

Chaperones

Children (Performances) Regulations 1968
(Miscellaneous Amendments 1998 & 2000)



West Berkshire
COUNCIL

Chaperones

All licenced chaperones have the authority to supervise children at the local amateur dramatic performance, at a top West End show, on a film set, or indeed on location on the other side of the world. It is paramount that all chaperones understand their role, the responsibility and obligation they have and how to use those powers effectively for the benefit of the children in their care.

This brief guide is designed to answer some basic questions, but there may be occasions when further clarification and greater knowledge of the performance regulations will be required and for this you should contact either, your licensing authority, the licensing authority of the children taking part in the performance, or the Local Authority where a performance is taking place.

Regulations of Employment

The law states that *'the Chaperone is acting in **loco parentis** and should exercise the care which a good parent might reasonably be 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 and 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 production's 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 Producer or 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 is not always quite so easy to spot the odd word or joke directed periodically toward one particular child. This sort of behaviour should be dealt with immediately otherwise it could effect 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

Applications for a Chaperone Licence should be made to the Local Authority in the area where **YOU** live. West Berkshire Council requires:

- A completed application form together with two recent passport sized photographs
- The names of two referees (who we will contact for references)
- A satisfactory report from the Criminal Records Bureau on the disclosure of criminal convictions (confidential) (online application system)
- Attendance at a short meeting to establish your awareness of the chaperone role

Once all the checks have been satisfactorily completed a Licence will be issued.

Note: as several checks have to be made, the time-span between the LA receiving an application and the issuing of a Chaperone Licence can be a couple of months.

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 a teacher).

It is your responsibility, together with the Producer (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 crucial elements to good chaperoning.

1. You should be with the child at all times whether: on set/stage area, dressing rooms, recreation, meal and break areas etc. You are the KEY PERSON to whom the child looks for protection, clarification and support. If the facilities e.g. dressing rooms, toilets etc. 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 LEA, the child's licensing LEA 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/or several adolescents of mixed sexes. Especially if the children are living away from home. 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.
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 or provide accommodation nearer to where the performance is taking place rather than travelling several hours each 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 obtained and the parent/guardian and the licensing LEA informed immediately. **Always** have a contact number for parents.
5. Living away from home – the Chaperone is responsible for the child and should accompany him/her at all times. This responsibility includes seeing that his/her lodgings are satisfactory in every way; and that she/he is properly occupied during his/her spare time and that there are suitable arrangements for meals -food should normally be provided at the lodgings. The chaperone must arrange to sleep in the accommodation in which the children sleep near to the rooms occupied by the children. 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 LEA 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 but only under licence. This should be authorised by the LEA 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 LEA by Producers. Chaperones are often designated to keep these in respect of the child: -
 - 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

(See Table)

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

Regulations

The law takes into account the different types of performances the child may take part in. Therefore, the following information has been separated into 3 areas: -

- (1) All Performances** **(2) Broadcast Performances**
(3) Non-Broadcast Performances.

(1) All Performances

- **Number of performing days revoked 1.2.2000** – *The Children (Performance) Amendment Regulations 2000 Regulation 6*. There is now no restriction on number of days children may perform. In most Local Authorities the decision on the number of performing days for an individual child is made in liaison with the child's school.
- **Rehearsals.** The amount of rehearsing the child is allowed to do in the 14 days preceding the performance will be specified on the child's licence.
- **Education (Reg. 10)** – a child must be taught on **ALL school days** for an average period totaling not less than 3 hours per day. This must be during the hours at which the child is permitted at the place of performance. Thus, if a child is performing for more than 2 days in a school week s/he must be taught for at least 3 hours during the time s/he is at the place of performance.
- **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. Tutors should liaise closely with the school, especially where long absences from schools 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.

(2) Non-Broadcast Performances – Theatre, Stills, Modeling etc.

- Maximum 2 performances (either 1 performance plus 1 rehearsal or 2 performances) on any day but only 1 rehearsal or performance allowed on a school day (unless the absence is authorised by the LEA and the child's school).
- There must be a minimum interval of 1 hour 30 minutes between performances if there are 2 performances on the same day.
- A child may only perform and be at the place of performance on 6 consecutive days in a 7 day period.
- A child must have a break of 2 weeks after performing for 8 consecutive weeks.

- Age 12 and under. Place of performance – Earliest time 10am Latest 10pm
- Age 13 and over. Place of performance – Earliest time 10am Latest 10.30pm
Or 30 minutes after the end of his part in a performance or rehearsal Or, if the performance does not run this late – latest time for all ages is 30 minutes after the last performance ends.
- An interval of 14 hours must elapse between a child leaving and arriving at a place of performance.

**Maximum Performance Time 3 hours 30 minutes. ((Includes breaks)
Maximum length of child's part 2 hours 30 minutes. (Aggregated)**

(3) Broadcast Performances

Work in broadcasting and filming is very different from work in the theatre and imposes greater strain on the child. By its very nature it is subject to factors such as the weather, so a rigid working schedule fixed in advance is often impractical. Since it is not always possible to adhere to original production schedules, the times when a child will be required for the recording of a scene cannot, always be forecast exactly. Taking this into account broadcast performances are to some extent more restrictive yet more flexible than other types of performances. **For Broadcast Performance Times – (See Table at Back of leaflet)**

Broadcast Expectations

- The Chaperone may permit the child to continue to work for 30 minutes beyond the allotted time, if the Chaperone is satisfied that a serious disruption of schedules would otherwise result. 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.
- **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 during the permitted time allowed for a child of that age to be present at a place of performance e.g. 5 days performing: $3 \text{ hrs} \times 5 \text{ days} = 15 \text{ hours} \times 4 \text{ wks} = 60 \text{ hours tuition required over 4 week period}$. 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 LEA/School prior to aggregating hours.

Nightwork (indoors or out)

- LEAs may authorise filming to take place after the permitted hours if they are satisfied that the scene must be recorded outside and after the permitted hours
- LEAs may also allow working after midnight ONLY if they are satisfied that it is impracticable to complete the work before then. Any performance, which takes place after midnight, counts as part of the performance time allowed on the previous day. The child MUST also have a break of at least 16 hours before s/he returns to the place of performance after nightwork. If s/he does night work on 2 consecutive nights s/he CANNOT do any further nightwork for AT LEAST another week (7 days). Nightwork MUST be agreed in advance and the LEA is NOT BOUND to allow night work if it may cause ANY harm to the child, even if they are satisfied that the child's appearance is necessary

Licence Holder Responsibilities

Children & Young Persons Act 1963 Section 37(1) states that children can only 'perform under a licence'. They must be issued with a Performance Licence by their LEA. Section 58 Education Act 1944 "defines a 'child' as a person who is not over compulsory school age." There are circumstances where a licence is not required but it is for the LEA to decide if a particular performance can be exempt. Contravention of the Children & Young Persons Act 1963 Section 37 carries a summary sentence, conviction Level 3

It is the responsibility of the Licence Applicant (Producer)/Holder to ensure that:

- They have submitted a completed Licence application form (Schedule I and II plus all attachments) to the LEA responsible for the area where the child lives, at least 21 days before the first performance date.
- A child does not perform unless the applicant, who applied for the Licence i.e. producer, is in receipt of the child's Licence and it is held at the place of performance during the child's performance.
- Each child's Licence and Daily Record sheet are available at the place of performance. They must be held by the Licence Holder for a minimum period of 6 months at the address given on the 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 LEA.
- Suitable travel arrangements are provided.
- Suitable arrangements for nutritional meals are provided – not take away snacks. Any special diets required for medical, or on moral or religious grounds, must be provided for.

- Suitable dressingroom accommodation and toilets are provided. Separate facilities for boys and girls and separate from adult dressing rooms.
- Suitable meal, rest, recreational and educational facilities are provided.
- Adequate protection against inclement weather is provided.
- The child must be guarded against exposure to possible harm, including abuse or discrimination.
- The Chaperone has a list of all contact numbers for all children.
- A first aider is present at all times
- All special conditions as specified on the child's performance licence are strictly adhered to.
- The Production Company has undertaken a Health and Safety 'risk assessment' at the place of the performance.
- Fire regulations are satisfactory; staff, chaperones and children are made aware of evacuation procedures in case of emergencies such as fire. Contact the relevant Environmental Health Department for further details on Health and Safety – *Management of Health and Safety at Work Act 1999*

Child Protection

Chaperones should ensure that there is a complete register of the children, with emergency contact numbers available at any time. However, the chaperone must not disclose the personal information of the child(ren) in their care except to authorised personnel. Records of any injury or accident to a child must be fully recorded in a register

Chaperones should be aware of Child Protection Issues. These are difficult matters to deal with but in the event of any concerns, advice should be sought immediately from either the production company nominated child protection person or the Child Protection Section of the Social Services Department at the Local Authority where the performance is taking place or at the Chaperone's Licencing Authority. All those who come into contact with children throughout the performance have a duty to safeguard and promote welfare of the children.

General

The Chaperone should be thoroughly familiar with the terms of the licence granted by the LEA and see that, as far as it lies within her power, the conditions are properly fulfilled. The chaperone should also familiarise themselves with first aid, and the basics of health and safety legislation.

Chaperones are approved for up to one year and must apply for renewal at the end of the year. New photographs must be supplied for the Identification Card to be issued. Any approval is granted subject to certain conditions. Any breach of these conditions could lead to approval being withdrawn.

When approved, chaperones are required to notify the LEA in writing within seven days of

- Any arrest for any offence triable in a Court of Law, or any conviction in such a Court, whether in the United Kingdom or not.
- Any serious or notifiable illness or debility
- Any change of address or name.

The Chaperone should keep the Certificate of Approval and Identification Card in a safe place, and ensure that they take them with them each day that they are employed as a chaperone and have them available for inspection should the need arise.

Chaperones will be sent copies of the children's performance licences (usually via the producer/applicant) and should study the conditions to ensure that they are complied with, including rest periods, arrangements for tuition, meals etc. A Daily Record Sheet should be kept of the various periods of rest and work during the hours of the licence.

Inspections

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 is taking place, and may make enquiries about any child taking part in such a performance.

It is good practice to ensure that regular inspections are carried out without prior notice. LEA staff normally undertake these inspections. The officer would make his or herself known to the chaperone on arrival and will have proper identity cards.

Chaperones will need to have their licence and the children's Daily Record sheets available for inspection by the Officer of the LEA.

Chaperones should under no circumstances hand any child over to, or let the child be examined by, any other person. The only exceptions to this are with the prior approval of the child's parent, or in emergencies, and then under the supervision of a doctor, police officer in uniform, or other suitable persons.

Broadcast Performance Timetable

	Age 0 to 4	Age 5 to 8	Age 9 and over
Maximum time at place of performance	5 hours	7 ½ Hours	9 ½ Hours
Maximum times present	Between 09.30 – 16.30	Between 09.00 – 16.30	Between 07.00 – 19.00
Maximum Performing Time	2 Hours	3 Hours	4 Hours
Max time to take part without rest	30 minutes	45 minutes	1 hour
Minimum rest/ meal times	All times when not taking part	Present 3.5 hours=2 breaks (1 hr meal & 15 mins rest) Present 8 hrs=3breaks 2 x 1hr meal & 15min rest	Present 4 hours=2 breaks (1 hr meal & 15 mins rest) Present 8 hrs=3breaks 2 x 1hr meal & 15min rest
Education	NIL	3 Hours per school day (see education for aggregated hours)	3 Hours per school day (see education for aggregated hours)

EXCEPTIONS to the above for BBC, ITV, a programme contractor (TV act 1964 S.1(5) or body supplying programmes to such a contractor for CHILDREN AGED 13 AND OVER ONLY ref 27(2)(a)

Maximum time PRESENT per 7 day week	12 hrs any 1 day OR 10 hours per day any 2 days OR 9 ½ hrs per day any 3 days provided not present on any other day that week and not present after 7pm on more than 20 days in previous 12 months Times between 7am and 7pm OR between 10am and 10pm
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Alternative to above exceptions

Maximum time PRESENT per 7 day week	12 hrs 1 day provided not present more than 4 hrs on any other day that week and: does not take part for more than 2 hrs any other day that week and: does not take part on day following a day on which he was present after 7pm and: has not been present after 7pm on any of the previous days. Times between 7am and 7pm OR between 10am and 10pm
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Chaperone Checklist

- Arrive before the children, especially if the venue is not known to you. This will give time to have a look around and meet other people involved in the event.
- Make yourself known to the Licence Holder or their deputy and any other relevant person (i.e. stage/floor manager, dressers, etc.).
- Check all areas to be visited by the children for any hazards.
- Check fire exits for ease of passage.
- Find out what the fire alarm sounds like and arrange a fire drill involving the children.
- Check the first aid facilities and if there is a qualified First Aider on the premises.
- Check that dressing rooms, toilets, school room, rest room, meal arrangements and any other facilities are suitable.
- When checking dressing rooms, remember children aged 5 years or over must only dress with other children of the same sex.
- Liaise with any other Chaperones who have been employed, and work as a team.
- Have a list of the names of the children you will be caring for. If there are more than 12 children each Chaperone must be sure who is looking after which children
- Check each child's performance licence and note any conditions endorsed on it. The Licence Holder's copy must be available at the place where the event takes place.
- Ensure there is a list of the children's home and emergency contact details which you can get access to at all times in case you need to contact the parent/guardian.

- Check with the Licence Holder to ascertain whether any child has medical problems or requirements. This information is strictly confidential but, as a Chaperone, you need to know. If a child becomes ill there may be something in the notes that will give you some indication of the problem. If the child is taken to hospital or is seen by a doctor, the fact that a child is taking medication may have an effect on the treatment. You may need to remind a child to take their medication at a specific time.
- If you are unhappy with any of the facilities or arrangements you should voice your concerns to the Licence Holder and negotiate better conditions. If these negotiations are not successful you must consider whether you are going to allow the children to take part in the event. In these circumstances you must inform the appropriate Local Authority as soon as possible with the details of the problem/s and the action you took.

“Ensure there is a list of the children’s home and emergency contact details which you can get access to at all times in case you need to contact the parent/guardian.”



Check List - Arrival at the Venue

	OK
Familiarise yourself with the venue's layout	
Identify all hazard areas	
Locate all fire exits	
Ask to hear sound of fire alarm	
Arrange fire drill (with alarm) for children	
Locate first aid facilities	
Inspect dressing rooms (separate for age 5 years and over)	
Locate and inspect toilets	
Locate and inspect rest rooms	
Locate and inspect school room (if applicable)	
Check on meal arrangements	
Check total number of children	
Check total number of chaperones	
Acquire list of children's name	
Check each child's performance 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.	
Ensure each child is signed in and out by an authorised adult	

You may find it useful to photocopy this page to use at each job you attend.

Notes:

We are committed to being accessible to everyone. If you require this document in an alternative format or translation, please call the Education Welfare and Safeguarding Service, on 01635 551111.

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