

LEISURE FACILITY EXCLUSION POLICY

Lead department/service	Operational Services Department
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Background:

Leisure facilities by their very nature attract large numbers of customers from all sections of the community. From time to time, some customers behave in a manner that interferes with the enjoyment or health and safety of the majority of users and/or who cause damage to the building or contents. A small number of customers do not modify their behaviour when so required. In such instances, sanctions are required to support managers in protecting the interests of the majority of customers and/or the Council. It is important that such issues are dealt with consistently across all venues.

The Policy supports the Council's Community Aims: -

Improved Health and Quality of Life
Greater Prosperity
Reduced Crime
A Well Managed Authority.

Definitions for the purposes of this policy:

This policy applies to all Sports and Leisure Centres and Entertainment Venues managed by the Operational Services Department. This includes "Dual Use" premises when open to the public.

Day means 24 hours from time of exclusion.

Week means 7 days from time of exclusion.

Month means 28 days from time of exclusion.

Three months means 3 calendar months from time of exclusion.

Lifetime means permanent from time of exclusion.

Front Line Staff means those staff who are employed at the interface with customers.

Duty Officer means the employee designated as being in charge of the facility at the time of the incident.

Manager means Senior Assistant Facility Manager or above being the senior officer with responsibility for the site.

Unit Manager means the Leisure Unit Manager, Tourism Unit Manager or Catering Unit Manager.

Site and/or facility means a sport and/or leisure centre and/or entertainment venue managed by the Operational Services Department.

The policy will also apply to serious offences such as assault, as a support to other action. Where clear guidelines are laid down in the “Code of Practice on Violence and Challenging Behaviour Towards Employees”, or in relevant legislation, these will always take precedence in the application of sanctions.

Policy Statement

The East Riding of Yorkshire Council will ensure that customers using the facility are not inconvenienced by the actions of a minority and will take all steps necessary to educate or discourage those who cause damage to the building or contents or who interfere with the enjoyment or health and safety of the majority of users.

Enforcement

In the first instance, as set out in detail in the Policy, enforcement will be by Front Line Staff. Escalating levels of responsibility are clearly set out in the Policy.

Equal Opportunities

This policy complies with the Council's Corporate Equality Policy, which states:

The East Riding of Yorkshire Council is committed to fulfilling its roles as an employer, service provider, purchaser of goods or services and community leader without discrimination in terms of colour, culture or ethnic origin, nationality, religious belief, gender, disability, age, geographical location or any other status.

All Members, employees and agents of the Council must seek to eliminate discrimination and promote equality and good relations within all communities.

Implementation strategy

The Policy will be introduced into all sites on 1st October 2001. All existing policies or procedures relating to exclusion at individual sites will be superseded.

Desirable Outcomes

The implementation of the Policy will achieve safer and more welcoming facilities for our customers and clear guidelines for staff in dealing with those customers behaving unacceptably.

Links with other Policies

This Policy links with the Sport, Recreation and Leisure Policy:- 4.1 – Operation of Facilities.

Evaluation

The Policy will be evaluated by feedback from Team/Managers' meetings and by analysis of any feedback through the Corporate system.

Leisure Facility Exclusion Policy

1 Warnings

- 1.1 In normal circumstances no less than two warnings must be given that continuation of inappropriate behavior may result in exclusion from the facility. These warnings can be sequential.
- 1.2 Where possible witnesses should be present when warnings are issued and a record made, including details of witnesses, in the incident log/diary.
- 1.3 Where warnings lead to exclusion a detailed note must be retained on site setting out the reasons for exclusion and names of any witnesses, signed by the person making the decision to exclude.

2 Levels of Responsibility

- 2.1 Front Line Staff may issue warnings.
- 2.2 A Duty Officer can impose exclusion for one-day minor offences.
- 2.3 A Manager can impose exclusion for one week from a specific facility.
- 2.4 A Unit Manager can impose exclusion for up to three months from all facilities.
- 2.5 Lifetime exclusion from all facilities will be imposed only after the Director of Operational Services, in consultation with the Director of Law, Administration of Planning and Property, has considered a report on the incident/incidents. Members will be informed of any such exclusion.
- 2.6 Appeals against warnings will be determined by the Manager.
- 2.7 Appeals against exclusion will be determined by the Leisure, Tourism and Catering Manager except in the case of lifetime exclusion when the matter will be referred to an Appeals Committee.

3 Penalty Guidelines

- 3.1 Minor offences after warnings: 1-day exclusion.
- 3.2 Minor offences by persistent offenders within one month of a previous exclusion, minor deliberate damage and/or unsafe behaviour: 1-week exclusion.
- 3.3 More serious offences including fighting, bullying, deliberate damage with a repair cost estimated at over £25, theft and continued minor offences within one month of a previous second exclusion: up to 3-months exclusion from all sites.

- 3.4 Serious Health and Safety incidents, arson, vandalism, drug taking/dealing on the premises, violence to staff: lifetime exclusion from all sites.
- 3.5 Child Protection Guidelines should also be referred to when considering levels of penalty.

4 Recording and Notification

- 4.1 All formal steps from initial warnings to exclusion must be recorded in the site diary/log/incident book.
- 4.2 Exclusions of 1-week and above must be confirmed to the individual in writing setting out the reasons for exclusion. With individuals who are thought to be under 16 years old this confirmation should be sent to the parent/guardian. Where it is not possible to obtain the address of the person concerned, a letter should be written with the original being held until the end of the suspension. This will ensure that if parents/guardians or representatives query the action taken a formal record is immediately available.
- 4.3 In the case of 3-month or lifetime exclusions information is to be sent to all other sites to ensure that they are aware of the exclusion and operate the sanction. In addition information should be given to the Police.

5 Miscellaneous

- 5.1 Before any person believed to be under 16 years old is removed from the premises, or where there is a concern at an older individual's ability to reach home safely, the Duty Officer must contact a parent/guardian or other responsible person and inform them of the situation. Care must be taken to avoid putting a young or vulnerable person at risk, for example by ejecting them from the premises early, when they are due to be collected at a specific time.
- 5.2 With dual use facilities the school should be informed about any exclusion of 1-week or above to enable them to form their own view on whether similar action should be taken during school use.
- 5.3 If persons are unwilling to leave the premises the assistance of the police should be sought. Staff should not attempt to physically remove any person themselves.