



# Scrutiny Report

## Children & Young People Scrutiny Panel Safeguarding at Schools on Polling Days

March 2011





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# FOREWORD FROM THE CHAIR



**Councillor Stuart Wilson**  
Chair of the Children and Young People  
Scrutiny Panel

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North Lincolnshire council's officers have a good record of minimising the use of schools and this report is not a criticism but an attempt to clarify the situation and assist the process.

I hope everyone concerned will find the report useful and I would like to thank all those who took part, headteachers, council officers and the members of the panel.

This scrutiny report was triggered by the proximity of the Local Government elections in May 2011 and the panel's concerns for the education of children and the safeguarding issues, which can arise at this time.

We were (and are) concerned that children should be safe in their school if used for elections during the school day. We were also concerned if schools need to close thereby losing a day of education.

# BACKGROUND TO THE REVIEW

Safeguarding at schools on polling days was raised at a meeting of the Children and Young People Scrutiny Panel held on 10 January 2011, as an item under 'any other business'. One of the panel members highlighted issues that had been brought to her attention when schools are used as an election polling station during term time.

Having discussed the concerns with fellow members of the panel, it was agreed that the issue would be given further consideration, with council officers being invited to attend and supply information as requested. The panel felt it was an appropriate time to discuss the subject matter, especially with the local elections and the national referendum on the Parliamentary Voting System being held on the 5 May 2011.

The panel agreed that it would have to be a short overview of the situation due to the limited timescales available before the elections on 5 May. It focused therefore on a number of key issues affecting North Lincolnshire. These were: -

- To understand fully the current legislation on the use of schools, and other buildings for election purposes.
- To establish the number of schools currently used, and why they have been chosen and to establish if there are any alternatives that could be used.
- To speak to the parties concerned to investigate if there are any safeguarding issues and if so how these can be resolved.
- To make recommendations to the Executive if necessary.

# RECOMMENDATIONS

The final recommendations of the panel are summarised below: -

## **Recommendation 1**

That the Returning Officer, the Head of Democratic Services and their staff be thanked and congratulated on the hard work carried out during this short review in managing to resolve the majority of issues for all concerned.

## **Recommendation 2**

That in future the Head of Democratic Services works in conjunction with officers from Children's Services to build election dates into schools teaching timetables. This would allow schools to plan in advance for forthcoming elections, particularly those that may have to be used for election purposes and more particularly those that may have to close on polling day.

## **Recommendation 3**

That in future the Returning Officer utilises, where possible, alternative accommodation rather than schools for election purposes, including schools which do not currently have to close on polling day.

## **Recommendation 4**

That where no alternative accommodation can be found and a school has to be used as a polling station during term time, then officers appointed to work at that school for polling duties should preferably be CRB checked.

# FINDINGS

## **Current Legislation**

The Returning Officer may use, free of charge, for the purpose of taking the poll, any room in a school maintained or assisted by the local authority, or in a school in respect of which grants are made out of monies provided by Parliament to the person or body responsible for the management of the school (rule 22(1) of the parliamentary election rules, rule 20 (1)(a) of the Principal Areas elections rules and rule 20(1)(a) and of the Parishes and Communities elections rules. The entitlement to the use of the room free of charge must mean that there is a correlative duty on those who control the room to make it available.

The regulations do not make any provision for the safeguarding of children at schools. However, it is deemed appropriate that the Headteacher will close the school if he/she deems it is necessary.

Schools are often used as polling stations usually during the month of May. The local authority chooses the school that they need to use for polling, but the Headteacher should do a risk assessment and then choose whether to close the school or not for polling purposes.

## **Do schools have to be used?**

There is a statutory requirement for school premises to be used as polling stations, if required by the Returning Officer for Local, Parliamentary and European elections. Before the school can be used, the Returning Officer must check the premises to ensure their suitability.

The use of the premises is not just restricted to the room to be used for polling but includes access to toilets, washroom facilities, drinking water and a minimum level of heat. Access is also required before and after polling hours, to allow staff to set up and close the station.

The Returning Officer can use any reasonable location as a polling station, whether he chooses a school or a near-by village hall is entirely at his discretion, but the aforementioned issues all have to be taken into consideration when making the decision. Schools, particularly primary schools, often lie at the centre of the communities they serve, and are therefore popular with both the Returning Officer and voters as venues for polling stations. Schools are usually more able than other premises to provide all the necessary facilities and are generally easily accessible to voters with disabilities.

With the exception of general and by-elections, most elections occur on a regular cycle, depending upon the type of election and the authority for which it is being held.

## **North Lincolnshire**

The total number of polling stations used in North Lincolnshire for local elections is 122.

Out of those 122 polling stations, seven schools are currently used. They are: -

- Oakfield Primary School, Scunthorpe \*
- Nursery Unit, Althorpe & Keadby \*
- Castledyke Primary School, Barton Upon Humber \*

# FINDINGS

- Bowmandale Primary School, Barton Upon Humber
- Holme Valley Primary School, Bottesford \*
- Westcliffe Primary School, Scunthorpe
- Alkborough Primary School, Alkborough.

*\* These four schools have previously closed to all pupils on the day of polling.*

## **How does Neighbouring Authorities Compare?**

- East Riding of Yorkshire Council - 261 polling stations and 20 schools were used in 2010
- North East Lincolnshire Council – 94 polling stations and 14 schools were used in 2010, 15 to be used in 2011
- West Lindsey District Council – 106 polling stations and 6 schools were used in 2010.

## **Interview held with the Returning Officer and the Head of Democratic Services**

The Chief Executive and the Head of Democratic Services attended a meeting of the panel. The Chief Executive indicated that he was attending and answering questions in his role as Returning Officer, rather than in his capacity as Chief Executive of North Lincolnshire Council.

He highlighted the fact that whilst there are concerns with using schools for polling day in North Lincolnshire, and that he appreciates the problems they may cause, he does have the responsibility as Returning Officer to provide suitable premises to enable voters in the community to be able to cast their vote, safely and securely.

The panel was informed that every effort is made to find suitable alternatives to the use of schools. Questionnaires/letters are sent to Ward Councillors every year where schools are used to establish if they are aware of any suitable alternatives, and officers within democratic services continuously review premises within the area and use alternatives as and when they are found, if deemed appropriate for use as a polling station.

Panel members raised various concerns, including safeguarding issues when schools are kept open for pupils on polling days, and the loss of another day's education. The Returning Officer sympathised with some Headteachers having to close the school on polling day, and did indicate that democratic services would always work with the schools affected to try and accommodate the poll on school premises without having to close them to all pupils. However he highlighted the fact that safeguarding was ultimately the responsibility of headteachers.

## **Interview held with the Headteachers from schools affected by polling day.**

All the Headteachers affected by elections being held on their school premises were invited to attend a meeting of the panel.

Lengthy discussions took place with three Headteachers who attended and had concerns and observations they wished the panel to take into consideration. The three schools are: -

- Bowmandale Primary School, Barton Upon Humber



- Oakfield Primary School, Scunthorpe
- Holme Valley Primary School, Bottesford

*No representation or comments were received from the other three schools that are affected by polling day. The Nursery unit and Althorpe and Keadby had no objections to the use of the unit for election purposes, as it did not cause them any problems.*

**Bowmandale Primary School** - The panel was informed that the school normally still opens on the day of polling, however it was felt that this was far from satisfactory. Members were informed that it disrupts the school day and cannot guarantee 100% safeguarding for the pupils when members of the public are using it to cast their votes. The Headteacher indicated that she could not guarantee that they would not be able to gain access to where the children are. Staff who work on the polling station also have access to the whole building, which causes additional problems. She felt it would be better if alternatives to schools could be found.

**Holme Valley Primary School** - The Headteacher from this school raised various concerns about the use of her school on polling day. She informed the panel that up to two years ago it was not an issue as a separate classroom away from the main building was used. Unfortunately that is now not possible as the school is based in one self contained building. She has no choice therefore but to close the school to all pupils on that day as access would be available to the general public and she could not guarantee the pupils safety. She felt that other alternatives could be found within the vicinity including a local public house, but she

had been informed that this would not be an appropriate building and that the council did not use public houses as polling stations other than in very exceptional circumstances. Another problem was the lack of advance notice of forthcoming elections. This causes further disruption, as staff timetables have already been set a year in advance, along with staff training days. Otherwise this day could have been built into the timetable. She feels under significant pressure from parents to keep the school open, especially with the number of teaching days already lost to bad weather.

**Oakfield Primary School** - The panel was informed that previously there was a separate building used as the polling station at Oakfield Primary school so they could keep the school open as usual. The school has now been re-modelled which means that this is no longer the case and the Headteacher feels there is no other way to ensure safeguarding unless she closes the school. She highlighted all the other bank holidays proposed around the same time as the election in May, as well as the extra bank holiday for the royal wedding. This was causing problems with the number of statutory teaching days required, as well as the days already lost with the bad weather. She did feel that there were other buildings in the vicinity that could easily accommodate the election process that had not been investigated.

All the Headteachers that attended the meeting made it clear that it would be much better for them, the school, the pupils and parents if no schools in North Lincolnshire were used as polling stations.

### **Interviews held with Ward Councillors affected by school closures**

Several ward members from Bottesford, Barton upon Humber and Ashby attended the meeting to give their views on the situation, and discuss further options with the panel.

One of the ward members invited to speak was a Bottesford ward councillor. From the outset he wished to put on record his thanks to the Returning Officer, and democratic services for working to limit the number of schools used in North Lincolnshire, in comparison to the number used by neighbouring authorities. He highlighted the fact that members are always consulted about alternatives to schools, but unfortunately it is proving extremely difficult in Bottesford to find a suitable alternative.

He indicated that officers had been to look at alternative premises in all of the wards. For example, in Bottesford the Baptist Church had been contacted with a request for permission to use that building rather than Holme Valley Primary School. This was initially refused. A local public house had previously been mentioned as an alternative. This is not a suitable venue for a polling station, and referred to the council's position generally on the use of public houses referred to previously.

Ward members for Barton upon Humber, where Castledyke Primary School is usually used and closed for the day, have since been informed that following the scrutiny investigations a suitable alternative has now been found. There has currently been no alternative found for Bowmandale Primary School. However this school does remain open on polling day, although it does create some disruption.

Oakfield Primary School, Scunthorpe is in the Ashby Ward. One councillor who represents that ward highlighted a council owned building in Ashby, which is the current Local Link office, which had been suggested as an alternative. He informed the panel that he would have no objection with it being held there as there was suitable parking, facilities for staff and it was well known and accessible to the community. Officers would consider this facility for possible future use.

All the ward members who were invited agreed that, where possible, it would be better for all parties if the use of schools could be avoided, but they did appreciate that out of 122 polling stations only two of North Lincolnshire schools currently have to close to all pupils for the day following an alternative being found in Castledyke school in Barton. However, they did acknowledge the concerns and problems those schools encounter due to election days, and indicated that discussion should be held with those schools affected to try and work in partnership with the local authority to keep at least some of the school open, either by providing extra polling station

staff, or screens as extra security measures for example. Panel members also agreed it would be useful if all schools were given advance notice of election dates (where possible) in order for them to be built into the schools timetables.

### **Progress made during the review**

At the last meeting of the panel on 7 March the Head of Democratic Services attended to update the panel on successful progress that had been made during the review in acquiring alternative accommodation for those schools that close for election purposes. He informed the panel that suitable alternatives had now been found and confirmed for Castledyke Primary School, Barton and Holme Valley Primary School, Bottesford, and that it was hoped that these would be used on an annual basis unless for any reason in the future they became unsuitable or could not be used. In this case the situation would have to be looked at again.

In relation to Oakfield Primary School it has now been agreed with the headteacher that a mobile polling unit would be sited on the staff car park. This area could be completely isolated from the remainder of the school, thus allowing the school to remain open on polling day. The headteacher had also agreed that polling station staff would be able to use the schools facilities for the majority of the day. The headteacher was pleased with this compromise.

As a result of progress made no schools in North Lincolnshire would close for election purposes on 5 May 2011, with the exception of the nursery unit at Althorpe and Keadby.

## CONCLUSION

When the panel embarked on this review it was with the intention that it would be a short review. The panel covered the review in just four meetings and this was mainly due to the time restrictions involved with the imminent election being held on 5 May 2011. Therefore, any recommendations by the panel had to be made promptly for immediate consideration and implementation by the Executive.

During the review members of the panel heard evidence from the main stakeholders concerned with safeguarding at schools during election days. They were pleased with the results and progress made by all parties to overcome the current concerns and issues involved. This review has been a good example of where Scrutiny and the Executive can work together to improve outcomes for the community they serve.

It is apparent that there are a number of concerns with using local schools for polling stations, as highlighted by the Headteachers affected and the Ward Councillors who were

interviewed during the review. On the other hand the panel acknowledged that the Returning Officer has a duty on polling day to ensure that suitable accommodation is made available for the electorate to cast their vote. This has not always been possible without using schools in certain areas. Following the progress made in seeking alternative premises for election purposes, at the time of writing this report, North Lincolnshire Council would use only five schools as polling stations out of 122 in total including the nursery unit at Althorpe and Keadby. Of those four schools will remain open to pupils on polling day. Only the nursery unit at Althorpe and Keadby will now close and this does not create any problem for the school.

The panel are pleased with the progress made during the review, and the joint working that has taken place allowing changes to be made for the benefit of all concerned.

# APPENDIX

## **Membership of the Children and Young People Scrutiny panel**

Cllr Wilson - Chair  
Cllr C Sherwood - Vice-Chair  
Cllr Mrs Bromby  
Cllr Cawsey  
Cllr Simpson  
Cllr P Vickers  
Cllr Whiteley

## **Co-opted members**

A Dunkerley (Parent Governor Representative)  
W Egan (Diocesan Board of Education Representative)  
N Craven (Parent Governor Representative)  
W Witter (Diocesan Board of Education Representative)

