



Chaperones

Children (Performances & Activities)

(England) Regulations 2014



Chaperones

So you want to chaperone children in entertainment.

There will probably be several questions you will be asking yourself:-

- **What Skills do I Need?**
- **How and Where do I Register?**
- **What are My Responsibilities?**
- **Which Parts of the Regulations Must I Know?**
- **What are the Responsibilities of the Licence Holder?**

This brief guide was designed to answer some basic questions, but there may be occasions when further clarification and greater depth into the Regulations will be required and for this you should contact either:

Your licensing authority (Local Authority), the child's licensing authority (Local Authority) or the authority where a performance is taking place (Local Authority).

Chaperoning Skills

- The law states that 'the Chaperone is acting in loco parentis and should exercise the care which a good parent might be reasonably expected to give that child'.
- The child will be working in a very 'adult' environment and you need to be able to ensure that they understand what is expected of them, taking into account their age and experience.
- You need to take account of a child's concentration span, their exposure to adult conversations and expectations and peer pressure.
- Health & Safety issues on stage or on set i.e. electrical equipment such as: leads, sound equipment and cameras can all be very dangerous. Children should not be allowed to 'fool around'.
- The child may not be 'in school' but that doesn't mean the hours they are tutored are less important than those spent at school.
- You need to be able to tell when the child is ill, tired or upset. Don't ignore them in order to meet the productions schedule. Remember, children are not 'little adults'. It can often be difficult for children to communicate their feelings in a way in which adults understand, therefore, you will be the intermediary between them and the production company.

- The concentration span of children is far shorter than that of adults (depending on age) therefore you need the skills to be able to occupy, or enable them to occupy, their non-performance time which is especially important during filming and when on location. This may include physical activities or it may be that the child should just rest and quietly read a book.
- Different skills will be required when chaperoning in a theatre as opposed to a film set or on location. There is much more 'hanging about' time during filming and the weather may lead to the child being confined in a caravan for quite long periods - remember their energy level is far higher than ours and the children may need more individual attention.
- Bullying - you must always be aware of bullying as it can be very subtle. It may be easy to spot a physical fight or sideways kick but it's not always quite so easy to spot the odd word or joke directed periodically towards one particular child. This sort of behaviour should be 'nipped in the bud' immediately otherwise it could affect both the child and the production.
- Finally, performing should be an enjoyable experience for the child and for you. Good communication and negotiating skills, be they with the child or with the variety of adults involved in a production, are vital.

Registration - Regulation 15

Chaperones must be approved by the Local Authority as part of the application process to determine being suitable to exercise care and control of the child in question.

- Applications for a Chaperone Licence must be made to the LA in whose area YOU reside.
- Contact the Education Welfare Office, London Borough of Redbridge for the necessary forms.
- Make an appointment with the Education Welfare Office.

Bring all the completed documents to the appointment together with:- 2 passport sized photographs and ORIGINAL documents relating to the identity section of the form. Please refer to the ID checking guidelines which can be found at www.homeoffice.gov.uk/dbs

If your disclosure check is satisfactory the DBS will issue you with a certificate. Once you have received your certificate, please contact the Education Welfare Office for further instruction. Upon receipt of this information a licence will be issued. Licenses cannot be issued unless an acceptable clearance has been agreed.

Responsibilities

Your First responsibility is to the child in your care. While you are chaperoning you should not be performing any other duties. Remember, you are in loco parentis (except when the child is in the care of its parent/carer or a teacher).

It is your responsibility, together with the Performance Licence Holder, to ensure that the Regulations (and any additional requirements issued by the child's Licensing Authority) are upheld at all times. You may find yourself under pressure, by the production company from time to time, to relax the Regulations due to re-scheduling but you must remember that your first duty is to the care of the child. Therefore, having a good knowledge of the Regulations, knowing where to go for additional advice, coupled with firm negotiating skills, are all crucial elements to good chaperoning.

1. You should be with the child **at all times** whether: on set/stage area, dressing rooms, recreation, meal & break areas etc. You are the KEY PERSON to whom the child looks for protection, clarification and support - you are the KEY to a happy performing experience.

If the facilities are 'wanting' YOU should negotiate better facilities with the producer. Children are not 'add ons' to a production their care is paramount at all times. You can obtain additional support from: your licensing LA, child's licensing LA or the LA in whose area the performance is taking place.

2. The law states that the maximum number of children in your care should not exceed 12. In a lot of instances 12 may be far too high if there are several very young children and several adolescents and especially if the children are living away from home (they would need more individual attention). These factors should be taken into account when deciding on the number of children you agree to chaperone. We would strongly recommend, for all types of performances, a maximum of 8 children per Chaperone, providing you with a higher standard of care to the children.
3. Although a maximum length of time for travelling is not laid down in the Regulations, due consideration should be given to the child's: age, the length of time at the place of performance and the duration of the production. Therefore, taking into account the child's welfare, it may be more sensible for a production company to schedule each child's performance days in blocks per week (rather than an odd day here and there throughout a week) or provide accommodation nearer to where the performance is taking place rather than travelling several hours each day or every other day and attending school in between. Remember, schedules can be amended if they are not working satisfactorily.

4. Illness or injury - at no time should a child perform when unwell. If a child falls ill or is injured while in the Chaperone's or Tutor's charge, medical assistance must be gained and the parent/guardian and licensing LA informed immediately. **Always** have a contact number for parents/guardians.
5. Living away from home - the Chaperone is responsible for the child. This includes seeing that his/her lodgings are satisfactory in every way; and that she/he is properly occupied during his/her spare time. Generally, you may need to exercise a greater amount of supervision than if the child was living at home. Again, if there are problems here which cannot be resolved, contact the child's licensing LA or the LA in whose area the performance is taking place.
6. Dangerous Performances - NO child (generally) under the age of 16 may take part in dangerous performances. But, from the age of 12 children may be trained to take part in dangerous performances only under a Licence. This should be authorised by the LA in advance of the performance and extra vigilance maintained by you throughout.
7. Records, by law (Ref.39(5)), should be available to a visiting officer of the LA by Producers. Chaperones are often designated to keep these in respect of the child:-
 - A copy of the child's entertainment licence
 - times child is at the place of performance
 - times child performs and/or rehearses
 - times child has breaks and meals
 - times child is waiting between performances, i.e. re-scheduling

If you feel pressurised to accommodate a productions schedules and you are unsure of the legalities of what they may be asking of the child - **Stop! Think! & Check** the Regulations before agreeing to anything. Failing a satisfactory conclusion, phone the LA at the time or as soon as is practically possible for further advice or support.

Regulations

The law takes into account all types of performances and activities the child may take part in.

(1) All performances part IV

- **Number of Performing days** revoked 1.2.2000 - The Children (Performance) Amendment Regulations 2000 Regulation 6. In effect this means there is no minimum number of days restriction on children performing (40/80 day rule abolished). In Redbridge decisions on the number of performing days for individual children are made in liaison with each child's school.
- **Rehearsals** The LA, in deciding whether to grant a Licence, and if so for how many days, will take into account any other work the child does in the 28 days preceding the first performance, and the amount of rehearsing the child is to do in the 14 days preceding the performance.
- **Education (Reg. 13)** (1) The licensing authority shall not grant a licence unless they are satisfied that the child's education will not suffer by reason of taking part in the performances for which the licence is requested and have approved the arrangements (if any) for the education of the child during the currency of the licence.
- **Tutors** - a tutor may only teach a maximum of 6 children of differing levels at the same time. If the children are at the same level they may teach up to a maximum of 12. A tutor who is also a chaperone may only chaperone a maximum of 3 children. Tutor, school and parents in liaison with the child's LA (LA's discretion) may stipulate a reduced number of children be taught at any one time. Tutors should liaise closely with the child's school, especially where long absences from school are scheduled to ensure that the curriculum is adhered to in order to avoid the child falling behind in his or her studies. Remember the child's education is paramount and conditions may be placed on a Licence.
- **Education Aggregating hours** – educational hours may be aggregated during each complete period of 4 weeks (or performance periods exceeding 1 week) as long as the child receives not less than 6 hours tuition per week and for not more than 5 hours per day at a place of performance. E.g. 5 days performing: 3hrs x 5 days = 15 hrs x 4 wks = 60 hours tuition required over 4 week period. Children should not be allowed to lose educational hours due to long productions and heavy scheduling. **Tuition days may include non-school days only under these exceptions.** Agreement should be sought from the child's LA/School prior to aggregating hours

(2) Broadcast and Non-Broadcast Performances – see table

- There must be a minimum meal time break of 1x45 minutes in addition to the relevant breaks according to the child's age.
- A child may only perform and be at the place of performance on 6 days in any 7 day period.
- A child can take part in a maximum of 60 performances in an 8 week period, until they are required to have a 2 week break.
- A minimum of 12 hours must elapse between a child leaving and arriving at a place of performance.

Chaperone Discretion

If the Chaperone is satisfied that serious dislocation of schedules resulted in the child being requested to work beyond the allotted time and the Chaperone is also satisfied that the child's welfare would not suffer, the Chaperone may permit the child to continue for a further 1 hour. This is providing that the total work done in that day does not exceed that allowed for a child of his age (see table). When ANY such extension is authorised the Chaperone must notify the LA in whose area the child is working, either on the same day or the following day.

Nightwork (indoors or out)

LAs may also allow working before and after the permitted hours if they are satisfied that it is impracticable to complete the work before then. Any performing that takes place after the permitted hours, counts as part of the performing time allowed on the previous day. The child MUST also have a break of at least 16 hours before he returns to the place of performance after night work and if he/she does night work on 2 consecutive nights he/she CANNOT do any further night work for AT LEAST another week (7 days).

Night work MUST be agreed in advance and the LA is NOT BOUND to allow night work even if they are satisfied that the child's appearance is necessary if it may cause ANY harm to the child.

Licence Holder Responsibilities

Section 37(1) "...a child shall not take part in a performance to which this section applies except under the authority of a licence". Section 58 Education Act 1944 'child' a person who is not over compulsory school age. Performances to which Act applies see S.37 subsection (2). Performances for which a Licence is not required see S.37(3). Offences - contraventions to S.37 summary conviction Level 3 (Children & Young Person Act 1963, s.40 as amended by the Criminal Justice Act 1982, s.38 & 46).

It is the responsibility of the Performance Licence Applicant/Holder to ensure that:-

- they have submitted a completed Licence application form (Schedule 1 & II plus all attachments) to the Local Authorities the child lives in, at least 21 days (Regulation 1 Schedule 1) before the first performance date.
- a child does not perform unless the applicant, who applied for the Performance Licence i.e. producer, agent and so forth is in **receipt** of the child's Licence.
- each child's Licence and Chaperone/Tutor records are available at the place/places of performance, and held by the Licence Holder for a minimum period of 6 months at the address given on the Licence application (which needs to be the Head (main) Office and NOT the location address i.e. temporary residence of a production at a studio or location) if requested for inspection by an officer of the LA.

Note: An authorised officer of the LA in whose area a performance takes place may at any time enter any place where a performance licensed or unlicensed to which S.37 applies and may make enquiries about any child taking part in a performance.

- suitable travel arrangements are provided. suitable arrangements for meals are provided.
- suitable accommodation and sanitary provision is provided. suitable meal, rest, recreational & educational facilities are provided. adequate protection against inclement weather is provided.
- A Health & Safety 'risk assessment' has been undertaken at the place of the performance by the production company. Other areas, for example: fire regulations satisfactory; a first aider present at all times; staff, chaperones and children made fully aware of evacuation procedures in case of emergencies such as fire. Contact the relevant Environmental Health Department for further details on Health & Safety - Management of Health & Safety at Work Act 1999

PLUS - Any other conditions or provisos placed on the child's Licence by the issuing LA together with the legal requirements under the Children (Performances and Activities) (England) Regulations 2014.

Children in Entertainment Restrictions in relation to all performances

Topic	AGE 0 to 4	AGE 5 to 8	AGE 9 & over
Maximum number of hours at place of performance or rehearsal (Reg.22)	5 hours	8 hours	9.5 hours
Earliest and latest permitted times at place of performance or rehearsal (Reg.21)	7am to 10pm	7am to 11pm	7am to 11pm
Maximum period of continuous performance or rehearsal (Reg.22)	30 minutes	2.5 hours	2.5 hours
Maximum total hours of performance or rehearsal (Reg.22)	2 hours	3 hours	5 hours
Minimum intervals for meals and rest (Reg.23)	Any breaks must be for a minimum of 15 minutes. If at the place of performance or rehearsal for more than 4 hours, breaks must include at least one 45 minute meal break.	If present at the place of performance or rehearsal for more than 4 hours but less than 8 hours, they must have one meal break of 45 minutes and at least one break of 15 minutes. If present at the place of performance or rehearsal for 8 hours or more, they must have the breaks stated above plus another break of 15 minutes.	If present at the place of performance or rehearsal for more than 4 hours but less than 8 hours, they must have one meal break of 45 minutes and at least one break of 15 minutes. If present at the place of performance or rehearsal for 8 hours or more, they must have the breaks stated above plus another break of 15 minutes.
Education (Reg.13)	N/A	3 hours per day (maximum of 5 hours per day). 15 hours per week, taught only on school days. Minimum of 6 hours in a week if aggregating over 4 week period or less.	3 hours per day (maximum of 5 hours per day). 15 hours per week, taught only on school days. Minimum of 6 hours in a week if aggregating over 4 week period or less.
Minimum break between performances (Reg.23)	1 hour 30 minutes	1 hour 30 minutes	1 hour 30 minutes
Maximum consecutive days to take part in performance or rehearsal (Reg.26)	6 days	6 days	6 days

Note: Local authorities should take note of Regulation 5 that allows the licensing authority to further restrict these permitted hours, breaks etc. and place additional conditions on the licence if this would be in the best interests of the individual child.