	
<u><b>St Mary The Virgin</b></u> Head of School Jane Robinson	Main point of contact for emergencies and crisis management	
EVC- Michelle Mackmin, H&S Administrator (East Hoathly & St Mary's)	Has EVC training and this is updated every 3 years Confirms all trips and risk assessments via Exeant	
EVC - Carly Dann, H&S Administrator (Chiddingly & Park Mead)	Sends communication/updates from ESCC to visit leaders and Head of School	
Visit Leader - Class Teachers	Completes risk assessments and uploads all information to Exeant for all offsite visits Books, organises trips and informs parents (liaises with school	
	secretary where necessary) Has training, if Head of School deems necessary	
	Does the pre-visit to feed into risk assessment	
	Informs support staff of delegated role/responsibilities and shares risk assessment with them	
	Ensure all volunteers have signed written agreement (and considers DBS status on risk assessments) and provided emergency contact information.	
Assistant Leader – Class TAs	Has training, if required	
	<i>Is given the risk assessment in advance of trip and informed of role/responsibilities (including Admin of Medicines/First aid)</i>	
Establishment process for approving people to lead visits:		
- Head of School approves their competency by assessing experience and training (through		

- Head of School approves their competency by assessing experience and training (through evidence of relevant experience in interview/application, observations and training/qualifications)

- Head of School gives all new staff Inductions and manages expectations with new staff

The OEAP National Guidance sets a clear standard to which East Sussex leaders **must** work. The guidance states that Visit Leaders must be accountable, confident, and competent. This means they:

- understand the chain of accountability, what is expected of them, and the establishments policies and procedures. The must have the ability to take charge of a situation while being aware of their abilities, as well as their limitations.
- demonstrate the ability to operate effectively. Have sufficient relevant experience and knowledge of the activities, the group, and the environments in which the visit will take place.
- take control and remain calm in a crisis.

Make judgements about the Leader's competency through:

- Observations
- Evidence of relevant experience
- Personal interests and experience relevant to the proposed activities and environment
- Evidence of undertaking appropriate training e.g. Visit Leader training
- Evidence of relevant qualifications

Refer to **OEAP** National Guidance.

#### 1.4 Monitoring

ESCC will sample monitor offsite activities and educational visits undertaken by schools. ESCC delegates a level of monitoring to the school. This includes:

- Monitoring the establishment policy for offsite visits.
- Monitor the role of the EVC, Headteacher or manager, governors and Visit Leader.
- Monitor the procedures for approving visits that fall outside of the ESCC remit.
- Sample monitor the practice on visits through observations by EVC or Headteacher and monitor post visit evaluations and reviews.

Area to be monitored	How it will be monitored
Policies and Procedures	Monitored by Executive Head, James Procter annually
	ESCC communications/updates sent through by of H&S Administrators, Carly Dann and Michelle Mackmin

Role and performance of Visit Leaders and support staff	Monitored by Heads of Schools and Senior Teachers via professional development meetings and observations.
Local, day visits	Monitored by EVCs, Michelle Mackmin and Carly Dann (visit leaders are encouraged to write feedback/evaluations on Exeant after the trip). Communicated to Heads of Schools.
Visits that require ESCC approval	Monitored by Heads of Schools via Exeant access and observations.
Role of the EVC	Monitored by Executive Head, James Procter, in professional development meetings with H&S Administrators.

Refer to **OEAP** National Guidance.

# 2. Using the Offsite Approval Service

Schools using this service **must** ensure that they have their own offsite visit policy or add establishment specifics to these procedures .

The school must also identify an Educational Visits Coordinator (EVC) who meets the requirements. The EVC must be formally trained and receive update training every three years.

EVC	Training Completed date (updated every 3 years)
Michelle Mackmin (East Hoathly & St mary The Virgin)	06/06/2023
Carly Dann (Chiddingly & Park Mead)	Initial 03/11/2021 Update 07/10/2024

It is important that the documents highlighted as essential reading on the OEAP website are read. These must be read along with documents that are relevant to the role and fall under the 'Legal Framework and Employer System'. These set out the legal expectations.

#### **ESCC** maintained schools

It is a **legal** expectation that employees must work within the requirements of National Guidance, as well as the requirements in this document Using this service means your school will record all overseas, residential and visits involving adventure activities and, or demanding environments including those close to open water through **Exeant** (see section 3). Visits must be submitted for formal approval from the OES **four weeks in advance** of a visit. If the nature of the visit is more complex due to the environment or activity (such as overseas treks) these should be discussed as soon as reasonably practicable. Formal approval means that the EVC and the Headteacher will have already checked and approved the visit.

It is required that all visits outside of Sussex are recorded on the system for notification purposes, prior to the departure date.

Local day visits do not require ESCC approval however it is strongly recommended that all visits are submitted on the system or that the school implements its own robust system for visits that fall outside the ESCC remit and specify these procedures in this document.

#### Academies, free schools and independent schools that purchase the ESCC Outdoor Education Service

You are advised to submit all overseas, residential and visits involving adventure activities and or demanding environments including those close to open water through Exeant (see section 3). This is so the OEA can provide you with advice and guidance in line with the OEAP National Guidance. They must be submitted **four weeks in advance** of the visit with EVC and where relevant head approval already granted. If any visits in these categories are not submitted on the system or within the deadline, the OEA is unable to provide the establishment with advice. It is also recommended that you submit all visits that take place outside Sussex for notification purposes prior to the departure date. Exeant can be used for all visits.

#### Visits not submitted on Exeant

It is recommended that this document is adopted and specifies an appropriate procedure and timescale for visits to be submitted. This should allow time for alterations to visits to be made.

Routine offsite visits, which are straight forward and are covered by blanket consent, or do not require consent, can be covered by a generic risk assessment and should be written into the school's visits policy. This could include, PE fixtures, weekly swimming lessons, Forest Schools, local learning areas or 14 to 19 curriculum activities. However, if you are not adopting this document you will need to create your own.

# 3. Exeant Offsite Approval Software

This is the web-based system for recording and approving offsite visits. Exeant links to OEAP Guidance and includes hyperlinks to relevant documents. This helps in the completion of the online form.

#### **Day Visits Process**

- 1. Visit Leader gains verbal consent from Head of School
- 2. Visit Leader can use the below document to aid process





<u>Section 1</u> should be completed at least **4 weeks** prior to the trip event and passed onto the Head of School and the School Secretary. Please also log onto **Exeant** to request the trip at the same time.

<u>Section 2</u> can be completed as a self-checklist and then you must add the **risk assessment** for the **EVC** to authorise on Exeant: <u>https://eastsussex.exeant.co.uk/</u>

Please note: residential trips or water based activities must also be authorised by the local authority and the Head of School on Exeant.

Section 1. Trip Details (Info	for Transport / Letter / ParentPay)
Trip name & brief description	Destination address
Date(s)	Number of pupils (numbers per year group, not
	class and if other schools need transport)
Arrival time at venue	
	Which schools & do they need transport?
Depart time from venue	
	Park Mead Chiddingly
	East Hoathly St Mary's
Dress Code (please circle)	Pupils should bring: (please circle)
School uniform	Water bottles
School jumper with comfy trousers / trainers	Sun cream
Non uniform	Hat
Waterproofs	Spending money
Other:	Other:
Lunch Arrangements (please circle)	Transport (please circle)
Packed Lunch needs to be taken: yes / no	I require a Bede's minibus to be organised
Offer of school packed lunch to Reception or KS1	I require a coach to be booked
or FSM in KS2: yes / no	Other:
Cost	Cover
Please specify cost per child and whether transport	Will you need cover? Yes / no
or additional extras are included or not:	

- 3. All day trips added to Exeant and risk assessment uploaded (including emergency procedures considered) by Visit Leader.
- 4. Visit Leader liaises with School Secretary to inform parents (at least 2 weeks before). Consent and emergency contacts gained with payment on ParentPay.

#### Swimming Lesson Process

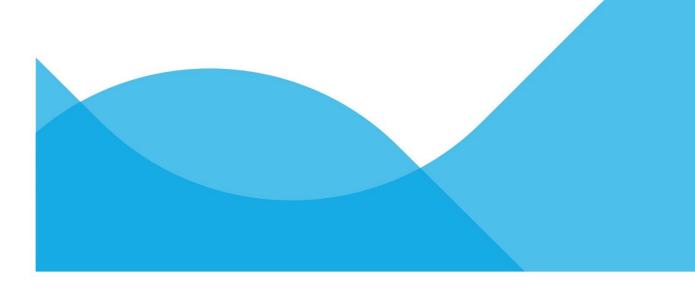
1. Head of School liaises with School Secretary and they book swimming lessons, coach and arranges parent communication. As using an outside provider, safer recruitment for teachers/lifeguards, insurance, qualifications and risk assessments are all checked by the school office, as per ESCC swimming guidance:





# Schools Swimming Guidance 2023

Version1 July 2023 Leanne Bentley



- 2. Consent (information is sent to any parents that try to opt out as it is in the curriculum) and emergency contacts gained with payment on ParentPay.
- 3. Visit Leader uses model risk assessment and personalises it to their cohort. This is sent to Head of School and EVC at least two weeks before first session.

#### PE/Active Education Sussex Fixtures Process

- 1. A school staff member, deemed competent by the Head of School, must attend AES fixtures and they are the 'visit leader'.
- Risk assessments are sent by AES to the Head of School (confirms consent to go ahead), EVC and class teacher and/or visit leader and it is adapted by the class teacher to include cohort specific hazards. Once Head of School agrees, School Secretary sends out parent communication and gains consent and emergency details.

#### Local Learning Environments including Forest School Process

- 1. Forest School Risk Assessments for each school are written by Head of School with Forest School Leader and are updated at least annually.
- Visits that are part of the curriculum and a normal part of a child's education which take place during the school day do not require parental consent, such as local environment and local community visits. However, the school feels it is best practice to inform parents and request updated emergency contacts.

#### The system will:

- notify the **EVC** and **Headteacher** of intended visits, allow them to make comments and approve or decline a visit application
- inform the Offsite Education Adviser (OEA) where ESCC approval or advice is required
- allow Schools Governors to have 'read only' access so that they can receive an overview of which visits are taking place

For each school there must be a registered, qualified EVC and a Headteacher or manager. They will be responsible for checking and internally approving or rejecting visits.

Establishment staff responsible for leading visits will need to register on the Exeant system and are responsible for submitting visit details onto Exeant, ensuring they upload:

- The schools risk assessments
- Accommodation checklist
- A copy of the letter to parents
- A completed **provider statement** (for providers of adventure activities or tour operators) where there is no Learning Outside the Classroom (LOtC) Quality Badge
- Evidence of £10 million public liability insurance (ESCC maintained Schools)

Other documents you may wish to upload could include:

- expedition route-cards (DofE)
- trip itinerary
- finance records (for establishment use)
- registers

The EVC or Headteacher have a responsibility for ensuring staff changes are managed on the system. Staff who leave should have their accounts disabled. If the EVC or Headteacher is leaving, contact the Outdoor Education Service via <u>outdoor.education@eastsussex.gov.uk</u> to inform them and ensure there is an adequate replacement. The OES should be informed if the EVC or Headteacher is off for a prolonged period of time.

#### East Sussex maintained schools

Visits that require ESCC approval cannot take place until approval has been granted as this could jeopardise the insurance cover in place.

#### Academies, independent schools

It is recommended that Academies, free schools and independent schools follow the advice of the OEA. However, ultimately the decision is that of the Headteacher.

# 4. Risk Management

As an employer, ESCC has a legal duty to ensure that risks are managed and reduced to an acceptable level. This requires proportional risk management systems to be in place. Training, support and resources are provided to help implement this. The risk assessment template is under 'documents' on Exeant. ESCC require ESCC maintained schools to use the ESCC template.

Non ESCC establishments must ensure their template complies with the **Health and Safety Executive 5 steps to Risk Assessment** model.

The Visit Leader must complete sign and date the risk assessment. These signatures can be electronic. The EVC (and when required the Headteacher) should check the risk assessment as part of the approval process. If the risk assessment is for a visit that is not submitted on Exeant, the EVC (and in some cases the Headteacher) should check and sign the risk assessment.

An important aspect of a risk awareness approach is to consider the benefits to be gained from participating in a particular activity and weigh them against the risks. This would mean any residual risk (i.e. risk remaining after control measures) is 'acceptable'. The Health and Safety Executive (HSE) endorses this approach. It also acknowledges the importance of young people being educated in risk management and taking responsibility for the outcomes of their own actions.

- HSE five steps to risk assessment
- <u>ESCC risk assessment template</u>

Please refer to **<u>OEAP** National Guidance</u>.

## 4.1 Effective supervision

There are no legally set ratios (accept for Early Years) to abide by in respect of staff to pupil ratios for offsite visits. It is a legal requirement that there is effective supervision, when considering the level of supervision required for a visit you should consider:

- **Staff:** abilities, experience, qualifications, rapport with children. The consequences of a staff member being indisposed.
- Timing: duration of the visit, time of year impact, in or out of normal hours.
- Activities: prior experience, who is leading the activities.
- **Group:** abilities, behaviour, maturity, specific individual needs.
- Environment: in or outside, public spaces, urban, rural.
- **Remoteness:** distance from the school, impact on travel, communication and support in an emergency.

Ratios

It is important to remember that an effective ratio for one group may not be effective for another group completing the same visit. A ratio should be determined by using the process of risk assessment.

#### **Early Years**

Refer to page 28 and 29 of the Early Years framework which sets the legal ratios for onsite, therefore offsite visits would require a higher ratio. If providing a residential experience, one staff member must be awake.

ESCC requires all visits to have **one** identified Visit Leader and an identified Assistant Leader. Both should meet the requirements specified by the OEAP National Guidance and your establishment for these roles. Only in exceptional circumstances, whereby the risk assessment deems it appropriate, can a visit take place with one member of staff. In these circumstances there should be a clear procedure in place for communicating the group are going offsite, when they are due to return and, for support when it is needed. Refer to the school lone working policy.

Refer to **OEAP** National Guidance.

#### 4.2 Vetting and Disclosure and Barring Service (DBS)

Individuals who engage in regulated activity with young people or vulnerable adults should undergo an enhanced DBS check, with a barred list check. Therefore, it may not be necessary for a parent helper to have a DBS check for a day trip unless they meet the criteria for frequency or intensively as stated below. Where the visit involves a residential an enhanced DBS and barred list check is required.

- Frequently is defined as "once per week or more."
- Intensively is defined as four days or more in a 30 day period or overnight (between two am and six am, where there is opportunity for face to face contact).

However, it must be understood that a DBS check (or other vetting and barring procedure) on its own is not a guarantee of the suitability of an adult to work with any given group of young or vulnerable people.

Refer to **OEAP** National Guidance.

# 5. Inclusion

### 5.1 Discrimination

The Equality Act 2010 states that the responsible body of a school must not discriminate, harass or victimise a pupil to whom one of the protected characteristics applies in the way that it affords (or not) the pupil access to a benefit, facility or service.

These include disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is a duty to make reasonable adjustments.

Every effort must therefore be made to ensure that offsite activities and educational visits are available and accessible to all. Reasonable efforts must be made to find a venue and activities that are suitable and accessible for the whole group to participate in fully. The principles of inclusion should be clearly reflected in the establishment's policy.

Visit Leaders should consider the needs of the group at the earliest point when planning a visit, so they can ensure the needs of the young people are met. In some circumstances it may be impossible for reasonable adjustments to be made to enable someone to be included on a visit. In this case it is not necessary to deprive the rest of the group. However, you must demonstrate that what happened was for a reason other than unfair discrimination. The reasonable adjustments template can help record and identify feasible adjustments. Please contact the OES via outdoor.education@eastsussex.gov.uk if you have any queries relating to inclusion.

#### 5.2 Exclusion for behaviour

Behaviour is not a protective characteristic defined by the Equality Act. It may therefore be acceptable to exclude someone from an activity or visit if their potential behaviour presents a significant, unmanageable and unacceptable risk to the health, safety or welfare of either themselves or others. Also, if it affects the successful completion of the activity or visit. However, if the behaviour is associated with a protected characteristic, great care should be taken to ensure that unfair or illegal discrimination does not take place.

If the expectation is that parents will be responsible for collecting a child from a visit due to unmanageable or unsafe behavior, this should be set out and clearly communicated to the parents in the visit code of conduct. The school should consider the implications if parents or carers cannot drive or if there are any costs involved in a pupil returning early.

Refer to **OEAP** National Guidance.

**Reasonable Adjustments Template** 

Emotional wellbeing and mental health guidance document

<u>Supporting children with medical conditions documents are available on the ESCC webshop resources page</u> and in the <u>Exeant documents section</u>.

# 6. Charging for Visits

There is a legal framework relating to charging for visits, voluntary contributions and remissions that Headteachers or managers, EVCs and Visit Leaders must take into account. These are set out in the Education Act 1996 sections 449-462.

Refer to, Charging for school activities - GOV.UK (www.gov.uk)

# 7. Insurance

## 7.1 School journey insurance

ESCC maintained schools will automatically be covered by the ESCC school journey insurance arrangements. However, any schools that have opted out of our corporate arrangements will no longer have cover and will need to ensure they have alternative insurance in place.

Maintained schools are required to take a copy of the <u>Insurance certificate</u> with them on all overseas visits. Group leaders should familiarize themselves with this document which summarises the scope and conditions of cover, in particular noting the advice on preexisting medical conditions. In addition, please note that certain policy exclusions apply and contact must be made with the insurer's emergency assistance number immediately. This is in the event of losses that lead to in-patient hospital treatment abroad and emergency repatriation expenses, otherwise insurers have the right to refuse a claim.

Academies, Free Schools and Independent Schools will need to purchase their own insurance. It is important to ensure the Visit Leader, EVC, Headteacher or manager are aware of any exemption the insurance policy has as this may restrict some visits or activities from taking place. They must also be aware that elements of recovery and repatriation are covered.

If you are planning to participate in an unusual adventure activity, please inform the OES as soon as possible so that the appropriate checks can be carried out with regards to insurance cover.

Refer to **OEAP** National Guidance.

## 7.2 Public liability insurance

When a service provider is coming into a school the provider must have £10 million public liability cover. This can be achieved by the provider holding £10 million level of insurance outright or by the provider taking £5 million and then topping up with a further £5 million through ESCC contractors top up insurance. Anyone with less than £5 million of their own insurance cannot provide services within schools.

The requirement for £10 million public liability also exists for offsite visits. This means any venue, provider including tour operators, travel agents or accommodation should have £10 million public liability insurance.

Offsite visits to public services and places (e.g. cinemas, museums) where the risk assessment perceives the risk to be low may have lower public liability insurance which would still be acceptable.

In some circumstances where the provider is not offering a residential visit, the public liability insurance may be topped up by the ESCC contractors top up scheme if they hold a minimum of £5 million public liability insurance already. This is only available if the provider is entering into a bespoke contract purely with your school.

Non ESCC schools are not able to access the ESCC top up scheme, however they are not limited to using providers holding £10 million public liability insurance however this is recommended. It is advisable that providers do not have any less than £5 million public liability insurance.

## 7.3 Dual insurance

There are potential risks to having dual or double insurance. This can lead to a more complicated claims process or even invalidation of one or both policies. Where insurance is included in a package and you are covered by ESCC school journey insurance, you should compare the policies and discuss with the ESCC insurance team as to which best meets your visit needs. Be aware that some providers will automatically include you in their insurance scheme unless you explicitly confirm you do not want it. In this scenario the ESCC policy will not operate

# 8. Adventure Activities Licensing Regulations

Employers, Headteachers or managers, EVCs and Visit Leaders should have a basic understanding of where and when the provision of adventurous activities is legally regulated.

The Adventure Activities Licensing regulation is the direct responsibility of HSE. It operates through the Adventure Activities Licensing Authority (AALA). AALA license is an assurance of safety. It does not accredit educational or activity quality.

The activities covered by the scheme are

- caving
- climbing
- trekking
- water sports

The regulations and supporting inspection regime provide a formal process of professional inspection to accredit that providers have effective safety management systems and processes that meet a national standard. Anyone who provides facilities for 'in scope' adventure activities to young people under the age of 18 (in return for payment) must have a license and abide by its conditions.

The definitive source of advice on the Licensing Regulations can be found in the HSE publication <u>'Guidance to</u> <u>the Licensing Authority Activity Licensing Regulations 1996'</u>.

Refer to **OEAP** National Guidance.

# 9. Planning a Visit

## 9.1 Pre-visits and choosing a provider

ESCC strongly recommends pre-visits wherever reasonably practicable, particularly to unfamiliar sites, as a vital dimension of risk management. Pre-visits enable the Visit Leader to assess the provider, venue or location to see that it is suitable for the needs of the young people and also for achieving the visits objectives.

It is recommended that the OEAP 4.4f Assessing a provider – checklist is complete. It also allows the Visit Leader to familiarise themselves with the environment, noting hazards, location of facilities and assess the requirements for effective supervision. The cost of a pre-visit can be included in the total cost of the visit.

There are national accreditation and provider assurance schemes that the OEAP acknowledges and recommends as a sign of quality assurance. ESCC recognises the LOtC Quality Badge as a benchmark for assurance of safety and quality. Details of the LOtC quality badge and the database of providers can be accessed through the LOtC quality badge.

ESCC requires providers of adventurous activities and tour operators to hold the LOtC quality badge and to have £10 million public liability insurance. No further assurance is required. However, it is important to check that the provider's ethos matches your expectations and whether the provision meets the needs of the group. It is also important to check that the provider offers appropriate financial and consumer protections to its customers through the Association of British Travel Agents (ABTA) or Air Travel Organisers' Licensing (ATOL) schemes or similar.

There is a risk of exposure to schools of uninsured losses should they enter into a contract with a provider who does not offer this protection, such as if the provider goes into liquidation or there is a contract dispute.

Clarification on supervision and 'down time' arrangements should be obtained. You should have a clear understanding of the providers and the school's roles and responsibilities.

If a provider does not hold a LOtC Quality Badge, then it is a requirement for an OEAP guidance **'provider statement'** to be completed. This must be uploaded as part of the approval process. This should be completed before making a booking and checked with the OES.

ESCC recommends that for non-adventurous activities the LOtC Quality Badge is still used for quality assurance. Where the provider does not hold the LOtC Quality Badge the provider statement is completed.

Refer to **OEAP** National Guidance.

#### 9.2 Accommodation

The type of accommodation will vary visit to visit and standards abroad can differ from what we would expect in the UK. Where possible, the Visit Leader should carry out a pre visit to satisfy themselves. Where this is not possible, they should seek to gather as much information as possible to satisfy themselves about the accommodation arrangements. The Visit Leader must ensure the accommodation checklist is completed and uploaded to Exeant.

Accommodation must have £10 million public liability insurance.

#### 9.3 Contracts

When booking a provider, it may involve entering into a contract. It is important that any contractual agreement is between the provider and the school. It should NOT be directly between the provider and the parents or participant.

Before entering a contract, be fully aware of and understand the terms. In particular, be aware of cancellation terms, including cancellation arising from health issues including COVID, acknowledgement of risks or waivers, general terms and conditions including personal data.

For some activities where there is a higher level of risk such as skiing, mountain biking and go karting, the provider should provide you with information about the risks involved. The school must ensure this is shared with the participants and the parents, guardians so consent is fully informed.

#### 9.4 Waivers

When booking with a provider, they should make it clear at the time of booking that there is a waiver or risk acknowledgment statement in place. It is bad practice for a waiver to be presented at a late stage such as on arrival.

Waivers should not attempt to limit liability for death or personal injury resulting from negligence. This is illegal under The Unfair Contract Terms Act 1977. If a waiver is signed that breaches The Unfair Contract Terms Act 1977 it would not be enforceable.

ESCC recommend that you check if the provider expects a waiver to be signed prior to making a booking. Ask for a copy of the waiver and send it to the OES who will consult our insurance team for advice on whether the waiver should be signed.

Refer to **OEAP** National Guidance.

#### 9.5 Overseas visits

When planning an overseas visit, before booking with a provider or tour operator, consideration must be given to the geopolitical risks associated with the destination(s). In some circumstances it will be necessary for the Visit Leader and EVC to complete a <u>threat assessment</u>. Information from the <u>Foreign & Commonwealth Office</u> (FCO) will be sought when completing the assessment. Also information from the proposed tour operator and an in-country source must be sought where possible.

The threat assessment should identify the significant geopolitical risks, including civil disturbance. It should also highlight and address any issues focusing upon inclusivity issues such as attitudes and laws towards LGBTQ+ students and staff. **This needs to be completed before booking with a provider.** 

Where a threat assessment is required, the results should be discussed with the OEA and EVC. In some circumstances a meeting will be required to discuss the proposed plans for the visit including the requirements and expectations of the provider. This meeting with take place **at least six months in advance.** 

In situations where a Local Authority school wishes to proceed with a visit despite a significant and likely threat to the group (which are not balanced by the benefits, or where the benefits could be achieved through an alternative destination) ESCC Children Services Senior Management Team will be briefed and impose the final decision.

In situations where an Academy wishes to proceed with a visit despite a significant and likely threat to the group (which are not balanced by the benefits, or where the benefits could be achieved through an alternative destination) the OES will provide advice and guidance and suggest that the Academy Trust Management Board make the final decision.

For all other overseas visits parental consent needs to acknowledge that they have been fully informed of the visit arrangements. This must include the planned activities, accommodation type, travel arrangements and the risks involved in all aspects of the visit. Parents should also be made aware of the emergency medical facilities available to the group throughout the visit.

Once a visit has been completed, the Visit Leader must complete a review of the visit. This should be discussed with the EVC and significant incidents or learning should be shared with the OES. For visits to destinations that require a threat assessment to be conducted, the Visit Leader and EVC will need to feedback to the OES to

highlight, successes, key learning points and near misses. This meeting will take place within two weeks of returning.

Since departing from the European Union (EU), check the <u>government advice</u> on travel to Switzerland, Norway, Iceland and Liechtenstien if these are your intended destination. In addition, you should refer to the Department for Education (DfE) guidance to schools for visits to the EU under the <u>'school trips and exchanges'</u> section.

## 9.6 Self organised packages

The Package Travel Regulations (PTR) may apply to visits when a school organises a 'package' of travel services including transport, accommodation or 'tourist services'. The PTR does NOT apply to:

• Day visits

• Other visits organised occasionally on a not-for-profit basis for a limited group of travellers (such as the pupils of a school or the members of a youth organization.)

Self-organised visits can involve financial or other risks, as well as potentially requiring compliance with the PTR. However, such visits are likely to allow for greater control over the visit programme and greater potential for involvement of young people in planning and preparation, and may therefore provide more educational opportunities than a package purchased from a provider.

The full text of the PTR should be consulted by any school which is the organiser of a visit to which the PTR applies. It is available online at: <a href="https://www.legislation.gov.uk/uksi/2018/634/contents/made">www.legislation.gov.uk/uksi/2018/634/contents/made</a>.

Please refer to OEAP 3.2h Visits and the Package Travel Regulations

## 9.7 Planning the visit

Planning an offsite activity or educational visit should reflect the consideration of legal and good practice requirements set out by the OEAP within the National Guidance and this document. ESCC recommends that the planning process is highlighted in the establishment's policy. The following areas need to be addressed as part of the planning process, key requirements and actions:

- The setting of clear learning outcomes aims and benefits for visits. This helps identify what the visit programme may look like and will help plan, lead and review the visit.
- Proportionate assurances have been obtained from any provider through the LOtC Quality Badge, or a satisfactory OEAP Provider Statement form has been completed, including confirmation of public liability insurance.
- Contracts, terms and conditions and waivers are checked prior to booking.
- Complete a threat assessment (appendix 1) if required. Discuss the results and proposed plans with the OES at least six months in advance. If you are unsure if a threat assessment is required, please consult the OES.
- All staff (including adult volunteer helpers) and the young people should be involved in, and have knowledge of, the risk management process. This should include their roles and responsibilities and ensure the assistant leader has been identified.
- Access to first aid is considered and accessible, which is appropriate to the age of the children and their needs and relevant to the environment the group will be in. Please refer to the <u>ESCC First Aid Policy and the First Aid and School Trips frequently asked</u> questions.
- The administration of medicines (prescribed and non-prescription) is planned for, with the relevant training for staff and consideration of the legal requirements for taking medication overseas.
- The school completes a risk assessment, ensuring that careful consideration is given to the needs of the group.
- The accommodation checklist is completed.
- Those in a position of parental authority have been fully informed of the visit programme and where appropriate formal consent has been obtained.
- The visit has a clear contingency plan and emergency plan.
- Designated 24-hour emergency contact identified for the duration of the visit. All details of the visit are accessible to the emergency contact.

To identify the level of planning required for activities, access The Radar through **<u>OEAP National Guidance</u>**.

#### 9.8 Consent

Consent forms have been used in the past to get updated information about medical issues, food allergies etc. Visits that are part of the curriculum and a normal part of a child's education which take place during the school day do not require parental consent, such as local environment and local community visits. The school should decide how best to inform the parents.

ESCC recommends that consent be obtained using an annual consent form. These would be for all offsite activities and educational visits that require consent. For example for those trips that fall outside school hours, or visits that take place further away from the school site. Parents or carers need to be informed of the visit details, <u>ESCC Template</u>. Academies, free schools and independent schools should review the ESCC template prior to use to ensure it reflects their insurance requirements.

Where an activity and visit falls within the adventurous, demanding environment, residential and overseas category, or where there is a third-party provider, ESCC recommends seeking consent on each occasion. Full details of the visit and activities should be provided, so that those in a position of parental responsibility can give informed consent. Information on charging and cancellation terms must also be communicated.

To avoid confusion as to when consent will be required and the type of consent, it is best practice to inform parents either when they enroll their child, within the prospectus, within policy documents or on the school website.

E-consent can be used, where systems allow, please refer to 4.3d consent for further information.

There is no requirement to carry consent forms on visits within the United Kingdom (UK). However, for visits outside of the UK please ensure consent forms are carried securely. Please refer to your establishment Data in Transit Policy.

## 9.9 General Data Protection Regulation (GDPR)

While the section above (9.8) relates to consent in the sense of the parent giving permission for the child to take part in the trip, this section refers to consent as the lawful basis for the processing of data about the student and their parents by the school.

GDPR consent requests need to be prominent, concise, easy to understand and separate from any other information such as general terms. It can be tricky to balance ensuring that the consent is specific enough with also making it concise and easy to understand. If you do need to include a lot of information, take care to ensure it is still prominent and easy to read.

In the form, you must include:

- the name of your school and the names of any other controllers who will rely on the consent.
- why you want the data (the purposes of the processing), for example, the medical and contact information provided will be used to ensure effective planning for the inclusion of your child within the visit.

- what you will do with the data (the processing activities), for example, it may be shared with ESCC for the purpose of approving the visit and also be shared with the provider involved in the delivery of the visit.
- that parents can withdraw \* their consent at any time, and how they do this (for example, contact the school office).

\* Parents need to be aware that if they do not allow this information to be shared it may mean that their child cannot be included within the visit.

Schools should check if consent has already been sought previously in relation to photography and taking images of children for specified purposes. If so, you may not need to seek consent again for this on a separate consent form such as those for school trips.

If the school uses systems to collect and manage consent electronically, it is the school's responsibility to ensure they are GDPR compliant.

All personal data carried on a school trip should be done so securely and the school should refer to their establishment policy for 'Data in Transit.'

Consider who is carrying personal data on a school trip and ensure it is carried securely. At the end of the visit the Visit Leader should collect in any data that has been held by other staff or adults and either retain or destroy it appropriately in line with the school retention schedule.

For further information refer to the ESCC School Trips and GDPR Guidance document.

#### 9.10 Retention Schedule

A child can make a claim for an incident three years after they have reached the age of maturity, meaning until they are 21 years old. In the case of those with special educational needs, the age limit is 25 years. Exeant will store visit information electronically for this retention period to evidence the effect planning and evaluation of visits.

Consent forms could be retained for this retention period. However, the requirement for needing them is low in most situations where there has not been an incident on a visit. Therefore, a risk assessment could be completed to decide if the forms could be disposed of once this visit is complete. Where there has been an incident on a visit, the consent forms for all pupils should be retained until they reach 25 years old.

For further information refer to the IRMS toolkit for schools or the IRMS toolkit for academies.

# 9.11 Evaluation and value of offsite activities and educational visits

Evaluating offsite activities and educational visits is paramount to ensuring that learning outcomes and visit aims are achieved. It also ensures the quality of the activity, or provider is assessed and the supervision measures in place for the group are adequate. The visit review will help inform the planning of future visits.

Feedback on visits should be shared and discussed with the schools EVC. Any significant concerns or learning points and good practice should be shared with the OES.

Where overseas visits have taken place, and it required the need for a threat assessment to be conducted, then feedback to the OES must be completed within **two weeks** of returning.

# 10. Critical Incident Support and Emergency Planning

A critical incident is defined as:

- an incident in which any member of the group on an offsite activity or educational visit suffers a life-threatening injury or fatality. It is at serious risk or has gone missing for a significant and unacceptable amount of time.
- 2. an incident in which the normal coping mechanisms are not sufficient.

Should you need advice and support in a crisis or critical incident please contact ESCC.

The following telephone numbers should be used:

Normal office hours 01273 481316 (08.30 to 16.30)

Outside office hours 0300 1233314 (16.30 to 08.30)

These numbers should be carried by the Visit Leaders, EVC, and Headteacher at all times during an offsite activity or educational visit. They are only to be used in a genuine emergency. Do not give these numbers to young people or their parents or guardians.

Within your establishment's policy a clear Emergency Procedure needs to be set out in case of an incident whilst offsite. This should state when and who should contact ESCC Children's Services. If your establishment is the employer, then follow OEAP National Guidance recommendation for writing an establishment policy.

Staff leading visits and those involved in visits should beware of and have a practical knowledge of how to manage incidents. These may include critical incidents whilst offsite. Refer to <u>OEAP National Guidance</u>.

## 10.1 Emergency Contact

For every visit, an emergency contact needs to be highlighted, and this person should be contactable 24 hours during the visit. They should have all relevant information of the visit.

This should include contact numbers, medical information, an itinerary and the school's emergency procedure. Also include the ESCC critical incident contact numbers. They should be an individual who can work well under pressure and in stressful situations.

## 10.2 Reporting accidents

The ESCC Health and Safety team has an online accident reporting system. This can be accessed via the 'incident reporting and first aid' webshop page. It is advised that a printed template is taken by the Visit Leader on any visit. This is so details can be written down whilst they are at the forefront of their minds.

Please ensure that there is a system in place for handing over incidents or injuries to parents on return from a visit. This should reflect the procedure for informing parents of injuries sustained in school.

For academies and schools not using the ESCC Health and Safety system, please refer to your own establishment policy for reporting incidents. If there are any significant incidents, near misses or violent incidents during offsite visits please inform the OES by email as soon as possible.

# 11. Transport

Statistics demonstrate that it is much more dangerous to travel to an activity than to engage in the activity. Careful planning is required.

ESCC sets out clear requirements on using minibuses and private cars. These can be found under <u>'documents'</u> on Exeant, along with template letters for using private cars. If buses or coaches are hired, this should be through a reputable company and the provider statement for coach use should be used.

When using public transport, inform the company of the size of the group and the date of travel. Be respectful to members of the public and be aware of strikes, delays and cancellations. Robust plan Bs are essential.

Refer to **<u>OEAP National Guidance</u>**.

# 12. Training

We provide training courses for the following:

- Educational Visits Co-ordinator (OEAP Approved)
- Visit Leader Training (OEAP Approved)
- Governing body and management boards roles and responsibility for offsite visits
- Exeant and risk assessment training
- Emergencies on school trips
- Crisis Management

Webinars on:

- risk assessments made easy
- completing Exeant

# 13. Duke of Edinburgh's Award (DofE)

In order to deliver the DofE award the school will need to hold a Direct Licence. ESCC maintained schools are required to get expeditions approved by ESCC OES. It is strongly recommended that an academy with a service level agreement (SLA) for the offsite approval service also seek advice for their expeditions. The advice and guidance will be in line with the <u>ESCC DofE regulations</u>.

# 14. Useful contacts

Offsite Education Service	outdoor.education@eastsussex.gov.uk
Principle Insurance Officer	tracy.unsted@eastsussex.gov.uk
Health and Safety lead consultant	kim.hicks@eastusussex.gov.uk

# Policy Reviewed or Updated

#### Dates and amendments

January 2020 - Overseas visits and Planning the visit sections. 9.2 and 9.3

#### August 2021 - 1.3 – visit leader

- 4 risk management
- 5.1 inclusion
- 5.2 behaviour
- 7.1 school insurance policy
- 7.2 public liability insurance
- 9.1 pre visits and choosing a provider
- 9.2 overseas visits
- 9.6 evaluation: value of offsite activities and educational visits
- **10** critical incidents

#### August 2023 - Minor changes throughout

Assessment of leader and assistant leader competencies

- 4.1 effective supervison
- 5.2 exclusion for behavior

August 2024 – Minor changes throughout

Added editable sections

- 3. Exeant offsite approval software
- 9.6 Self organised packages