



North

Yorkshire County Council

Guidelines for Chaperones



The Children & Young Persons Act 1963

Children (Performances) Regulations 1968

Children (Protection at Work) Regulations 1998

Children (Performances) (Miscellaneous Amendments) Regulations 1998

Children and Young People's Service

A responsive County Council providing excellent and efficient local services

Introduction

The following information is taken from The Children (Performance) Regulations 1968, The Children and Young Persons Act 1963, Children (Protection at Work) Regulations 1998 and Children (Performances) (Miscellaneous Amendments) Regulations 1998 which lay down the Regulations for Chaperones. These are to provide Chaperones registered by the North Yorkshire County Council LA with some guidelines on how to carry out their duties in their care of children appearing in performances.

Chaperone service

The Chaperone's first priority is always to the child. They are the key person to whom the child looks for guidance and support.

One of their greatest strengths is their ability to negotiate with the production company "on site" and to say "no" when what is being requested of the child is detrimental to either their health, well-being and/or education.

A Chaperone should also ensure that a child has the appropriate "licence". If a production company cannot prove that a child is licensed, it is the responsibility of the Chaperone to contact the child's Local Authority as a matter of urgency.

The maximum number of children a chaperone is allowed to have in their care at any one time is 12.

Parents, unless they are licensed Chaperones, cannot chaperone children other than their own.

Other relatives and childminders are not legal guardians unless they are recognised as such by the courts and will also need to be licensed in order to chaperone a child.

To be approved as a Chaperone you need to apply to the Local (Education) Authority in whose area you normally live.

All applicants are required to complete an application form (including the names and addresses of two referees) and to declare any criminal convictions they may have. Applicants will also be required to have Enhanced Criminal Records Bureau (CRB) clearance.



Statutory duties and responsibilities

- The holder of the licence is responsible for ensuring that, during the period beginning with the first performance and ending with the last performance covered by the licence, the child is in the charge of a person who has been approved by the LA for this purpose, except when he/she is in the charge of his/her parent or a tutor. The regulations describe this person as a Matron (but in some areas, including North Yorkshire, the person may be described as a Chaperone), who may be a man or a woman.
- A Chaperone while in charge of a child under this Regulation shall have the care and control of the child with a view to securing his/her health, comfort, kind treatment and moral welfare.
- The LA shall not approve a Chaperone unless satisfied that he/she can exercise proper care and control of the child(ren), and that he/she will not be prevented from carrying out his/her duties as a Chaperone by other duties.
- A private tutor may act as a Chaperone once approved as such by the LA, provided that the number of children in his/her care does not exceed three, and that the LA is satisfied that the arrangements will not adversely affect the children's education or welfare.
- The Chaperone's first duty is to the child/ren in his/her care; while he/she is acting as a Chaperone he/she may not engage

in any activity that would interfere with the performance of his/her duties. Except when a child is in the care of a tutor, the Chaperone is in *loco parentis* and should exercise duty of care which a parent might reasonably be expected to give that child.

- The Chaperone shall be in charge of the child at all times, except when the child is in the charge of his/her parent or a tutor.

Other responsibilities

This is what the LA expects, they are not statutory duties and cannot be enforced by the LA once approval has been given.

- When approved, Chaperones are required to notify the LA 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 otherwise.
 - Any serious or notifiable illness or debility (see Appendix C).
 - Any change of address or name.
- The Chaperone should keep the certificate of approval in a safe place and ensure that they take it with them each day that they are employed as a Chaperone and have it available for inspection should the need arise.

- The LA does not find employment for Chaperones and will not recommend Chaperones to employers. However, with the permission of the Chaperone, the LA has a list of registered Chaperones available on request by employers.
- Chaperones must ensure that the applicant for the licence gives them a copy of the licence when issued so they can ensure that the conditions are complied with, including rest periods, arrangements for tuition, meals etc. A record should be kept of the various periods during the hours of the licence.
- The Chaperone should be thoroughly familiar with the terms of the licence granted by the LA and see that, as far as it lies within his/her power, the conditions are properly fulfilled.
- The Chaperone should have a basic understanding of emergency first aid treatment and also establish that the licence holder has made appropriate provision under the Health and Safety (First Aid) Regulations. Chaperones should acquaint themselves with the names of the appointed first-aiders and the whereabouts of the first aid equipment in the establishment /premises in which they are working.
- The Chaperone should have a basic understanding of the "duty of care" in a workplace situation and be satisfied that suitable risk assessments have been carried out by those responsible for the rehearsal/performance. The Chaperone should be satisfied that any risks which may affect the child/children in their care have been identified and that effective control measures are in place.

Below is a list of typical hazards associated with theatrical and film performance. The list is not exhaustive but covers some of the more common areas that may give cause for concern:

- Fire Procedures
- Safe place to stand in the wings or off the set
- Movement of scenery
- Flying scenery
- Movement of any machinery
- Periods of temporary darkness (e.g. scene change)
- Falls from a height
- Smoke effects and dry ice
- Noise (e.g. bomb tanks)
- Pyrotechnics
- Trapdoors
- Animals
- Electrical cables

If the performance is outdoors then in addition to some of the above the following may need to be considered:-

- Protection from inclement weather
 - Movement of vehicles
- The Chaperone's duties will vary according to the nature of performance i.e. theatre or filming.
 - Children should be provided with nutritional food and any special diets for medical reasons, or on moral or religious grounds, must be provided for. The responsibility for suitable

meal arrangements lies primarily with the LA, however, the LA considers it the responsibility of the Chaperone to keep a watching brief and report any concerns to the LA.

- The Chaperone must be satisfied with the arrangements for the dressing rooms. Children 5 years old and above must only change with other children of the same sex and have separate toilet facilities from the adults. The Chaperone must acquaint her/himself with the procedure for the evacuation of the building in case of fire. This again is the duty of the LA, but the LA considers it the responsibility of the Chaperone to keep a watching brief.
- In the event of any contravention of the licence, or incident affecting the well-being of the child(ren), the Chaperone must inform the LA who issued the licence at the earliest opportunity.

North Yorkshire County Council would expect that any Chaperone authorised by them ensures that no child is discriminated against on grounds of race, gender, colour, nationality, ethnic or national origin.



Filming

A child appearing in a film may be at the studios or place of location for much of the day. During the whole of this time he/she is in the Chaperone's charge, except when having lessons, and it is for him/her to accompany the child from the dressing room or school room, as well as remaining on the set while he/she is there.

The Chaperone should keep records of the times the child is on the set and the times he/she rehearses and performs, so as to ensure that the periods permitted under the Regulations are not exceeded. The Chaperone should also ensure that the child does not get less than the required number of breaks for rest and meals.

The Chaperone should ensure that any child in his or her supervision has suitable opportunities for recreation, and that the child is protected from stress, strain, bad weather and any other conditions likely to cause harm.

- The Chaperone may allow the child to perform for a further half hour beyond the latest permitted hour (see Regulations 27 to 29) as long as the total number of hours (including the extra 30 minutes) does not exceed the maximum number of permitted hours, if it appears to the Chaperone that the welfare of the child will not suffer and the reasons for the extra 30 minutes are outside the control of the licence holder. The Chaperone must inform the LA on either the same day or the following day that the extension has been approved.

- The Chaperone may allow one daily interval put aside for a meal break, to be reduced, when the child is working outdoors, provided that the reduced break is still at least half an hour. Even with the reduction the total number of hours worked by the child must not exceed the permitted maximum.

Theatre, paid sport and modelling

If the child is working in a theatre, the times of when he/she is to be at the theatre and when he/she will be working are known in advance, and must come within what is permitted in the Regulations.

The Chaperone's main duties will be to ensure that when the child is not actually performing, (including the period in between performances if there are two performances on the same day, and he/she does not go home or back to his/her lodgings) he/she is properly supervised and has adequate meals, rest and recreation.



Children on tour

If the child is living away from home the Chaperone is responsible for him/her throughout the currency of the licence and must make sure that he/she is properly occupied in his/her spare time. In general a Chaperone needs to exercise a greater amount of supervision than if the child were living at home during the period of the licence. The duty of the Chaperone with regards to lodgings is to secure the child's health, comfort, kind treatment and moral welfare.

Although the legislation states the maximum number of children a Chaperone should have in his/her care is 12 it may be that the Chaperone can only perform her duties satisfactorily with a smaller number when the children are living away from home.

- The Chaperone should ensure that there are suitable arrangements for meals. Food should normally be provided at the lodgings. The children must be in the constant charge of the Chaperone, who must accompany them at all times.
- The Chaperone should arrange to sleep in the accommodation in which the children sleep near to the rooms occupied by the children.
- The lodgings must be approved by the LA in whose area they are, but if for any reason he/she thinks them unsatisfactory, the Chaperone should insist on a change of accommodation.
- The Chaperone should ensure that, if necessary, there is transport to and from the place of entertainment. No child should normally have more than 3 hours journey. The child(ren) should have plenty of exercise.

Illness or Injury

If a child suffers any injury or illness while in the charge of a Chaperone or tutor, the holder of the licence shall ensure that a doctor is called and that the parent of the child named in the application form and the LA are notified immediately of such injury or illness.

It is advisable that the Chaperone keeps a record of any instances where this should happen.

Should the child fall ill whilst on tour and is too ill to perform, the Chaperone should make arrangements for the child to be sent home under proper escort.

In the case of serious illness/accident the child should be sent to hospital and the child's parents informed immediately. The LA who issued the licence should also be informed immediately.

NO CHILD SHOULD
PERFORM IF UNWELL



Inspections

The LA will make regular inspections without prior notice at places of entertainment within the Authority of North Yorkshire County Council; most Education Authorities have similar policies. Inspections are normally carried out by Education Social Workers but it could include a Fire Officer or Health and Safety Officer. The Officer should make him or herself known to the Chaperone on arrival and will have proper identity cards.

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 unless with the prior approval of the child's parent, or emergencies, and then under the supervision of a doctor, police officer in uniform or other suitable persons when the consent of the child's parents cannot be obtained.



Performance other than broadcast or recorded performance

(i.e. theatre, paid sport and modelling)

The restrictions and conditions in the Regulations shall apply in the case of every licence authorising a child to take part in a performance other than a broadcast performance to be recorded (by whatever means) with a view to its use in a broadcast or in a film intended for public exhibition.

Maximum number of days in a week on which a child may take part in performances and rehearsals.

A child may not take part in a performance or rehearsal on more than six days in any period of seven days and if, in any such period, he/she takes part in some performances other than broadcast or recorded performances and some governed by filming and some governed by Part V he/she may not perform or rehearse on more than 5 days in that period.

There is no prohibition for Sunday performances.

Maximum number and length of performances and rehearsals daily.

A child shall not take part in a performance or rehearsal the duration of which exceeds 3½ hours (including intervals).

A child shall not take part in a performance or rehearsal if the duration of his/her appearances in the performance or rehearsal exceed 2½ hours (including intervals).

A child shall not take part in more than one performance or rehearsal on any day unless he/she performs the same part in the performances or rehearsals, except where he/she takes the place of another performer in the same performance, and the performances or rehearsals are of the same nature.

On any day on which a child is required to attend school after the morning session he/she shall not take part in more than one performance or rehearsal.

Where a child takes part in two performances and/or rehearsals on the same day, there must be an interval of not less than 1½ hours between his/her last appearance in the first performance or rehearsal and his/her first appearance in the second performance or rehearsal. Subject to this condition, the maximum permitted number of daily performances and/or rehearsals is limited to two.

This interval may be reduced to not less than 45 minutes on two days in any week, but when this is done the total time the child is at the place of performance, including the interval, must not exceed 6 hours.

Earliest and latest hours at place of performance and place of rehearsal.

A child shall not be present at a place of performance or rehearsal before 10.00 a.m., and on the day immediately following a day on which a child has taken part in a performance or rehearsal he/she shall not take part in a performance or rehearsal until after the expiration of not less than 14 hours from the end of his/her part in the performance or rehearsal in which he/she last performed on the preceding day.

There is no need for a child to remain at the place of performance or rehearsal after the end of his/her part but he/she needs sufficient time to unwind, change clothes, remove makeup. No child may remain at the place of performance for longer than 30 minutes after the end of his/her part or 10.00 p.m. if he is under 13 years, or 10.30 p.m. if he/she is 13 or over, whichever is the earlier.

If, however, the performance (but not a rehearsal) could not be given without his /her remaining until later, he/she may be present until 11.00 p.m. on not more than 8 evenings in any period of 4 consecutive weeks and not more than 3 evenings in any one week and the LA notified.



Broadcast or recording performance

Age of Child	Maximum number of hours permitted at place of performance or rehearsal	Earliest and latest permitted times at that place	Maximum period of continuous performance or rehearsal	Maximum number of hours performance or rehearsal	Minimum for meals and rest	Minimum number of hours of education on school days if being taught privately
9 years and over	9.5 hours	7.00 a.m. - 7.00 p.m.	1 hour	4 hours	If present at the place of performance or rehearsal for more than 4 consecutive hours, there should be 2 intervals, one of which must be at least 1 hour and the other at least 15 minutes. If the child is present at the place of performance or rehearsal for more than 8 consecutive hours, there should be 3 intervals, 2 of which should be at least 1 hour and the others at least 15 minutes.	3 hours (15 per week) or 6 hours per school week with remainder taught on non-school days, providing no more than 5 hours either day.
Over 5 but under 9 years	7.5 hours	9.00 a.m. - 4.30 p.m.	45 minutes	3 hours	If present at the place of performance or rehearsal for more than 3.5 consecutive hours, there should be 2 intervals, one of which must be at least 1 hour and the other at least 15 minutes. If the child is present at the place of performance or rehearsal for more than 8 consecutive hours, there should be 3 intervals, 2 of which should be at least 1 hour and the others at least 15 minutes.	3 hours (15 per week) or 6 hours per school week with remainder taught on non-school days, providing no more than 5 hours either day.
Under 5 years	5 hours	9.30 a.m. - 4.30 p.m.	30 minutes	2 hours	Any time during which the child is not taking part in a performance or rehearsal must be used for meals, rest and recreation.	Not applicable

Non-broadcast performance table

Performance (same nature)	2 per day	1 Performance & 1 Rehearsal OR 2 Performances
Performances per week, Intervals and Exception to intervals	Max. 6 days per 7 day week	Max. 8 consecutive weeks requires 2 week interval before performing again in ANY production
Time Gap between performance days	14 hours must elapse between the end of the previous day's performance and the beginning of the following day's performance	
Performance Time	Max. 3 hours 30 mins	Including breaks
Appearance in Performance	Max. 2 hours 30 mins	Aggregated
Intervals	1½ hours minimum	Between 2 performances OR 1 performance & 1 rehearsal
Exception to intervals (in any week)	On not more than 2 day's a minimum of 45 minutes interval between performance and/or rehearsals. Maximum 6 hours at place of performance	
School Day	Attending school after the morning session	1 performance OR 1 rehearsal ONLY
Performance Hours	Age 12 and Under	Age 13 and Over
Earliest Arrival	10 a.m.	10 a.m.
Latest Departure	10 p.m.	10.30 p.m.
Exception (1)	10.30 p.m.	11.00 p.m.
Exception (2)	10.30 p.m.	11.00 p.m.
Medical (1)	YES (period longer than 1 week)	Performing over 6 consecutive days
Medical (2)	NO (period less than 1 week)	Performing under 6 consecutive days
Arrangements for Getting Home	Applicant shall ensure that suitable arrangements (having regard to the child's age) are made for the child to get to his home or other destination after the last performance or rehearsal or the conclusion of any activity on any day.	

Notifiable Diseases

The following diseases must be notified even if only **suspected**

Anthrax	Mumps
Cholera	Paratyphoid Fever
Diphtheria	Plague
Dysentery (amoebic or bacillary)	Poliomyelitis (acute) (includes acute poliomyelitis)
Enteritis (infective)	Rabies
Encephalitis (acute)	Relapsing Fever
Food Poisoning	Rubella
Hepatitis	Scarlet Fever
Lassa Fever	Smallpox
Leprosy	Tetanus
Leptospirosis	Tuberculosis
Malaria	Typhoid Fever
Marburg Disease	Typhus
Measles	Viral Haemorrhagic Fever
Meningitis (acute)	Whooping Cough
Ophthalmia neonatorum	Yellow Fever
Meningococcal infections	