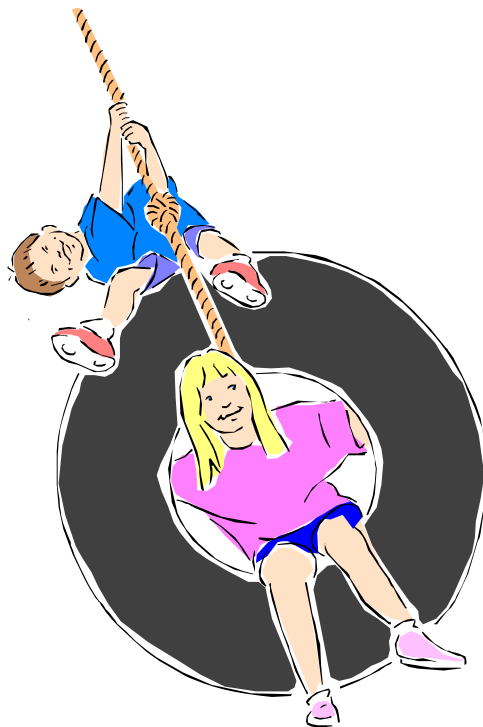


Children (Performances) Regulations 1968

(Miscellaneous Amendments 1998)

CHAPERONES



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 Education Authority), the child's licensing authority (Local Education 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 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 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 12

Applications for a Chaperone Licence should be made to the LEA in the area where YOU live. **Hounslow** LEA requires:

- a completed application form together with 2 passport sized photographs
- the name of two referees (who we will contact for references)
- a satisfactory Criminal Records Bureau check (confidential) and:
- we will also request an interview

Once all the checks have been satisfactorily completed, a Chaperone ID Card and Licence will be issued. **Note:** *as several checks have to be made, the time-span between the LEA receiving an application and the issuing of a Chaperone Licence can take from between a couple of weeks to a couple of months.*

Responsibilities

Your FIRST responsibility is to the child in your care. While you are chaperoning you must 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 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 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 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 6 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 or Tutor's charge, medical assistance must be gained and the parent/guardian and licensing LEA informed immediately. **Always** have a contact number for parents.
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 that 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 only under a 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! & Check** the Regulations before agreeing to anything. Failing a satisfactory

conclusion, phone the LEA or 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) Non-Broadcast Performances
(3) Broadcast Performances.

(1) All Performances Part IV

- **Number of performing days** *revoked 01.02.2000 – 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 Hounslow decisions on the number of performing days for individual children are made in liaison with each child's school.*
- **Rehearsals** The LEA, 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. 10)**- a child must be taught on **ALL school days** (in the area in which he performs) for periods totalling not less than 3 hours per day (minimum 30 minutes) between the hours at which the child is permitted at the place of performance. Teaching must be within these hours and **not added on to the time at the place of performance.**

(See Broadcast Exceptions aggregating education hours)

- **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. Tutor, school and parents in liaison with the child's LEA (LEAs 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.

(2) Non-Broadcast Performances – Theatres, Stills Modelling 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 any 7-day period.
- Maximum consecutive weeks must not exceed 8 without an interval of at least 2 wks.
- Age 12 & Under Place of perf. Earliest Time 10 am Latest Time 10 pm
- Age 13 & over Place of perf. Earliest Time 10 am Latest Time 10.30 pm
- 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 mins. (includes breaks)

Maximum length of child's part 2 hours 30 mins. (aggregated)

(3) Broadcast Performances Part V

- Work in broadcasting and filming is very different from work in the theatre and imposes greater strain on the child. By its very nature, and because it is subject to factors such as the weather, 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, again, always be forecast exactly. Taking this into account, broadcast performances are to some extent more restrictive yet more flexible than other types of performances.

Broadcast Performance Times –

See Table (back)

Broadcast Exceptions

- 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 30 minutes. 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: $3 \text{ hrs} \times 5 \text{ days} = 15 \text{ hrs} \times 4 \text{ wks} = 60 \text{ hours tuition required over 4 week period}$. 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.

Night work (indoors or out)

- LEAs may also allow working after midnight ONLY if they are satisfied that it is impracticable to complete the work before then. Any performing that takes place after midnight 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 LEA 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 London Borough of Hounslow**, Education Welfare Service, or if the child does not live in Hounslow, the LEA responsible for the area where the **child lives**, 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.

In the case of Open Licences a child does not perform unless;

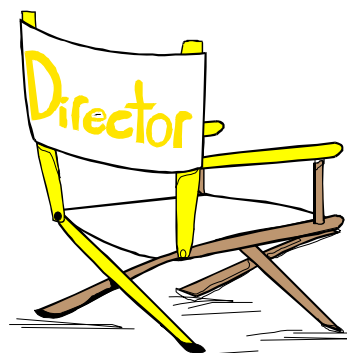
- (1) a licence has been received by the applicant
- (2) an add-on sheet applicable to the particular performance has been agreed and is attached to the original licence and held at the place of performance during a child's performance.

- 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 LEA.

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 are satisfactory; a first aider is present at all times; staff, chaperones and children are 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 LEA together with the legal requirements under the ***Children (Performances) Regulations 1968 (Miscellaneous Amendment 1998)*** are met.



TOPIC	Age		
	0 to 4	5 to 8	9 & Over
Maximum Time and Place of Performance	5 Hours	7 ½ Hours	9 ½ Hours
Maximum Times Present	Between 9.30am & 4.30pm	Between 9am & 4.30pm	Between 7am & 7pm
Maximum Performing Time	2 Hours	3 Hours	4 Hours
Maximum continuous time to take part without a rest	30 Mins	45 Mins	1 Hour
Minimum rest/meal times	All times when not taking part	Present 3½ hours = 2 breaks 1 hr meal & 15 mins rest. Present 8 hours = 3 breaks 2 x 1 hr meal & 15 mins rest	Present 4 hours = 2 breaks 1 hr meal & 15 mins rest. Present 8 hours = 3 breaks 2 x 1 hr meal & 15 mins rest
Education	NIL	3 hours per school day (see <i>Education for aggregated hrs</i>)	3 hours per school day (see <i>Education for aggregated hrs</i>)

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 9 AND OVER ONLY (Ref 27(2)(a))

Maximum time PRESENT per 7 day week	12 hrs any 1 day OR 10 hrs per day any 2 days OR 9 ½ hrs per day any 3 days provided not present on any other day that week & not present after 7pm on more than 20 days in previous 12 months. Times between 7am & 7pm OR between 10am & 10pm
-------------------------------------	---

ALTERNATIVE TO ABOVE EXCEPTIONS (Ref 27(2)(b))

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 6 previous days. Times between 7am & 7pm OR between 10am & 10pm.
-------------------------------------	---

Contact

Child Employment Officer
London Borough of Hounslow
Education Welfare Service
The Civic Centre
Lampton Road
Hounslow, Middlesex
TW3 4DN

Tel : 020 8583 2769
Fax : 020 8583 2777

*Adapted from Regulations
originally produced and published by
Gwen Medd, Buckinghamshire
County Council*