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# Chaperone guidance

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## 1 Introduction

### 1.1 About this advice document

It is exciting for children when they become involved in the entertainment industry and they may gain many positive and rewarding experiences. However, laws are in place to protect their welfare and prevent them from being exploited. This document is intended to guide chaperones through the legislation that has been produced to protect children taking part in performances and activities and thus ensure that the experiences of these children are safe and rewarding.

### 1.2 Purpose of this advice document

The holder of the licence is responsible, throughout the period covered by the licence, for ensuring that the child is in the charge of a responsible adult. This person is known in law as a chaperone. The following guidance aims to aid chaperones in understanding their role and legal responsibilities and to provide advice on how to carry out their duties of care to children appearing in performances or activities.

### 1.3 The law

The legislation covering children in entertainment is as follows:

- [Part II of the Children and Young Persons Act 1933](#)
- [Part II of the Children & Young Persons Act 1963](#)
- [The Children \(Performances and Activities\) \(England\) Regulations 2014](#)

The government has also [produced guidance on the regulations](#), which you may find helpful to read in conjunction with this document.

The legislation applies to:

- Any performance for which a charge is made, whether for admission or otherwise
- Performances on premises licensed to sell alcohol such as a hotel, a pub or a theatre
- Any live broadcast performance, for example a television or radio broadcast, internet streaming
- Any performance recorded with a view to its use in a broadcast such as a live stage performance that is recorded for cinema screening, a feature film, a video or sound recording of a performance on a website
- Children taking part in sport or modelling where payment is made to the child or someone else in respect of the child taking part

## 1.4 Child's performance licence

Every child from birth to statutory school leaving age, who is taking part in a performance must have a licence or exemption issued by their local authority. The person responsible for the production of the performance will make the application for the licence. The licence is issued to this person subject to the conditions laid down by The Children (Performances and Activities) (England) Regulations 2014 and to any additional conditions specified by the Licensing Authority.

## 1.5 Paid modelling/sporting activities

Under the regulations, reference to an activity relates to paid modelling or paid sporting activities. A child engaged as a model, or in a sporting activity, for payment, must have a licence. The person responsible for organising, producing or running the activity will make the application for the licence.

## 1.6 When a chaperone is employed

A child taking part in a performance or an activity under a licence, or a rehearsal during the licensing period, must be supervised at all times by a chaperone that has been approved by their local authority, unless they are under the direct supervision of their parent or legal guardian. This also applies where the child is living away from home during the period of the licence. This is to ensure that, at all times, a suitable person is responsible for the child's welfare and it is clear who that person is. For example, this means that if a child is taken to a photo-shoot by a grandparent and they stay with the child for the duration, a chaperone will also need to be present, unless the grandparent has parental responsibility.

It should be noted that it is the responsibility of the licence holder for employing an approved chaperone. Although they have been approved by the local authority, a chaperone, whether paid or unpaid, is employed by the person responsible for the production, remembering that their first duty is always to the child.

## 1.7 Role of the chaperone

Many chaperones first become approved by the local authority because their child is involved in a local pantomime, dance show or competition, or amateur dramatic production. However, as well as this type of production, the chaperone also has the authority to supervise children appearing in a West End show, a film, a television series, or a modelling assignment. It is therefore of paramount importance that the chaperone fully understands their role and responsibility towards the child(ren) in their care. Blackpool Council believes that taking part in a performance/activity helps a child to grow as an individual, and promotes their confidence and self-esteem. The Regulations have been designed to protect and safeguard the child. They are there to prevent a child from being exploited by working too many hours, resulting in the child's wellbeing or education suffering. It is the chaperone's role to ensure that the Regulations are complied with and the child is thus protected.

# 2 Approval process

## 2.1 Blackpool chaperone approval process

Any adult, **resident in Blackpool**, may apply to Blackpool Council to be approved as a chaperone. A payment of £30 is applicable. In addition, professional applicants will be required to pay the additional DBS fee. The criteria for approval are: -

- Enhanced DBS Disclosure
- Two references
- Knowledge of the relevant legislation
- A good understanding of the role and responsibility
- Interview
- Application form
- Completion of online safeguarding children training module

A chaperone must demonstrate to the local authority that they are suitable and competent to discharge their duty (i.e. to exercise proper care and control of the child and will not be prevented from carrying out their duties by other activities or duties towards other children).

If you are unable to apply online, please contact the child employment team to request an application pack to be emailed to you.

## 2.2 Other registration requirements of blackpool council

When approved, chaperones are required to adhere to the Chaperone Code of Conduct and must also notify Blackpool Council Child Employment Team, in writing, within seven days of:

- Any arrest for an offence that is triable in a Court of Law
- Any conviction following an arrest, whether in the United Kingdom or otherwise
- Any serious or notifiable illness or disease
- Any change of address or name

## 2.3 Where to obtain additional information

Further information, including a link to the Act, Regulations and Guidance can be found on our webpage at [www.blackpool.gov.uk](http://www.blackpool.gov.uk) (search on child employment).

The National Network for Child Employment & Entertainment (NNCEE) website also contains a wealth of information – [www.nncee.org.uk](http://www.nncee.org.uk)

If you have any queries in relation to any of your duties or you require clarification of any part of the legislation, please contact the Child Employment/Entertainment Licensing Officer.

# 3 Responsibilities of a chaperone

## 3.1 Main duties

- Boys and girls aged over 5 years must have separate dressing rooms. Therefore, boys and girls that are in separate dressing rooms must have at least two chaperones, as the Regulations state that the chaperone must be with the child at all times.
- You should ensure you see a copy of the child's licence and familiarise yourself with the terms and any additional conditions imposed by the Licensing Authority. You must ensure that the child's performance complies with the terms of the Regulations and the licence and ensure that the child's wellbeing and education does not suffer.
- The precise duties while the child is at the place of performance or activity will vary according to the type of performance or activity. For example, if the child is working in the theatre, the times when he/she is to be at the theatre and when he/she will be on stage are known in advance and must come within what is permitted by the Regulations or restricted by any conditions on the child's licence. Your main duties will be to ensure that, when the child is not actually performing, he/she is properly supervised and has adequate meals, rest and recreation. This includes 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.
- Your first duty as a chaperone is to the child in your care. You are responsible for safeguarding, supporting and promoting the wellbeing of the child. You may not engage in any activity that would interfere with your duties. Except when the child is in the care of their teacher or the child's parent/guardian, you are in loco parentis and should exercise the care which a good parent might be reasonably expected to give that child.
- The maximum number of children in your care at any time may not exceed 12; there may be occasions when you could only perform your duties satisfactorily if the number were smaller, eg if the children were living away from home.
- There may be occasions when a producer will want a child to work more than the permitted hours. In this situation, the chaperone must be assertive enough to ensure that this does not happen and inform the producer that the performance cannot continue. It is therefore vital that the chaperone is clear as to the requirements of the Regulations and the conditions of the child's licence. Disputes can normally be resolved amicably but may depend on the chaperone's knowledge and interpersonal skills.
- In the event of any breach of the licence conditions, or incident affecting the well-being of the child you **must** inform the Licensing Authority at the earliest opportunity.

## 3.2 A child living away from home

If a child is living away from home you are responsible for him/her throughout the currency of the licence. This includes seeing that the child's lodgings are satisfactory in every way and that he/she is properly occupied during his/her spare time; and in general you may need to exercise a greater amount of supervision than if the child was living at home.

## 3.3 A child appearing in a film

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 your charge except when having lessons. It is your duty to accompany him/her from the dressing room or schoolroom to the set and take him/her back to the dressing room or schoolroom as well as remain on the set while he/she is there. You must keep a record of the time the child is on the set and the time he/she rehearses and performs to ensure that the periods permitted under the

Regulations are not exceeded and you must also see that the child gets not less than the required number of breaks for rest and meals. You should make sure that the child has suitable opportunities for recreational activities and is protected from stress, strain, bad weather and any other conditions likely to harm him/her.

### 3.4 Illness or injury of a child

**No child** should be allowed to perform when unwell.

If a child falls ill or is injured while in the charge of a chaperone, the licence holder must immediately notify the parent and the local authority and seek appropriate medical help. If appropriate a doctor should be called. Be aware of signs of stress or tiredness. If a child is ill or under too much stress you have a duty to withdraw the child. Remember that the child's welfare overrides the needs of the producer.

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

You **must** keep a record of any instances of illness or injury, and any action taken. There is a form which you can use at the back of this guidance.

### 3.5 Health and safety

- Ensure you know the fire exits, what the fire alarm sounds like and are aware of the evacuation procedures
- Location of first aid facilities
- Be aware of any access by the public to backstage areas
- Satisfy yourself as to the general safety of the venue
- Ensure the toilets and changing rooms are clean, well ventilated and satisfactory.

### 3.6 Specific hazards

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

- Fire Procedures (eg alarm bell, fire drill etc)
- Safe place to stand in wings or off the set
- Movement of scenery
- Movement of any machinery
- Periods of temporary darkness (eg scene change)
- Falls from a height
- Smoke effects and dry ice
- Noise
- Pyrotechnics
- Trapdoors
- Animals
- Electrical cables
- Very bright lighting

If the performance is outdoors then the following should also be considered:

- Protection from extreme weather, i.e. sunscreen, waterproof clothing
- Movement of vehicles
- Rivers, cliffs and other natural features that pose potential risks

### 3.7 Safeguarding policies

You should familiarise yourself with your employer's Child Protection, Behaviour and Social Media Policies.

### 3.8 Be prepared

1. Take your Chaperone Approval Certificate with you whenever you are carrying out your chaperone duties. In the event of an inspection by the local authority, you will need to produce this.
2. Ensure you have a list of the names of the children in your care and there is a list of children's home and emergency contact details easily accessible.
3. Always ask to see the licences of children you are chaperoning upon arrival at the place of performance, if you have not already received a copy. The child should not perform if a licence has not been granted unless they have been issued with an exemption by the local authority. Acquaint yourself with the terms of the licence and any additional conditions on the licence and ensure

they are being adhered to.

4. Check with the Licence Holder if any of the children have any medical issues or additional needs that you need to be made aware of.
5. Ensure adequate arrangements have been made for meals and refreshments and ensure the child has adequate clothing for bad weather. It is the licence holder's responsibility to ensure that arrangements are made for another chaperone or the child's own parent to supervise the child if the designated chaperone requires a break.
6. Acquaint yourself with the venue and check the suitability of toilet and washing facilities, areas for rest and recreation and dressing rooms. Be aware that children aged 5 yrs and over must only dress with other children of the same sex.
7. Have a notebook handy to keep records of duration and timings of rehearsals, performances and activities, time spent at venue, breaks, meals, tuition, waiting time between rehearsals/performances/activities, overnight breaks and any other incident regarding the child's welfare and treatment. If you are unhappy with any arrangements or facilities, you must voice your concerns to the licence holder or the local authority.
8. The licence holder must maintain accurate records of the children employed and often gives the responsibility for completing the Daily Record Sheet to the chaperone. A copy of a daily record sheet is included at the back of this guidance. Inspecting local authorities will expect to see that these records are being completed in real time.

### 3.9 Dos and don'ts for chaperones

#### Dos

- Check the child is comfortable – you are the person to whom the child looks to for guidance, protection, clarification and support
- Stand up for the child about 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, for example, 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 (where a licence is required)
- Exercise discretion where that is in the best interest of the child
- Be alert to all possible risks to the child
- Challenge people and / or behaviours

#### Don'ts

- Let the child perform if they are unwell;
- Leave the child alone with another adult – unless it's their parent or teacher;
- Take photos of the child;
- Seek autographs from performers or get 'star-struck';
- Ignore or downplay questionable behaviour from adults or other children;
- Allow the child to be pushed into things that they don't want to do;
- Use inappropriate language or smoke whilst on duty;
- Consume alcohol or be under the influence of alcohol whilst on duty;
- Wear inappropriate clothing

## 4 Other information

### 4.1 Chaperone discretion

A chaperone's first priority is always to the child's best interest and wellbeing. In certain circumstances a chaperone has discretion to allow a child to take part in a performance for a period not exceeding one hour immediately following the latest time permitted at the place of performance (which is 11pm for children over 5 and 10pm for children under 5) provided that:

1. The number of hours during which the child takes part in the performance including the period not exceeding one hour, does not exceed the maximum number of hours permitted
2. It appears to the chaperone that the welfare of the child will not be prejudiced
3. It appears to the chaperone that the conditions requiring the child to take part in a performance after the latest specified time arose in circumstances outside the control of the licence holder

The licence holder must ensure that when the chaperone exercises this discretion the chaperone informs the licensing authority and the local authority where the performance is taking place, no later than the following day and that he or she explains the reason for exercising his/her discretion.

In considering whether to permit a child to stay later, it is best practice for the chaperone to weigh up whether permitting the child to stay at the place of performance for any extra time would be in the best interests of the child, for example because it allows them to

finish filming a scene so they do not have to attend again the following day.

## 4.2 local authority inspections

The local authority will make regular inspections, without prior notice, to places of entertainment within the Authority. The officer should make his or herself known to the chaperone(s) and licence holder on arrival and will have proper identity. The inspecting officer will ask the licence holder to produce the children's licences and ask chaperones to produce their approval certificates. They will see the children, inspect the venue and speak with the chaperones about the arrangements for the children throughout the licence period. The officer will also examine the daily record sheets to ensure they are being completed.

## 4.3 Allegations against a chaperone

If an allegation is made against a chaperone, the information will be passed to the LADO (local authority Designated Officer) who will follow Blackpool Council's Allegation Procedures.

## 4.4 Child car seat rules

If you are required to transport children as part of your duties you must ensure you abide by the organisation's risk assessment and follow safeguarding procedures.

Also be aware that you have a legal obligation to ensure children wear the correct safety restraints. The Regulations and further information is available on the following website: - [www.childcarseats.org.uk](http://www.childcarseats.org.uk)

# 5 Child protection

## 5.1 Types of abuse

Everybody who works with children, or works with parents and other adults in contact with children should be able to recognise, and know how to act upon, indicators that a child's welfare or safety may be at risk.

The abuse or harm to children may occur from:

- Parents
- Others who have parental responsibility
- Adults who are in a position of trust or who are temporarily entrusted with their care
- People who, though not having parental responsibility, are known within a wider circle of the family or neighbourhood
- A complete stranger
- Other children

The following definitions of abuse are given to assist professional staff and those providing services to children in assessing whether abuse may have occurred.

**Physical abuse:** May involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

**Emotional abuse:** The persistent emotional maltreatment 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 include not giving the child opportunities to express their views, deliberately silencing them or "making fun" of what they say or how they communicate. It may include interactions that are beyond the child's developmental capability, as well as over protection and limitation of exploration and learning or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying) 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, though it may occur alone.

**Sexual abuse:** Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may include non-contact activities such as involving children in looking at, or in the production of, sexual images or watching sexual activities or encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the Internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

**Neglect:** 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 (including exclusion from home or abandonment) failing to protect a child from physical harm or danger, failing to ensure adequate supervision (including the use of inadequate care-givers), or the failure to ensure access to the appropriate medical care or treatment. It may also include neglect of, or unresponsive to, a child's basic emotional needs.

**Bullying:** Behaviour that hurts someone else – such as name calling, hitting, pushing, spreading rumours, threatening or undermining someone. It can happen anywhere – at school, at home or online. It is usually repeated over a long period of time and can hurt a child both physically or emotionally. Bullying that happens online, using social networks and mobile phones, is often called cyber bullying. A child can feel like there is no escape because it can happen wherever they are, at any time of day or night.

**Child sexual exploitation (CSE):** A type of sexual abuse in which children are sexually exploited for money, drugs, alcohol, accommodation or gifts as a result of them performing, and/or others performing on them, sexual activities. Child sexual exploitation can also occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the internet or mobile phones without immediate payment or gain. Children or young people may be tricked into believing they're in a loving, consensual relationship. Child sexual exploitation is a hidden crime. Young people often trust their abuser and don't understand that they're being abused. They may depend on their abuser or be too scared to tell anyone what's happening. Children who work in entertainment may be sexually exploited in return for offers of TV, film or modelling/photographic work and roles in professional stage productions.

### Abuse of trust

A relationship of trust, for the purpose of this guidance, is one where a teacher, member of education staff or a volunteer is in a position of power to influence over a child by virtue of the work or nature of the activity being undertaken. A relationship of trust must not be distorted by fear or favour and those in positions of trust must exercise responsibility as a consequence of the power they have over those they care for. Where a relationship of trust exists, allowing a relationship to develop in a way that might lead to a sexual relationship is wrong. A sexual relationship will be intrinsically unequal within a relationship of trust and is therefore unacceptable. It is also inappropriate since the professional relationship of trust would be altered. This guidance should not be interpreted to mean that no genuine relationship can start between two people within a relationship of trust, but given the inequality at the heart of a relationship of trust, the relationship of trust should be ended before any sexual relationship develops.

## 5.2 what to do if suspected/alleged child abuse

### Procedures

The following procedures must be carried out in every case of actual suspected or alleged child abuse that comes to the attention of the chaperone.

#### Medical emergency with suspicion of abuse

A child requiring urgent medical attention should be escorted to the nearest Accident & Emergency Department. Where possible the child should be accompanied by a parent or carer, if a parent or carer unreasonably refuses to allow necessary medical treatment, the Police should be contacted immediately. The escort must remain with the child until such time as the child's safety is assured. The chaperone should ensure that social care and the child employment officer are informed immediately.

#### Suspicion of abuse without medical emergency

If a chaperone has knowledge or suspicion of abuse from any source they should refer to social care without delay who will decide whether to investigate further. If so, arrangements for parental contact will be agreed. In all but the most exceptional circumstances social care will make parental contact.

#### Disclosure of abuse

If a child tells a chaperone that they have been, or is likely to be abused, the chaperone should listen sympathetically and without judgement or further questioning.

When responding to a child or young person who has disclosed abuse or the risk of abuse, it is important to reassure them that their story is believed and will be taken very seriously and we will be talking about the situation with people who can help and that they have acted rightly in disclosing the information. If the child or student asks that the information be kept secret, it should be explained that in order that they are helped and protected it will be necessary for some other people to be involved. Promises which may be difficult to keep should not be made. Action should be taken even if the child withdraws the allegation at this point.

Always make a written record as soon as possible of any further information volunteered to you. The record will include the time it was written, the setting, personnel present as well as what was said. The organisation should have a child protection policy and you should report the matter to the named Child Protection Officer, who will refer the matter to the Children's social care department

01253 477299 or 01253 477477

When you are making a referral regarding child protection concerns, it is important to have the following information wherever possible readily available for the duty social worker: -

- Name, date of birth, ethnic origin, gender of child, address and telephone nos
- The reasons for your concern
- Injuries and/or other indicators observed
- The child's first language
- Details of any specific needs of the child, e.g. disability etc
- Details of family members, if known
- Other agencies, professionals involved
- Family doctor

Social care will make enquiries with other agencies who may have information regarding the child and family. On the basis of the information gathered, they will then make an initial assessment on what further action is necessary or appropriate.

If a parent, student or other adult reveals to a chaperone that they or others have been involved in perpetrating abuse to a child the chaperone should also contact social care immediately.

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 it is with the prior approval of the child's parent/carer, or medical 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.

In all cases a written report must be forwarded to the child employment team leader, within 48 hours (Telephone: 01253 476613)

More information can be found on the website [www.gov.uk](http://www.gov.uk)

Blackpool's child protection procedures can be found on the council website ([www.blackpool.gov.uk](http://www.blackpool.gov.uk)).

## 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.	<p>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</p> <p>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.</p>	<p>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</p> <p>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.</p>
Education (Reg.13)	N/A	<p>3 hours per day</p> <p>(maximum of 5 hours per day). 15 hours per</p> <p>week, taught only on</p> <p>school days. Minimum of 6 hours in a week if aggregating over 4</p> <p>week period or less.</p>	<p>3 hours per day</p> <p>(maximum of 5 hours per day). 15 hours per</p> <p>week, taught only on</p> <p>school days. Minimum of 6 hours in a week if aggregating over 4</p> <p>week period or less.</p>
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:** Regulation 5 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. Any such restrictions will be shown on the child’s licence.

### Blackpool Council

Municipal Buildings  
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