

## Chaperone Regulations

The law takes into account the different types of performance that children may take part in. Chaperones are people who look after child performers and models taking part in entertainment. Chaperone regulations fall into three areas

- All performances
- Non-broadcast performances
- Broadcast performances

### All performances

(Part IV of the regulations)

- The number of performing days is no longer restricted by law. In Southwark, we decide the number of days individual children may perform, in liaison with their school.
- Rehearsals – in deciding whether to grant a licence, and if so for how many days, the LEA will take into account any other work the child does in the 28 days before the first performance, and the amount of rehearsing the child is to do in the 14 days before the performance.
- Education – a child must be taught on ALL school days (in the area in which he or she performs) for at least three hours a day (in periods of at least 30 minutes) between the hours when they are allowed to be at the place of performance. Teaching must be within these hours and not added on to the time at the place of performance.
- Tutors - a tutor may teach a maximum of six children of differing levels at the same time. If the children are at the same level, they may teach a maximum of 12. The tutor, school and parents in liaison with the child's LA (at the LA's discretion) may insist that fewer 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 they keep to the curriculum and avoid the child falling behind in their studies. Remember the child's education is paramount and the licence may include conditions about this. Non-broadcast performances – theatres, stills modeling etc.
- A maximum of two performances (either one performance plus one rehearsal or two performances) are allowed on any day, but only one rehearsal or performance on a school day (unless the absence is authorised by the LA and the child's school).
- There must be an interval of at least one hour 30 minutes between performances if there are two performances on the same day.
- A child may perform and be at the place of performance on only six consecutive days in any seven-day period.
- There must be no more than eight consecutive weeks without an interval of at least two weeks.

- For children aged 12 and under, the earliest time they can be at the place of performance is 10am and the latest time is 10pm, or 30 minutes after the end of their part in the performance or rehearsal.
- At age 13 and over, the earliest time is 10am and the latest time 10.30pm, or 30 minutes after the end of their part in the performance or rehearsal. Or, if the performance does not run this late, the latest time for all ages is 30 minutes after the last performance ends.
- At least 14 hours must elapse between a child leaving and arriving at a place of performance.

Maximum performance time: three hours 30 minutes (including breaks).

Maximum length of child's part: two hours 30 minutes (in total).

## Broadcast performances

(Part V of the Regulations)

Work in broadcasting and filming is very different from work in the theatre and imposes greater strain on the child. By its nature, and because it is subject to such factors as the weather, a rigid working schedule fixed in advance is often impracticable. Also, since it is not always possible to keep to original production schedules, the times when a child will be needed to record a scene cannot always be forecast exactly. So broadcast performances can be both more restrictive and more flexible than other types of performance.

## Broadcast performance times

### Exceptions for broadcasts

- Extensions – if you agree that serious dislocation of schedules has resulted in the child being asked to work beyond the allotted time, and you are sure the child's welfare will not suffer, you may permit the child to continue for a further 30 minutes – as long as the total work done in that day does not exceed the time allowed for a child of that age. When any such extension is authorised, you must notify the local council in whose area the child is working, either on the same day or the following day.
- Totalling educational hours – educational hours may be totalled during each complete period of four weeks (or performance periods exceeding one week) as long as the child receives at least six hours' tuition a week and for not more than five hours a day during the time the child is allowed to be present at the place of performance. For example, if performing for five days a week over four weeks: three hours of tuition x five days = 15 hrs x four weeks = 60 hours of tuition required over a four-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. You must get the agreement of the child's LEA or school before totalling their hours of education.
- Night work (indoors or out)  
LAs may 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 have a break of at least 16 hours before returning to the place of performance after night work, and if they do night work on two consecutive nights they may not do any more night work for at least another week (seven days). Night work must be agreed in advance. The LEA is not bound to allow night work, even if it agrees that the child's appearance is necessary, if this may cause any harm to the child.

- Licence holder's 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.

For performances to which the Act applies, see section 37 (2).

For performances for which a licence is not required, see section 37 (3).

Offences – contraventions of section 37: summary conviction level 3 (Children & Young Person Act 1963, section 40 as amended by the Criminal Justice Act 1982, sections 38 and 46).

**The performance licence applicant or holder must ensure the following**

- They have sent a completed licence application form (Schedule 1 and 2 plus all attachments) to Southwark Education welfare, (or, if the child does not live in Southwark, to the LEA responsible for the area where they live), at least 21 days (Regulation 1 Schedule 1) before the first date.
- A child may not perform unless the applicant who applied for the performance licence (eg. the producer or agent) has received the child's licence.
- In the case of open licences, a child may perform only if
  1. The applicant has received a licence
  2. an add-on sheet for the particular performance has been agreed and is attached to the original licence and held at the place of performance during the child's performance.
- Each child's licence and chaperone/tutor records are available for inspection by an LEA officer at the place or places of performance. They are held by the licence holder for at least six months at the address given on the licence application. The address needs to be the head (main) office and not the location address (the temporary residence of a production at a studio or location).

An authorised officer of the local council in whose area a performance takes place may at any time enter any place where a performance is held to which section 37 applies, licensed or unlicensed, and may make enquiries about any child taking part in a performance.

- Suitable travel arrangements are made.
- Suitable arrangements for meals are provided.
- Suitable accommodation, toilet and washing facilities are provided.
- Suitable rest, recreational and educational facilities are provided.
- There is adequate protection against poor weather.

- The production company has undertaken a health and safety risk assessment at the place of the performance. The licence holder or applicant must also ensure, for example, that fire regulations are satisfactory; a first aider is present at all times; and that 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 more details on health and safety (Management of Health & Safety at Work Act 1999).
- Also, any other conditions or provisos placed on the child's licence by issuing LEA, and the legal requirements under the children's performances Regulations 1968 (Miscellaneous Amendment 1998), are met.