

Children in Entertainment

A Guide for Chaperones and
Performance Licence Holders



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CHILDREN IN ENTERTAINMENT

A Guide for Chaperones and Performance Licence Holders

Introduction

This document has been produced to answer some of the most common queries arising from children appearing on stage or in a broadcast performance. It is aimed primarily at Chaperones but the information will also be useful to others who have a legal obligation to children and young people who perform e.g. the licence holder or producer.

It is intended to help Licence Holders understand the rationale behind the restrictions imposed by legislation as well as any conditions the Local Authority may have stipulated in the licence. However this document will concentrate on the duties and responsibilities of the registered chaperone and how they impact on the health, safety and kind treatment of children in their care. The information and documentation contained in this booklet will give chaperones the confidence to carry out their role successfully.

Legislation

Legislation requires that all children, from the day they are born until they are no longer of compulsory school age are licensed by the Local Authority in which they live in order to take part in a performance on stage, in a broadcast performance or in a paid activity.

A child is of compulsory school age until they are officially allowed to leave school. This is not their 16th birthday or when they receive their national insurance number. The official school leaving date for all children in England and Wales is the last Friday in June.

The legislation that deals with Children in Entertainment is:

- The Children and Young Persons Act 1933
- The Children and Young Persons Act 1963
- The Children (Performance and Activities)(England) Regulations 2014
- The Children (Protection at Work) Regulations 1998

This legislation applies to:

- Children performing on stage, in television, film and commercials
- Children working in paid/professional sport
- Children working as models

Performances that need a licence

Any performance:

- For which a charge made, whether for admission or otherwise
- On premises licensed to sell alcohol, for example in a hotel, a pub, a theatre
- Any live broadcast performance, for example a television or radio broadcast, internet streaming
- Any performance which is recorded to be included in a programme to be broadcast on television or radio
- Any performance recorded (by whatever means) with a view to its use in a broadcast or such service or in a film intended for public exhibition
- When children take part in sport or modelling for which payment is made (to the child or to someone else in respect of the child taking part) other than expenses

Performances that do not need a licence

- Where a child has not performed on more than four days in any period of 6 months (providing there is no absence from school)
- When the production is organised by a school (an educational establishment)
- Performances put on by a body of persons approved by the Secretary of State or by the Local Authority in whose area the performance takes place and where no payment has been made to the child or any other person

Licence Application

As stated previously any child taking part in a performance will need a licence. The person responsible for the production of the performance in which the child is taking part should apply for the licence.

The person who signs the application will be deemed the licence holder and will be named on the licence. The application must be made to the Local Authority at least 21 days before the first performance otherwise the application may be refused by the Local Authority.

The licence holder is responsible for observing the conditions of the licence.

The law states that a child involved in a public performance for which a licence has been issued must be cared for by an approved chaperone. The licence holder must ensure that the appropriate number of required chaperones is on duty at each performance and they are providing the supervision required by law.

The licence holder is required to keep certain records and these must be retained for six months after the last performance to which the licence relates.

The licence holder must immediately advise the child's parent, the licensing authority and the host authority (the local authority where the performance takes place) when a child is injured in any way.

Application Process

A licence is granted by the Local Authority where the child lives. An application form is completed by the person responsible for the production giving full details of the performance together with the child's details; this is signed by the applicant and the child's parent. The application is then sent to the Local Authority with the following items attached:

- Proof of the child's date of birth (photocopy of birth certificate)
- Two identical un-mounted passport style photographs
- A copy of the child's contract

Applications submitted to Lancashire County Council should be done so electronically with all documents scanned.

A licence will not be granted unless the Local Authority is satisfied that the child is fit to take part in a performance or activity, that his/her education will not suffer and that proper provision has been made to secure the child's health, comfort and kind treatment.

Medical Requirements

Before issuing a licence the local authority must be satisfied that the child is fit to perform or take part in an activity. The parent of the child will be required to answer a number of questions and sign a declaration stating that they consider their child is fit to perform.

It should be noted that the local authority has the discretion to ask for a medical declaration from a medical practitioner if it is appropriate to an individual child.

No child should be allowed to perform when unwell. If a child does fall ill or is injured whilst in the care of the chaperone or teacher a doctor should be called and the licence holder must inform the parent, the licensing authority and the host authority immediately (within 24 hours).

Absence from school

In accordance with section 37(7) of the Children and Young Persons Act 1963, where a licence is issued and it specifies the dates that a child is to be away from school to perform then the child's absence from school is deemed to have been authorised.

The law contains no provisions under which absence may be authorised for an unlicensed performance.

Education

Whilst the Local Authority recognises that taking part in performances and activities can be a positive experience and build self confidence, it will not allow the child's formal education to be compromised.

Before a licence is granted the Local Authority will liaise with the child's head teacher to ensure that the child's education will not suffer if the licence is granted.

For long engagements there should be a private tutor although the regulations do not state how many days absence from school will be permitted before the Local Authority will insist on this. It is the licence holder's responsibility to state their intentions regarding the child's education at the outset and it is the Local Authority who will then decide whether the arrangements are satisfactory. The Local Authority must be satisfied that:

- The tutor is suitable and competent
- The course of study is acceptable
- One teacher must not teach more than six children at any one time unless they have all reached a similar standard and in this case the teacher may teach twelve
- The school room must be approved by the Local Authority
- The child should be taught for at least three hours on each day that s/he would normally be required to attend school

Accommodation

The Local Authority has to ensure the comfort of a child who has to stay away from home as a result of their performance. A child may only stay in a place approved by the licensing authority as being suitable. The authority's approval may be subject to suitable arrangements being made for meals, transport provided between the place of performance, rehearsal or activity and the accommodation and any other condition it considers conducive to the

welfare of the child. It may be that an inspection of the accommodation is required.

Travel Arrangements

The holder of the licence shall ensure that suitable arrangements are made for the child to get to his/her home or other destination after the last performance/rehearsal on each day e.g. by parent's car, other transport, taxi or minibus. **Children should not be allowed to go home unsupervised.**

Venues – Performance or Rehearsals

The Local Authority has an obligation to ensure that the premises where either a performance or rehearsal is to take place meet certain criteria. The Local Authority will approve a place of performance or rehearsal only if they are satisfied that:

- Suitable arrangements have been made for meals, rest and recreation
- There are suitable and sufficient toilets and washing facilities
- The child will be adequately protected against inclement weather
- Suitable arrangements have been made for the child to dress for the performance or rehearsal. Children aged five and over should only dress with children of the same sex. Children under five must change separately from children aged five years and over but they may be of mixed gender

Children must never change in an area where there are adults present other than chaperones.

Licence Details

The licence when granted will show the following information:

- Details of the child together with photograph
- Name of child's parent
- Identity of the licence holder
- Name and nature of the performance
- Place of the performance
- Dates of performances or, in the case of some recorded performances, the number of days during a period not exceeding six months for which a child is licensed

- Name of the approved chaperone
- Any conditions made by the Local Authority, these could include permitted hours, frequency of breaks, transport arrangements, sums earned and education provision

The licence will be sent to the Licence Holder, a copy to the child's parent/carer and a copy to the Local Authority where the performance is taking place (if the area is different from the licensing authority's area).

The Licence Holder's copy of the licence must be available at the venue where the performance is taking place.

The Role of the Chaperone

Overview

It is a legal requirement that when a child under the school leaving age takes part in a public performance or activity under a licence issued by the Local Authority they must be supervised at all times by an approved Chaperone, unless they are under the direct supervision of either their parent or tutor.

The licence holder is responsible for finding an approved Chaperone to care for the child. The Chaperone, although approved by the Local Authority, is employed by the person responsible for the production; this applies whether or not the Chaperone is being paid. Even though employed and paid by production the Chaperone must remember that their first duty is to towards the child and this must override any other consideration.

The Chaperone is the key person who protects, safeguards and supports the child. They are the point of safety a child can turn to and rely on should the need arise. The Chaperone has a major part to play in ensuring that the child's experience is enjoyable and beneficial.

Taking part in performances and activities encourages a child to grow as an individual; it helps build confidence and self esteem and teaches discipline. The role of the Chaperone is pivotal and is important to the person undertaking it and to the children under their care and supervision.

A Chaperone will apply to their local authority to be approved and many of them wish to be approved because their child is performing with their local dance school or theatre group. However, once approved a chaperone may work on a film set, in a TV studio, in the West End or on location abroad. It is essential that the Chaperone not only fully understands their responsibility and obligation to the child but has a thorough understanding of the performance legislation and a working knowledge of the production process and requirements of the particular genre they may be working in. They must realise and understand the extent of their authority and use that effectively to protect and benefit the children in their care.

Role and duties

Legislation

The law states that the maximum number of children a Chaperone may supervise is twelve. However, after taking into account the ages and gender of the children the Local Authority may consider that the Chaperone can only effectively look after a smaller number. The type of performance and location will also impact on the number of children a Chaperone can care for.

The Chaperone should remain with the child at all times; they must accompany them to and from the dressing room, school room, studio, set or stage as well as remaining in the studio, on set or by the side of the stage whilst the child is performing. They must have the child in view at all times.

The Chaperone must also remain with the child during meal and rest breaks and during any recreation breaks. If the child is staying away from home the Chaperone must stay with them at the lodgings.

Arrangements for handing over responsibility for a child e.g. between parent and Chaperone, Chaperone and tutor or Chaperone and Chaperone will vary according to the circumstances, however it is important to ensure there is never a time when it is unclear who is responsible for the child.

If there is more than one Chaperone on duty it must be absolutely clear both to the children and other relevant people which Chaperone is supervising which children.

The Chaperone's first duty is to look after the children in their care and they must not undertake any other duty e.g. they cannot be involved in technical aspects of the production, direction or be taking part in the production.

Except when a child is in the care of a tutor the Chaperone is in *loco parentis* and should exercise the care a good parent might be reasonably expected to give a child.

The child's performance licence will have been granted in accordance with the performance regulations and will be subject to specific conditions that will be included on the licence. The licence holder's copy must be available at the venue and no child should perform if a licence has not been granted unless they qualify for an exemption.

It is the licence holders' responsibility to ensure that the regulations and any conditions are adhered to, however in order to be able to carry out their role the Chaperone must see a copy of the licence. Production must make a copy of the licence available to the chaperone. The Chaperone must familiarise themselves with each child's performance licence as they may be subject to a variety of different conditions.

There are regulations and restrictions in place regarding when a child may work. These are set by government and are there to secure the well being of the child. The regulations cover all aspects of performance including the hours and days a child may work, entitlement to breaks, access to education and tuition, supervision and care and accommodation.

If the Chaperone considers that any of the arrangements made by the Licence Holder are not satisfactory then they should negotiate better arrangements with the Licence Holder.

If the Chaperone comes to an impasse in any negotiations or has to take some action against the wishes of the Licence Holder to secure the child's welfare, they must contact the licensing authority and the host authority and inform them of the circumstances. A written record should be made if this occurs.

As stated previously a Chaperone must have a working knowledge of the Regulations in order to carry out their duties confidently and ensure that a breach of the law does not occur. The Regulations and any conditions the Local Authority may have imposed are there in the best interests of the child to ensure their health, well being and education do not suffer and they are not exploited. The Regulations can be found at the back of this booklet.

The Chaperone cannot allow a breach of the Regulations to happen. A producer may on occasion want a child to work more than the permitted hours or beyond the latest permitted time. The Chaperone must be strong enough to ensure that this does not happen and advise the producer that the performance cannot continue. Disputes can normally be resolved amicably but may depend on the Chaperone's knowledge and interpersonal skills. Where issues cannot be resolved immediately or amicably or are of a serious concern these must be referred to the local authority. The Chaperone may remove the child if the regulations and licence conditions are being breached. The local authority will address any issues and concerns with production and hopefully reach a resolution. If a resolution is not agreed the local authority has the power to revoke the child's licence.

The Local Authority has the power to enter any premises where children are performing, without prior notice, to establish that the children are being properly supervised and cared for. If performance legislation and regulations are being breached and there are safeguarding concerns the Local Authority has the power to withdraw the children from the performance, to withdraw the Chaperone's approval or both. This is the last thing the Local Authority would wish to do and hence the emphasis in this booklet on the importance and extent of the Chaperone's role and their responsibility towards the children in their care.

By working together we hope it will be unlikely we would need to take this course of action, however if it is believed that the wellbeing of the child may be affected the Local Authority will carry out their statutory duty.

Record keeping

The Children (Performances and Activities) (England) Regulations 2014 states that the licence holder must keep certain records (Regulation 11). Very often the Chaperone is asked to complete a Daily Record Sheet for the child they are caring for. This ensures that the required records are maintained and that the regulations and any licence conditions are adhered to. The Chaperone must keep a record of the following:

- The date
- The time of arrival at the place of performance or rehearsal
- The time of departure from the place of performance or rehearsal
- The times of each period during which the child took part in a performance or rehearsal
- The time of each rest interval
- The time of each meal interval
- The time of any night work authorised by the licensing authority under Regulation 28 of the Children (Performances and Activities) (England) Regulations 2014
- Where arrangements are made for the education of the child by a private teacher, the date and duration of each lesson and the subject taught
- Details of injuries and illnesses (if any) suffered by the child at the place of performance or place of rehearsal, including the dates on which such injuries occurred and stating whether such injuries or illnesses prevented the child from being present at the place of performance or place of rehearsal
- Any incident regarding the child's welfare or treatment causing concern
- The dates of the breaks in performances required under regulation 27(1) of the Children (Performances and Activities) (England) Regulations 2014

A sample recording form (Schedule 3) can be found at the back of this booklet. The Licence Holder must retain these records for a minimum of six months following the last performance to which the licence relates. The Local Authority has the power to inspect these records during the life of the licence or the six month period specified.

Health and Safety

The Chaperone should familiarise themselves with the place of performance. They must know where the fire exits are, the evacuation procedure and the assembly points. It would be useful to hear the fire alarm.

The Chaperone should check the facilities ensuring the dressing rooms are clean, warm and suitable and that toilets are clean and sufficient in number.

The Chaperone should check the corridors, stairs and all areas are free from hazards. They should check that adequate health and safety measures are in place. There is a useful checklist at the back of this booklet.

If on location the Chaperone should ensure there is suitable shelter, warm clothing, and sun screen if applicable.

The Chaperone must be aware of the first aid arrangements and know where the first aid box is located, who is the designated first aid person and the address of the nearest hospital. Qualified first aiders must be on hand in all licensed entertainment venues.

The Chaperone should be aware of any pre-existing medical condition a child may have and the medication that they may need. If a child should become ill or suffer an injury whilst in the care of the Chaperone the Licence Holder is responsible for ensuring that the child receives proper medical treatment. A record of any illness or injury to a child must be recorded in a register and the child's parent and the licensing authority and the host authority should be notified as soon as possible.

If a child becomes ill or is under too much stress the Chaperone has the right to stop the child performing until they are satisfied that the child is well enough to continue.

The Chaperone should have access to a complete register of all the children with emergency contact numbers available at all times. It is suggested there should be a minimum of 3 contact numbers provided so that in the event of both parents being delayed a third person is available.

The Chaperone should also keep a note of other important contacts e.g. the licensing authority and host authority. There is a list of useful numbers at the back of this booklet.

The Chaperone should be satisfied that suitable travel arrangements are in place for each child under their control. They must ensure that the nominated person collects the child at the end of the performance. **The Chaperone should not allow a child to go home alone unsupervised.**

General

Child Protection

As has been stated earlier, the Children and Young Persons Act prescribes how the health and safety needs of child performers are met through regulation of the number of hours they rehearse and perform, the activities they can and cannot undertake and the standard of the facilities and conditions in which they may work.

Children have the right to protection from neglect, physical, emotional and sexual abuse. The community as a whole has a responsibility for the protection of children and for reporting concerns about a child's welfare or safety and in particular, organisations, companies and individuals working with children and young people have an important role because of their concern for the welfare and development of those children and young people.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities such as involving children in looking at pornographic material or watching sexual activities or encouraging children to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child's basic physical and psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or a carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of a child's basic emotional needs.

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise causing physical harm to a child. Fabricated Induced Illness may also constitute a physical abuse whereby a parent or carer feigns the symptoms of or deliberately causes ill health in a child.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate

expectations being imposed on children. It may involve causing children to frequently feel frightened or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of ill treatment of a child, although it may occur alone.

The role of the Chaperone is essentially a child protection role in the broadest sense. Not only does the Children and Young Persons Act require that Chaperones ensure that the child is not at risk of exploitation, implicitly it requires that the welfare of the child is paramount.

This means that the production company and in particular Chaperones, have a responsibility to promote and safeguard the welfare of the children in their care.

A child might disclose to the Chaperone some details of abuse, or the Chaperone may discover evidence that abuse has taken place. These could be recent events or in the child's past. The Chaperone cannot keep these facts "secret" and must refer them to Children's Social Care. A written record of all the details must be made by the Chaperone.

The Chaperone may be aware that another member of the company or production team has abused or is taking an "interest" in the child. In these circumstances the Chaperone may feel that as well as informing the proper agencies, there is also a need to inform the designated Child Protection person within the company to ensure the safety and welfare of the child or other children. The Chaperone must ignore a request from any Licence Holder, their deputy or any other person not to report the circumstances to the authorities on the pretext that they will make their own enquiries and deal with the matter. The Chaperone must inform the proper authority – remember, the welfare of the child is paramount.

If there are concerns about the well-being of a child the Chaperone has a duty to report it to the local Children's Social Care Child Protection Team. This can be done by telephone and the Chaperone should have the following information available:

- The child's name, date of birth, address, race, religion, language and any known special needs.
- Parents'/Carers' names and addresses.
- The reason for your concern.
- Any other factors within the family which may be contributing to the problem.

If you do not have all the above information do not let this deter you from contacting Children's Social Care.

DOS AND DON'TS FOR CHAPERONES

DO :

- **check the child is comfortable** - you are the person to whom the child looks to for guidance, protection, clarification and protect
- **stand up for the child above production pressures** - one of a chaperone's greatest strengths is their ability to negotiate with the production company 'on site' and be able to say no when what is being requested of the child is contrary or detrimental to the child's health, well-being and/or education
- **be the child's champion**
- **report any concerns and know who to report them to and know what to do in each case** - chaperones should keep a note of important contacts e.g. the child's licensing authority, the local authority in whose area the child is performing, the child's agent and the child's parent/legal guardian
- **ask to see a copy of the licence**
- **exercise discretion (only when regulation allows) where that is in the best interests of the child**
- **be alert to all possible risks to the child**
- **challenge people and/or behaviours**

DO NOT :

- **let the child perform if they are unwell**
- **leave the child alone with another adult (unless it's their parent or teacher)**
- **ignore or down play questionable behaviour from adults or other children**
- **allow the child to be pushed into things that they don't want to do**
- **take photos of the child**
- **seek autographs from performers or become star struck**
- **use inappropriate language or smoke whilst on duty**
- **consume alcohol or be under the influence of alcohol whilst on duty**
- **wear inappropriate clothing**

**CHILDREN IN ENTERTAINMENT – THE CHILDREN
(PERFORMANCES & ACTIVITIES) (ENGLAND)
REGULATIONS 2014 (as amended)**

Child's Full Name				Child's date of birth							
Parent contact details				Child's Agent							
Child's Licensing Authority				Local Authority for location of work							
Chaperone Name & Licensing Authority				Tutor name and Licensing Authority							
Name of Production				Child's Licence seen/retained				YES / NO			
Production Company Name & Tel. No.				Licence Holder Name/ Tel. No.							
Date of Performance				Place of Performance							

07:00				08:00				09:00				10:00			
00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00
11:00				12:00				13:00				14:00			
00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00
15:00				16:00				17:00				18:00			
00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00
19:00				20:00				21:00				22:00			
00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00
23:00				00:00				01:00				02:00			
00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00	00 to 15	15 to 30	30 to 45	45 to 00

A = Arrival at venue **D** = departure from venue **H** = Deliver to home
M = Meal breaks **O** = Other (makeup/costume) **N** = authorised Night work
P = Performance on set/stage (inc. rehearsal/line up)
PU = Pick up to escort to venue **R** = Rest break **S** = Stand by
T = Tutor time **W** = Wrap up

To be completed by the Licence Holder:

Licence held at place of performance: YES / NO
 Completed time sheet by Chaperone above: YES / NO
 Any pre existing medical conditions (if applicable)
 Sums to be earned by the child in respect of this licence
 Arrangements made for payment of these sums

Chaperone's Signature: _____

Licence Holder's Signature: _____

Date: _____

**CHILDREN IN ENTERTAINMENT
RESTRICTIONS IN RELATION TO ALL PERFORMANCES**

Topic	Age 0 to 4	Age 5 to 8	Age 9 and 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.

CHECK LIST – ARRIVAL AT THE VENUE

The Chaperone may find it useful to photocopy this page to use at each job they attend.

- Familiarise yourself with the venue's layout
- Identify all hazard areas
- Locate all fire exits
- Ask to hear sound of fire alarm if possible
- Arrange fire drill (with alarm) for children
- Locate first aid facilities
- Inspect dressing rooms (separate for 5 years and over)
- Locate and inspect toilets
- Locate and inspect rest rooms
- Locate and inspect school room
- Check on meal arrangements
- Check total number of children
- Check total number of Chaperones
- Acquire list of children's names
- Check each child's Entertainment Licence
- Ensure you have emergency home contacts for each child
- Where relevant, ensure you have details of each child's medical problems and/or medication

CONTACT NUMBERS

To contact a member of the Child Employment and Entertainment Team telephone:

Child Employment & Entertainment Team	01772 531799
The Customer Service Centre	0300 123 6701
Children's Social Care	0300 123 6720
Childrens Social Care Duty Team (Out of hours)	0300 123 6722
Lancashire Police	101 or 0845 1 25 35 45

Contact numbers for the Emergency Duty Team in neighbouring authorities:

Blackburn with Darwen	01254 587547
Blackpool	01253 477477
Bolton	01204 337777
Cumbria	0333 2401727
Knowsley	0151 443 2600
Liverpool	0151 233 3700
Manchester	0161 234 5001
Sefton	0845 140 0845

The Children (Performances and Activities) (England) Regulations 2014

The Regulations below are part of the above regulations and relevant to Chaperones who are responsible for the well being of children in entertainment.

PART 1

General

Citation, commencement, and application

1.—(1) These Regulations may be cited as the Children (Performances and Activities) (England) Regulations 2014 and come into force on 6th February 2015.

(2) These Regulations apply in relation to—

- (a) the granting of licences in respect of children resident in England by local authorities in England to take part in performances or activities within Great Britain, where required by section 37(1) of the 1963 Act;
- (b) the granting of licences in respect of children not resident in Great Britain by local authorities in England to take part in performances or activities within Great Britain, where the applicant for the licence is resident or has a place of business within the area of that local authority, where required by section 37(1) of the 1963 Act;
- (c) performances in England, for which no licence is required by virtue of section 37(3)(a) of the 1963 Act; and
- (d) the granting of licences by justices of the peace in England under section 25 of the 1933 Act to enable children to take part in performances or activities abroad for profit.

Interpretation

2. In these Regulations—

“the 1933 Act” means the Children and Young Persons Act 1933;

“the 1963 Act” means the Children and Young Persons Act 1963;

“activity” means taking part in a sport, or working as a model in the circumstances specified in section 37(1)(b) of the 1963 Act;

“chaperone” has the meaning given in regulation 15(1);

“day” means a period of twenty-four hours beginning and ending at midnight and, for the purposes of regulation 28 and paragraph 13 of Part 2 of Schedule 2, any performance taking place after midnight and before the earliest permitted hour as defined in regulation 21 shall be deemed to have taken place before midnight;

“education authority” has the meaning given by section 135(1) of the Education (Scotland) Act 1980(a);

“host authority” means the local authority or, in Scotland, the education authority in whose area a performance or activity takes place;

“licence holder” means the person to whom a licence is granted by the licensing authority;

“licensing authority” means the local authority to which the application for a licence is made and which grants the licence;

“parent” means a person who has parental responsibility, as defined in section 3 of the Children Act 1989(b), for the child in question;

“rehearsal” means, other than for the purposes of paragraph 15 of Part 2 of Schedule 2, any rehearsal for, or preparation for, a performance, being a rehearsal which takes place on the day

(a) 1980 c.44. This definition was amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 118(9).

(b) 1989 c.41.

of performance or during the period beginning with the first and ending with the last performance;

“school leaving age” means the age at which a person ceases to be of compulsory school age in accordance with section 8(3) of the Education Act 1996^(a); and

“week” means a period of seven days beginning with the day on which the first performance or activity for which the licence is granted takes place or any seventh day after that.

Revocations

3. The Regulations listed in Schedule 1 are revoked in respect of England.

PART 2

Documentation requirements relating to all licences

Application for licence

- 4.—(1) An application for a licence must— (a)

be made in writing by—

- (i) the person responsible for the organisation of, or the engaging of the child in, the activity; or
 - (ii) the person responsible for the production of the performance in which the child is to take part;
- (b) contain the information specified in Parts 1 and 2 of Schedule 2; (c)
- be signed by the applicant and a parent of the child; and
- (d) be accompanied by the documentation specified in Part 3 of Schedule 2.

(2) The licensing authority may refuse to grant a licence if the application is not received at least twenty-one days before the day on which the first performance or activity, for which the licence is requested, is to take place.

Licence conditions

5. The licensing authority must impose any conditions which it considers necessary in order to ensure that—

- (a) the child is fit to take part in the performance or activity;
- (b) proper provision is made to secure the child’s health and kind treatment; and
- (c) proper provision is made to ensure that the child’s education will not suffer.

6. Where the applicant requests a licence for a child to take part in a particular activity, performance or rehearsal, but is unable to specify the dates upon which the child will take part in that activity, performance or rehearsal at the time of the application, if the licensing authority decides to grant the licence, it must impose a condition that the child may only take part in that particular activity, performance or rehearsal for a specified number of days within a six month period.

7.—(1) Where the licensing authority considers that the information provided by the applicant is insufficient to enable it to decide whether to issue a licence or whether to issue a licence subject to conditions, the licensing authority must request additional information or documentation to enable it to make such a decision.

(a) 1996 c.56.

- (2) In particular, the licensing authority may—
- (a) request that a child be medically examined;
 - (b) request a report from the head teacher or principal of the school that the child attends;
 - (c) interview any proposed private teacher;
 - (d) interview the applicant, the child, the child's parents, or the proposed chaperone, as appropriate.

Form of licence

- 8.—(1) A licence must include— (a)
- the name of the child;
 - (b) the name of the parents of the child; (c)
 - the name of the applicant;
 - (d) the names, times, nature and location of the activity or performance (and location of any rehearsal if different) for which the licence has been granted;
 - (e) the dates of the activity, performance or rehearsal, or instead of the dates, the number of days on which the child will participate in the activity, performance or rehearsal and the period, not exceeding six months, in which the activities, performances or rehearsals may take place in accordance with regulation 6;
 - (f) any conditions, which the licensing authority considers necessary for the grant of the licence; and
 - (g) a statement that the licence is subject to the restrictions and conditions contained within these Regulations.
- (2) A photograph of the child must be attached to the licence.

Particulars that a licensing authority must provide in respect of a licence

9. The licensing authority must send a copy of the licence to the parent who signed the application form.

10. Where a performance or activity is to take place in the area of a host authority other than the licensing authority, in accordance with section 39(3) of the 1963 Act, the licensing authority must send to that host authority a copy of the application form, licence, any additional information or documentation obtained by it under regulation 7 and, where the licensing authority approves any arrangements for the child's education, details of the days during the period of the licence on which the child subject to the licence would ordinarily be required to attend school if that child were attending a school maintained by the licensing authority.

Records to be kept by the licence holder under section 39(5) of the 1963 Act

11. For six months from the date of the last performance or activity to which the licence relates, the licence holder must retain the records specified in—

- (a) Part 1 of Schedule 3, where the licence is granted in respect of a performance; or
- (b) Part 2 of Schedule 3, where the licence is granted in respect of an activity.

Production of licence

12. The licence holder must, on request, produce the licence at all reasonable hours during the period beginning with the first and ending with the last performance or activity to which the licence relates, at the place of performance (or any place of rehearsal), or the place where the activity to which the licence relates takes place, to an authorised officer of the host authority or a constable.

PART 3

General requirements applicable to all licensed performances or activities

Education

- 13.—**(1) The licensing authority must not grant a licence unless it—
- (a) is satisfied that the child's education will not suffer by reason of taking part in the performances or activities;
 - (b) has approved the arrangements (if any) for the education of the child during the period to which the licence applies; and
 - (c) has approved the place where the child is to receive education, subject to such conditions as it considers necessary to ensure that the place is suitable for the child's education.
- (2) The licence holder must ensure that any arrangements approved by the licensing authority for the child's education are carried out.
- (3) The licensing authority must not approve any arrangements for the education of a child by a private teacher unless it is satisfied that—
- (a) the proposed course of study for the child is satisfactory;
 - (b) the proposed course of study will be properly taught by the private teacher;
 - (c) the private teacher is a suitable person to teach the child in question;
 - (d) the private teacher will teach no more than six children (including the child in question) at any time, or twelve children if all the children being taught have reached a similar standard in the subject being taught to the child in question; and
 - (e) the child will, during the period to which the licence applies, receive education for periods, which when aggregated, total not less than three hours on each day on which the child would be required to attend school if the child were attending a school maintained by the licensing authority.
- (4) The requirements of paragraph (3)(e) are deemed to have been met if the licensing authority is satisfied that the child will receive education—
- (a) for not less than six hours a week;
 - (b) during each complete period of four weeks, or if there is a period of less than four weeks, during that period, for periods not less than the aggregate periods of education required by paragraph (3)(e) in respect of the period;
 - (c) on days on which the child would be required to attend school if the child were a pupil attending a school maintained by the licensing authority; and
 - (d) for not more than five hours on any such day.
- (5) For the purposes of this regulation, any period of education does not include—
- (a) any period which takes place other than during the hours when a child is permitted to be present at a place of performance or rehearsal under regulation 21; and
 - (b) any period of less than thirty minutes.

Earnings

14. The licensing authority may include a condition in the licence that any or all of the sums earned by the child for taking part in the performance or activity be dealt with in a particular manner by the licence holder.

Chaperones

- 15.—**(1) A licensing authority must approve a person to be a chaperone to—
- (a) have care and control of the child; and
 - b) safeguard, support and promote the wellbeing of the child,
- whilst the child is taking part in an activity, performance, or rehearsal or whilst the child is living elsewhere than the place the child would otherwise live during the period to which the licence applies.

(2) Paragraph (1) does not apply if a child is being cared for by a parent or teacher who would ordinarily provide the child's education.

(3) The maximum number of children a chaperone may take care of at any one time is—

- (a) twelve; or
- (b) where the person approved to act as a chaperone is the private teacher of the child in question, three.

(4) The licensing authority must not approve a person as a chaperone unless it is satisfied that the person—

- (a) is suitable and competent to exercise proper care and control of a child of the age and sex of the child in question; and
- (b) will not be prevented from carrying out duties towards the child by duties towards other children.

(5) Where a child suffers any injury or illness while under the care of the chaperone, the licence holder must ensure that the parent of the child named in the application form and the licensing and host authorities are notified immediately of such injury or illness.

Accommodation

16.—(1) Where a child is required to live somewhere other than where that child would usually live during the period to which the licence applies by reason of taking part in the performance or activity for which the licence is obtained, the licensing authority must approve that place as being suitable for that child.

(2) The licensing authority's approval may be subject to any of the following conditions—

- (a) that transport will be provided for the child between the place of performance, rehearsal or activity, and the accommodation;
- (b) that suitable arrangements are made for meals for the child; and
- (c) any other condition conducive to the welfare of the child in connection with that accommodation.

Place of performance and place of rehearsal

17.—(1) The licensing authority must approve any place where the child will perform, rehearse or take part in any activity.

(2) The licensing authority must not approve the place of performance, rehearsal or activity unless it is satisfied that, having regard to the age of the child and the nature, time and duration of the performance, rehearsal or activity—

- (a) suitable arrangements have been made for—
 - (i) the provision of meals for the child;
 - (ii) the child to dress for the performance, rehearsal or activity; and
 - (iii) the child's rest and recreation, when not taking part in a performance, rehearsal or activity;
- (b) the place has suitable and sufficient toilets and washing facilities; and
- (c) the child will be adequately protected against inclement weather.

(3) The licensing authority may give its approval subject to such conditions as it considers necessary.

(4) In paragraph (2)(a)(ii), arrangements for a child who has attained the age of five years to dress for a performance, rehearsal or activity are not suitable unless such a child can dress only with children of the same sex as the child in question.

Travel arrangements

18. The licence holder must ensure that suitable arrangements (having regard to the child's age) are made to get the child home or to any other destination after the last performance or rehearsal, or the conclusion of any activity on any day.

PART 4

Restrictions in relation to all performances

Application of this Part

19. The requirements in this Part apply to all licensed performances and to all performances, which are exempted from the requirement to obtain a licence, under section 37(3)(a) of the 1963 Act.

Employment

20. A child taking part in a performance must not be employed in any other employment on the day of that performance or the following day.

Earliest and latest times at place of performance or rehearsal

21.—(1) Table 1 sets out the earliest and latest times a child may be at a place of performance or rehearsal.

(2) This regulation does not apply where the place of performance or rehearsal is the place where the child ordinarily lives or receives education.

Table 1

<i>Age of child</i>	<i>Earliest time</i>	<i>Latest time</i>
Birth until child reaches 5	07:00	22:00
5 to school leaving age	07:00	23:00

Attendance at place of performance or rehearsal and hours of performance

22.—(1) Table 2 sets out the maximum number of hours a child may be at a place of performance or rehearsal, may perform or rehearse in one day and may perform or rehearse continuously.

(2) When calculating the number of hours on any day during which a child is present at a place of performance or rehearsal, any periods of education required to comply with arrangements approved under regulation 13 must be taken into account, even if that education is provided elsewhere than at the place of performance or rehearsal.

Table 2

<i>Age of child</i>	<i>Maximum number of hours in one day at place of performance or rehearsal</i>	<i>Maximum total number of hours of performance or rehearsal in one day</i>	<i>Maximum continuous number of hours of performance or rehearsal in one day</i>
Birth until child reaches 5	5	2	0.5
5 until child reaches 9	8	3	2.5
9 to school leaving age	9.5	5	2.5

Breaks on any day on which a child is performing or rehearsing

23.—(1) When a child under the age of five is present at the place of performance or rehearsal— (a) any breaks must be for a minimum duration of fifteen minutes, except that where a child is present for four or more consecutive hours, any such breaks must include at least one break of forty-five minutes used for the purpose of a meal; and

(b) any break must be used for the purposes of meals, rest, education and recreation.

(2) When a child aged five or over is present at the place of performance or rehearsal for more than four, but less than eight consecutive hours, the child must have a minimum of:

(a) one meal break of a minimum duration of forty-five minutes; and

(b) one other break of a minimum duration of fifteen minutes.

(3) When a child aged five or over is present at the place of performance or rehearsal for eight or more consecutive hours, the child must have:

(a) the breaks required under regulation 23(2); and

(b) at least one other break of a minimum duration of fifteen minutes.

(4) Subject to regulation 23(5), a child must have a break of a minimum duration of one and a half hours between the child's participation in consecutive performances where on the same day—

(a) the child performs the same part or takes the place of another performer in more than one instance of the same performance including rehearsals, falling within section 37(2)(a) or (b) of the 1963 Act, for which a licence has been obtained;

(b) the child is taking part in performances under different licences granted in respect of the child; or

(c) the child is taking part in a performance for which a licence has been obtained and in a performance for which a licence is not required under section 37(3)(a) of the 1963 Act.

(5) Where the earlier performance or rehearsal is less than one hour in duration, and—

(a) the following performance or rehearsal takes place at the same place of performance or rehearsal; or

(b) there is no time required for travel between the earlier and consecutive performance or rehearsal,

the break between those performances (or rehearsals) may be reduced to a minimum of forty-five minutes.

Minimum breaks overnight

24. Subject to regulation 28, a child must have an overnight break of a minimum duration of twelve hours between attendance at a place of performance or rehearsal.

PART 5

Restrictions and exceptions in relation to all licensed performances

Application of this Part

25. The restrictions and exceptions in this Part apply to all licensed performances.

Maximum number of consecutive days on which a child may take part in performances or rehearsals

26. A child must not take part in performances or rehearsals on more than six consecutive days.

d. Break in performances

27.—(1) A child who takes part in performances, other than circus performances, on the maximum number of consecutive days permitted by regulation 26 for a period of eight consecutive weeks, must not take part in any performance or rehearsal during the fourteen days following the last performance.

(2) This requirement does not apply if the number of days specified in the licence on which the child may perform is fewer than sixty.

Night-work

28.—(1) Subject to paragraph (2), a licensing authority may permit a child to take part in a performance before the earliest and after the latest times set out in regulation 21.

(2) Where a licensing authority permits a child to take part in a performance before the earliest and after the latest times set out in regulation 21—

- (a) the number of hours during which the child takes part in a performance between the latest and earliest times must be included when calculating the maximum number of hours that the child may take part in a performance or rehearsal in compliance with regulation 22;
- (b) the child must not take part in any other performance or rehearsal until at least sixteen hours have elapsed since the end of the child's part in the performance; and
- (c) where the child takes part in a performance between the latest and earliest times on two consecutive days, the licensing authority must not permit the child to take part in any further performance in the hours between the latest and earliest times during the seven days immediately following those two days.

Chaperone discretion

29.—(1) The chaperone in charge of a child may allow that child to take part in a performance for a period not exceeding one hour immediately following the latest time specified in regulation 21 provided that—

- (a) the total number of hours during which the child takes part in a performance or rehearsal, including the period not exceeding one hour, does not exceed the maximum number of hours permitted under regulation 22;
- (b) it appears to the chaperone that the welfare of the child will not be prejudiced; and
- (c) it appears to the chaperone that the conditions requiring the child to take part in a performance after the latest time specified arose in circumstances outside the control of the licence holder.

(2) Where the chaperone allows a child to take part in a performance after the latest time specified in regulation 21, the licence holder must ensure that the chaperone notifies the licensing and host authorities no later than the following day and provides the reason for this decision.

(3) The chaperone in charge of a child may allow one of the break for meal, required under regulation 23 to be reduced where the child is taking part in a performance or rehearsal outside, provided that—

- (a) the duration of the break is not less than thirty minutes; and
- (b) the maximum number of hours during which the child may take part in a performance or rehearsal under regulation 22 is not exceeded.