



Fair Play for Children

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for the Child's Right to Play

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## Annual Report 2011

### Year of challenge

Fair Play for Children has indeed experienced a year of challenge. Loss of a long-standing income source leading to total redundancy, members facing the fall-out of the economic crisis, loss of trustees. Yet, one year on, we can say that fair Play has come out the other side reorganised, still solvent and fit for purpose, with enhanced impact. There's no sense of smugness, only determination that we will press on to do the job in hand, the promotion of the Right to Play, under attack as perhaps never before.

All in all, the past months have shown Fair Play at full tilt, operating in a way to make us as effective as we've ever been, if not more so. The whole field of children's play is under immense pressure, we are suffering losses of services to children and their play, the playing field is not level, and our membership is being subjected to cuts which go beyond the average savings being made by e.g. councils.

### The two aspects of Fair Play

Fair Play has two aspects – its Association campaign/membership side which is non-charitable, and its Charitable Trust. These enable Fair Play properly to cover a full range of activities to promote **The Child's Right to Play** without risking crossing the line between what is charitable and what is not.

### Financial pressures

Loss of a key income source, as a contract of 10 years standing was not renewed, meant the management of Fair Play faced a challenge not seen since 1982 when we lost our government funding. It meant a major rethink, and this led to the redundancy of both remaining staff and quitting our offices. **Liz Allen** served loyally and with terrific professionalism in the child protection role, she is missed in that regard but ... she has returned as a trustee, so her experience and knowledge is not lost. **Matthew Cosgrove** ended his role as administrator but remains to help out here and there, and co-authored our latest report on ABC agreements.

### Charity Commission

Over the past ten years or so, Fair Play has been having an on-off run-in with the Commission because they did not like the type of fund-raising methods used by Premier Promotions to gain advertising for our former printed PlayAction journal. After a Section 8 enquiry in 2002, we ensured that a new agreement with Premier

was tighter and we had no complaints. Which didn't stop the Commission revisiting the issue and raising issues such as:

- The proportion of funds raised was too low compared to the amount generated ignoring the fact that Premier paid the whole cost of employing staff, print etc and that we had no risk for more copies and better quality than we'd ever achieved in-house. The Commission chose to measure that proportion as based on total turnover, we measured on the basis of share of surplus, we also undertook an exercise with a publishing professional that suggested we would have lost money had we undertaken the same exercise, and it is clear that in the final agreement Premier may have lost money. But when we compared what we received as a proportion from Premier based on Commission approaches (12%) with what UK/Irish Unicef received in a year from Pampers (under 1%) we wondered why Fair Play had been singled out – we're still waiting an answer. Over the period our the agreements with Premier, Fair Play benefitted by at least £165,000 for no financial outlay whatsoever, plus the in-kind value of the printed journals, at least another £100,000 in our estimate.
- The Commission said that we were unable to verify properly that what Premier said it had received was in fact the case. All partnerships with commercial participators surely operate under this factor, even statements of income and invoice copies (as we obtained) were not adequate to finalise proof, and in that regard there may have been a case, but even in this regard, we felt that we had done all the law required, and it ended with no firm conclusion or proof. Premier withdrew cooperation on the grounds that the Commission twice ensured that the Department of Trade initiated enquiries into Premier neither of which led to any action or prosecution or report, a fact the Commission has still failed to acknowledge.
- The conduct of certain Commission staff seemed questionable to us, including extremely unwise allegations about Premier's owner in the presence of two trustees, and the adoption of procedures which we felt were unbalanced. One Commission staff member left their employment under unexplained circumstances.
- The Commission made an Order whereby we could not enter into another agreement without their say-so, which was OK as we had decided not to renew our contract with Premier because we were ceasing publication of the printed format in favour of the online approach. (Premier later confirmed they would not renew due to seriously-changed market conditions and the low success in the final year of the agreement in securing ads.) This order was appealed based on its unsound grounds, we remain in the position that no action has been taken to answer our concerns and the enquiry is not yet resolved. Surely unsatisfactory.

We also have found it very odd that not one of at least five other charities that have had similar agreements with Premier has faced any enquiry or action by the Commission. No allegations of unacceptably small levels of benefit, no section 8 enquiries etc, no pressure to quit agreements. Why not, we ask? Surely if Premier's actions with Fair Play were deemed outside the acceptable, why not the others? We await answers despite many months having elapsed and despite reminders. The Unicef/Pampers arrangement also continues unquestioned.

### **Redundancies/ no staff**

As stated above, the financial situation overall and the Premier loss meant that we have had to retrench. We could not continue running an office, paying rent, we could not risk employing staff, and our partner sharing premises was also facing problems and having to quit. That has meant we had to face a new situation – maybe the return of an old one even – of operating from someone's home and engaging in a review and reorganisation of activities. Jan Cosgrove as National Secretary agreed to allow his home to be used for such a purpose. The management also decided on a programme of activity consistent with our new situation – electronic publication, concentration on campaigns, support for our East Midlands volunteer co-ordinator and efforts to replicate that work elsewhere, and seeking partnerships for services.

In the months following the reorganisation, we have seen a bedding-down of the new arrangements, new phone numbers, a developing online information role, and serious campaigning above our weight so to speak.

### **CRB scheme**

We've operated a criminal records advisory scheme even since before CRB was created in 2002 – our membership of the VOCS pilot national scheme from 1984 meant we processed several thousand checks for member employers, nearly 11,000 from 1998 and probably 16,000 or more in all. A substantial service to members. The truth is we subsidised it for some time but that is not the issue, the safety of children was and is. So we are proud of that record. We had a choice whether to try to run as before using sessionally-paid staff (but where would they work) or seeking partnership with others, and especially if we could secure access to online application. That latter course has been achieved with our partnership with Sanctuary, and the transition has been very smooth indeed. We await the signal to start the online application process which is almost complete, and we do feel this is a real advance, with Fair Play receiving income as well from the process.

## Manifesto and direction

As part of our reorganisation, the management adopted a Manifesto pre-2010 General Election. It sets our aims for a good period ahead, and has been widely viewed on our site: [What is the best children's play delivery system?](#)

It has been salutary to have in place a policy-framework that helps determine our programme ahead. We are able to measure our progress, it was consulted through our membership, and it helps secure Fair Play a real identity within our field.

## Election and Candidates Survey

One of the first fruits of the Manifesto was the pre-2010 General Election survey of candidates. Sent as widely as we could, the questions were based closely on the Manifesto, and a graphical version of the results is at:

[https://docs.google.com/spreadsheet/gform?key=0AgcZ6XRuWpbBdDI2ZHIYdEtTSVJmZmlUdzdhS0RITkE&hl=en\\_US&gridId=0#chart](https://docs.google.com/spreadsheet/gform?key=0AgcZ6XRuWpbBdDI2ZHIYdEtTSVJmZmlUdzdhS0RITkE&hl=en_US&gridId=0#chart)

An encouraging 469 responded, the LibDems and Greens doing the best. As can be seen, we had astonishingly good results for the majority of questions, as high as 90%+ in areas such as spending on play and for our **Play Wise** idea to encourage neighbourhood-level initiative. Even the least-popular idea (alcohol swipe card) scored over 50%.

## Out with the Bathwater

Two government course-changes over the future of vetting and barring led to a review of the proposed VBS scheme even before it had been implemented at employer level. Our considerable experience in this field since the 1980s, a unique coal-face perspective indeed, led us to publish a major report ahead of the review, **Out with the Bathwater?** Where we analysed the issues and came up with a workable and robust scheme, rather simpler and faster than the proposed VBS, but based on progress to date. That report has been one of the most significant in our 39 year history, it has been widely read and consulted. It questioned much of the claim-myth around VBS and CRB, and showed the risks associated with any downgrade. At the stage of writing this annual review, it remains to be seen whether its lessons have been taken on board by legislators. So far, we have severe doubts that what is being proposed will be workable. Read: [Out with the Bathwater?](#)

## "Protection of Freedoms"

The Bill currently progressing through both Houses as regards vetting and barring is about to go to the Lords after its third reading in the Commons. The Bill proposes some good measures (single transferable certificate) which we can support, but much of it seems to us to offer not common sense and simplicity but stupidity and confusion. We enjoyed unprecedented mention in debates, the highlight being in the third reading, with cases highlighted by Fair Play mentioned in detail in the House.

But to date the Coalition MPs are clearly briefed to oppose and so we look to the Lords taking time to push these ideas forward.

### **Play Area Survey**

To date, we could find little factual basis for working out how well England is served for organised play space. This also is a key Fair Play area, adequacy of provision. Play England had carried out a survey but we used Freedom of Information to find out e.g. how many play areas run by local councils, acreage, renewal, etc. We managed an impressive 93% response, and arrived at there being 16134 play areas serving 11.2 million children under 16 years. Or around 1 play area for every 692 children. Clearly, in any strategy to ensure children have adequate accessible nearby playspace, this provision can play only a small role, though important enough. Report Link: <http://www.fairplayforchildren.net/survey1.htm>

### **Acceptable Behaviour Contract Survey – Police Forces**

Our concern re the use of ABCs by councils etc has been in place since 2002 when parents raised concerns about their children being pressured to sign such agreements by coercive measures. As this report is being written, a new Freedom of Information Survey of English Police Forces about the operation and method of ABCs has been undertaken by Fair Play and the report published:

### **[The Compatibility of Acceptable Behaviour Contracts with Article 6.1 of the European Convention on Human Rights](#)**

Again, a key Fair Play contribution showing deep cause for concern that children are being denied basic guaranteed rights in order to secure their signatures to agreements that limit their exercise of their rights. The operation of ABCs is being carried out with scant regard to a basic tenet of the rule of law, the right to a fair hearing, representation etc. This may be convenient for policing etc but if a child of 11 tells us she only signed because her mum told her they'd lose their council tenancy if she didn't, then we ought to worry. An ongoing issue for Fair Play, a new stage being to see if we can seek Counsel's Opinion. What is also clear is that many Forces have failed to take proper advice about the status of ABCs and the Home Office failed in this regard also.

### **Mosquito – getting it to buzz-off**

Most people seem to agree with us that a device which targets the young only and which causes them distress to a level to cause them to move should not be available freely for unregulated use e.g. by shop-keepers and, yes, police and councils. Yet that is happening, it is clearly discriminatory, the manufacturers neglect to mention its greater effect and distress upon the youngest (it's aimed at teens). We've been in pursuit of this pest for some time but unable to net it so far. Asking two Home Secretaries resulted in silence (current) and lazy indulgence (previous) – he quite sympathised personally.

Asking local trading standards produced a jobsworth answer – not our job – so we turned to the Equality and Human Rights Commission early in 2011. Their response – they were unable to carry out the review we requested (pressure of other tasks) but would be writing to the Children Minister, Tim Loughton, who had ordered a review, with legal advice. That has now happened, the advice is unequivocal and we are about to follow up a letter to councils etc with a new Freedom of Information enquiry asking what they were doing in the light of that letter's advice to the Minister.

### **Story: [Equalities Commission Tells Government Anti-Teen Mosquito Must Buzz Off](#)**

This is an issue of the freedom of assembly of our young people without improper harassment by anyone including authority. Deal with genuine specific cases and issues of individual young people, not resort to clear-the-streets devices which target all young people and children. Unacceptable in a country where there is the rule of law.

### **Stolen Streets, Stolen Childhood**

How many children, how much playspace, where, and how accessible? Reasonable questions for a Right to Play organisation to pose. Also, knowing there has been loss of that space over decades, how much and from where? Our playground survey answered questions about that provision, but it's a fact this makes for only a small fraction of such space. So we approached the issue to find out what populations of children have existed in England since 1901 (census figures), residential street acreage and affecting issues. The result has been our major report **Stolen Streets, Stolen Childhood** published recently. Fact, there are as many children now as in 1901 and 1931, the numbers are rising. Fact, kids used to use their neighbourhood streets predominantly for their play, the parked car has all but destroyed that access and use. An adult benefit at the expense of childhood.

Our view is that a new balance needs to be sought based on fairness and the clear needs of children for exercise and activity. Play Streets are one approach and we are advocating other traffic-denying measures and parking reorganisations based on the reality that any community must have a maximum possible parking capacity and that this has to be moderated against other community claims. The report makes radical, yet affordable and achievable proposals which will be promoted e.g. to councils and MPs. Read: [Stolen Streets, Stolen Childhood](#)

### **Other organisations**

Other colleague organisations have shown they too are under real strain, often 'clobbered' by cuts beyond those experienced in the mainstream. At national level, our sympathies to Play England whose involvement at government and similar levels has been brutally diminished through swingeing cuts leading to major job losses and

drastic reorganisation. We may sometimes not have seen eye-to-eye with their emphasis, we deplore the loss of national strategy status for Children's Play by the Coalition Government as retrogressive and damaging, and we see the need to work closely with PE and others to protect Play provision. The coordinating role of PE amongst national voluntary bodies with an interest in play has perhaps been diminished, that needs reviving at this time, we will play our part.

### **Website 420,000+**

A serious advance on three or so years back when it had taken quite a few years to reach 40,000 even. We decided that far back that Fair Play had to concentrate its information and publication role into an online venue, as opposed to print, and we recognised the greater reach of the medium also for our news service, *PlayAction*.

That decision has borne huge dividends of effectiveness, cost-containment etc. Whereas we only reach 1000 or so per quarter with a 20 page *PlayAction* print, now we publish around 15 stories a day (around 30-35% about play-related matters, the rest children's rights, health etc, and we also can send out e-letters to around 24,000 a month, broken down now by sectors. The hits are growing – around 150 a day last May 2011, now over 300 a day. Unprecedented reach and coverage, money well-invested, cost-savings achieved in print and postage.

### **Responding to need – child protection concern**

This part of the Report illustrates that sometimes we are led into an area quite fortuitously, arising from nothing more in this case than a change of emphasis in our Google ads. These latter we have as a result of an ongoing, very much-appreciated and important *Google Grant*. Simply explained, we choose a series of interest areas, we submit ads to Google who then work on these and place them at the top of pages about that subject. In one such case we had a sudden influx of emails seeking to register concerns about children, from neighbours, parents etc. We soon worked out that these were from people looking for a local social/children's services contact. It then became apparent, as we looked into why they had not reached a number locally, that these were not all that easy to locate in many instances.

We asked **Nigel Warren**, a much-valued volunteer, to spend time trawling through every council website to locate those numbers and web pages. The results included the fact that many councils have not well-signposted this information at all. We also thought that a larger national charity might have gathered all this information into one page, but not so. Our response – create that page, which is what we have done. We're rather proud that it took about three weeks from identification of problem to posting of page, we have added all four countries of the UK, and also there is a dedicated 0843 phone number with instructions as to how to find our page. We won't call the result elegant, more "belt-and-braces" but it will do, we have

improved it recently to remove some navigation issues. Usage – many extra web hits since then plus around 30-50 phone accesses each week.

### **Responding to need - summer schemes web page**

In 2011 we put up a web page for contacts to local authority summer activities, although we could not get all councils' information. The lesson is to start earlier, a volunteer task, so we hope for a much fuller listing for 2012.

We also are now working on a page that will give contact to all local council child care information pages. Previously, there was a single government site where one could access such information, the Scottish Government has now created one for Scotland, but in England and Wales, this no longer exists so our new page will aim at helping parents find this information by coming to our site.

### **Publications**

We have mentioned the spate of new Publications from Fair Play, on child protection, street play, manifesto. We have also continued to add fact sheets from all sources to our existing substantial list, and added new titles to our online PDF Library, now above 200 titles.

### **PlayAction OnLine News**

We ran our printed quarterly journal, *PlayAction*, from 1998 to 2007 plus Annual PlayAction reports thereafter. Funded by advertising completely, no risk or cost to us bar postage costs but limited in circulation. An enjoyable and well-regarded task, yet its demise was certain once revenue dipped. Also, we had reviewed all our publications and promotional work, coming to the conclusion that stocks were going out of date, taking up space we no longer had, and were not being asked for in huge numbers. Hence, a decision in 2008 to go "paperless" which is what has happened and is described in terms of all the publications mentioned in this report.

The news service, could it be transferred online? Answer, yes very successfully. More stories, better coverage? Now at 15 stories a day, around one-third on play/childcare/youth issue, the rest on children's rights, taking in stories from around the world's media, we can say this has been a resounding success. Perhaps even that we are running a unique global facility, as we can't find anything similar anywhere. There's now even a *Weekend Review* and we are rather proud of what we are achieving. More people are following us on Twitter (even), and this development gives Fair Play a sharp cutting edge in this field. Do we print only good news stories? You bet – not. Are we afraid to print views we don't like? No.

### **All this – and TV too**

The news service has an added dimension – video/tv reports (You Tube, other similar services, news channels etc) – accessible from the front page, with around 5 new offerings each week. Sources such as Unicef, SOS, CNN, BBC etc.

## MP newsletter

One publication innovation has been our e-letter specifically for Westminster MPs, ***Speaking Our Mind***, raising with them issues about play, spending, child protection, vetting and barring etc. Do they like it? Do they want it? They are MPs, we exist to promote the Child's Right to Play, and that is one of their functions, to listen, sometimes to people who do know more about a subject than they do. Alas, on vetting and barring to date, too many appear to be toeing a party line instead of applying the common sense Mr Cameron alleged needed applying to the issue.

## Appeals

As expected, responses have become slower and less fruitful. **Nigel Warren** sends out regular low-level appeals to Trusts by post, these have raised useful sums in the past, and we add in some one-off applications for larger targeted sums. A new approach, email appeals, has been started and yielded good if sporadic results. One aspect being pursued is to ask for a donation the greater part of which we will aim to use for Play Wise initiatives within e.g. 25 miles of their postcode. This is aimed at bootstrapping the finances of Play Wise, associating such activity with local firms and enabling us to use the results to lever in other help, such as local councils in the same areas.

## Membership

We also have expected that we would face some problems retaining membership as groups face cutbacks. At this stage, we are on second reminders, quite a few members have to respond yet, and it's going quite well. Where it's appropriate, we are offering one-year remission if groups are facing being unable to pay but want to remain members.

One surprise is that we are one of the larger play membership national bodies, as big as Play England for example. We have confused our small national operation, in financial terms, with that issue. Such strength is going to be important in coming months as we argue and represent for a Fair Deal for Our Children. Our current FoI on Council expenditure is showing detail of the fact that children's play is taking a bigger knock at council level than e.g. general expenditure and adult leisure. Full results will be published later in 2011.

## Management Council

This year, or the first time, the Association employed electronic balloting for the election of its MC and for its AGM. Can't say it was an overwhelming success, and we are still understrength on the MC. In 2012 we look to recruiting more members and to holding electronic/phone conference meetings (we experimented successfully on this in 2011, and we are planning our next AGM to be phone conference based. This should enable more participation and avoid travel and accommodation costs to members who can't afford this. Thanks to outgoing MC members, **Fred Brown** and

**Rob Wheway** for your valuable insights and contributions. Thanks to **Liz Allen** for joining, **Ethel Swann** our East Midlands power-house, and **Stephen Emck**, Acting Chair at a challenging time. **Jan Cosgrove** continues his role as **National Secretary**, of course.

A fuller report by Ethel of her amazing work is at the end of this Report.

### Play Wise

This is our new major Programme, pre-figured in our Manifesto, and which we feel is echt-Fair Play, our real core. That is, working with kids, to **their** agendas, with parents, neighbourhoods, streets, councils etc, to create the play environments and facilities **they** want. It will come about by small steps, we aim for the do-able, much can be done without funding, and we feel that, with changes in street usage, this approach can start to recover that generationally-lost play-space so obvious to so many. We are not alone, this must mean we have to create partnerships, let them be **Neighbourhood Play Partnerships** where the kids take the lead and we adults support. The gains will be stronger communities, healthier and happier kids, improved community cohesion, a better environment for all. An exciting prospect.

### Fair Play 40

Yes, 1972, July 31<sup>st</sup> to be precise, when Trevor Huddleston's angry letter to *The Times* was published, in the wake of two boys drowning for lack of safe play space. When pundits rail about 'too safe' play experiences, they might cast their minds back to such days, also to lethal play equipment often left un-maintained by lazy councils who thought that simply to provide was enough. We have memories enough of death and injury traps, let not the call for 'common sense' return us to such days. If the balance has to be redressed, no more throwing babies out with the bathwater.

We're considering how best to mark this event, which will focus on that date, just around the time of the London Olympics.... Ideas welcome.

### Finance

A cut from over £50,000 joint expenditure to £20,000 this year .... says it all. Have we adapted? Yes, we think we have achieved that, painfully of course, but with a very positive outcome and a Fair Play more directed and targeted than before. The Association and Trust accounts are posted on our site, under Publications.

### Conclusion

What is needed? You, more of you. Fair Play reaching more people and groups with better services, and within our means. Above all, more volunteers, whose value in money terms must not be under-estimated ever. We rely on that input. Are we a national body? If you say so. Are we nationwide? That feels better.

October 2011

## East Midlands Coordinators Report - October 2011

Although my remit has traditionally been East Midlands I have focussed this year on Ashfield, Rushcliffe and Gedling Play Forums and Resource Centres due to time and financial constraints. I have also supported rural groups on the borders of Derbyshire and the High Peak area.

This year has seen unprecedented demand for support, advice and practical guidance for the voluntary sector. The training events in preparation for the holiday activities were all over-subscribed, which was very positive and encouraging. The Play Days themselves were delivered by the Forums with the volunteers and were all free of charge and there were significantly more younger children and families attending this year, the numbers ranging from 4-600 children at each event. Activity workshops have included carnival masks, hats around the world and cultural workshops embracing different festivals.

On reflection I can see how the 50% cuts in small grants to voluntary groups is having an effect. The events we've organised are now the only source of creative activity for children and families in the region, as other projects have not found funding. Without strong partnerships with local authorities and other groups, in particular Gedling Play Forum, the holiday events they have delivered could not have taken place.

We are currently looking for more funding to assist with autumn and winter training on diversity, first aid, safeguarding children, craft workshops and outdoor play.

The main driver for all this work is to provide free play activities for children in different settings. There is clear evidence that these Play Days are the only places during school holidays where parents can bring their children free of charge, which is precious in this difficult economic climate. However, my work with these voluntary groups is now limited due to insufficient funding, which is a sad reflection of our financially-driven times.

With more support for travel and expenses, I could once again extend my programme of work throughout the East Midlands. This would provide consistent and coordinated support and training to other organisations who are members of Fair Play.

Ethel Swann



