# Chaperones code of conduct

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## 1 Context

Blackpool Council is operating in an ever-changing and sensitive environment where expectations about quality and standards are high and where accountability is in the spotlight. We are required to work to the highest standards of conduct and to monitor our performance to ensure these standards are maintained.

- Everyone who works with children and young people in Blackpool should familiarise themselves with the Pan Lancashire Safeguarding Children's Procedures - http://panlancashirescb.proceduresonline.com/chapters/contents.html
- Members of the public are entitled to expect the highest standards of conduct from everyone who works, volunteers or is licensed to provide a service by Blackpool Council. The Chaperone Code of Conduct sets out the standards of behaviour the Council expects of its approved chaperones. It applies to all chaperones that are approved by Blackpool Council. The code of conduct forms part of your terms and conditions when undertaking the role as a chaperone.
- Chaperones must ensure they have read and understood the Code. All chaperones approved by Blackpool Council have a duty to follow the Code of Conduct.
- If a chaperone behaves in a way that is inconsistent with the Code, the Local Authority will take action and may take steps to revoke the chaperone's approval licence.
- All chaperones working with children and young people have a crucial role to play in safeguarding their wellbeing. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This Code of Conduct has been produced to help chaperones establish safe and responsive environments which safeguard young people and reduce the risk of adults being unjustly accused of improper or unprofessional conduct.
- All chaperones will either work or volunteer for an organisation. The organisation is responsible for organising, producing or running an activity or production.

This means that the code of conduct:

- applies to all chaperones working with children and young people in entertainment settings;
- will provide guidance where an individual's suitability to work with children and young people has been called into question.

# 2 The legislation

The legislative framework relates to:

- children in entertainment: Performing on stage, television, film, radio, commercial etc.
- children working in paid/professional sport
- children working as paid models

This guidance is written in accordance with the following legislation:

- The Children and Young Persons Act 1933
- The Children and Young Persons Act 1963
- The Children (Protection at Work) Regulations 1998
- The Children (Performances and Activities) (England) Regulations 2014.
    - The NNCEE (National Network for Children in Employment and Entertainment) is a national voluntary body, providing advice and guidance to its membership, which is predominantly made up of specialists from local authorities.
    - All children from birth until they cease to be of compulsory school age, who take part in a performance or activity within the remit of Section 37 of the Children & Young Persons Act 1963, must have a licence or exemption issued by their home Local Authority.
    - The legislation is to secure the health, proper treatment and education of children whilst they are taking part in entertainment. It concerns all such children from the day they are born through to the day when they are no longer of compulsory school age. Compulsory school age **does not cease on their sixteenth birthday** and is on the last Friday in June of the academic year in which the young person is 16 years of age.
    - The Regulations refer to an **approved person, known as a chaperone.** This person is someone who looks after the welfare of a child who is taking part in entertainment in certain circumstances.
    - The primary legislation comes from Part II of the Children & Young Persons Act 1933 and Part II of the Children & Young Persons Act 1963. The 1963 Act empowers the Secretary of State to make Regulations that prescribe conditions to be observed with respect of children taking part in performances. Currently these are the “Children (Performances and Activities) (England) Regulations 2014.
    - The term ‘entertainment’ includes:

- taking part in a performance where the public pay to have access
- any performance in licensed premises (e.g. hotel, public house etc.)
- any live broadcast performance, for example television/radio programmes and internet streaming
- any performance recorded with a view to its use in a broadcast or such service or in a film intended for public exhibition
- taking part in modelling or sport for which the child or any other person receives payment

The above are termed as performances with the exception of modelling and sport, which are termed as activities.

# 3 Principles

- The welfare of the child is paramount
- It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people
- Adults who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
- Adults should work, and be seen to work, in an open and transparent way
- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity
- Adults should continually monitor and review their practice and ensure they follow the guidance contained in this document

# 4 Suitability

- The information contained in this document is an attempt to identify behaviours that are expected of chaperones who work with children and young people. Chaperones whose practice deviates from this guidance and/or their professional or employment

related code of conduct may bring into question their suitability to work with children and young people in the capacity of a chaperone

This means that chaperones should:

- have a clear understanding about the nature and content of this document
- discuss any uncertainties or confusion with the Local Authority
- understand what behaviours may call into question their suitability to continue their role as a chaperone

# 5 Duty of care

- Chaperones who act in loco parentis of children and young people are accountable for the way in which they exercise authority, manage risk, use resources and safeguard children and young people. Whether working in a paid or voluntary capacity chaperones have a duty to keep children and young people safe and to protect them from sexual, physical and emotional harm. Children and young people have a right to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and wellbeing of children and young people. Failure to do so may be regarded as neglect
- The duty of care is in part exercised through the development of respectful and caring relationships between adults and children and young people. It is also exercised through the behaviour of the adult, which at all times should demonstrate integrity, maturity and good judgement. Everyone expects high standards of behaviour from adults who work with children and young people including chaperones. When individuals accept such work, they need to understand and acknowledge the responsibility and trust inherent in that role
- Chaperones carry out their duties in a range of work and performance settings. The organisation that has commissioned or employed the chaperone's services has a duty of care towards them and the children/young people that are taking part in the activities. These duties arise under the Health and Safety at Work Act 1974. This Act requires the provision of a safe working environment and also provides guidance about safe working practices. Chaperones should be treated fairly and reasonably in all circumstances
- The Human Rights Act 1998 sets out important principles regarding protection of individuals from abuse by state organisations or people working for those institutions. Adults who are subject to an allegation should therefore be supported and the principles of natural justice applied
- Chaperones also have a duty to take care of themselves and anyone else who may be affected either by their actions or their failure to take action. An employer's duty of care and the adult's duty of care towards children should not conflict. This 'duty' can be demonstrated through the use and implementation of these guidelines

This means that chaperones should:

- understand the responsibilities, which are part of their chaperone role, and be aware that sanctions will be applied if these provisions are breached
- always act, and be seen to act, in the child's best interests
- avoid any conduct which would lead any reasonable person to question their motivation and intentions;
- take responsibility for their own actions and behaviour

Employers of chaperones should ensure that:

- appropriate safeguarding and child protection policies and procedures are adopted, implemented, disseminated and monitored;
- codes of conduct/codes of practice are continually monitored and reviewed
- where services or activities are provided by another body, the body concerned has appropriate safeguarding policies and procedures;
- they foster a culture of openness and support
- systems are in place for concerns to be raised
- there is in place an effective recording system which records discussions, decisions and the outcomes of any actions taken
- adults are not placed in situations which render them particularly vulnerable
- all chaperones have access to and understand this code of conduct
- the chaperone job description/person specification clearly identify the competence necessary to fulfil the role of chaperone

## Important note

Loco Parentis is to have care and control of a child; and safeguard, support and promote the wellbeing of a child whilst taking part in an activity, performance, or rehearsal or whilst the child is living elsewhere than the place the child would otherwise live during the periods which the performance licence applies.

# 6 Confidentiality

- Chaperones may have access to confidential information about children and young people in order to undertake their responsibilities. In some circumstances they may have access to or be given highly sensitive or private information. These details must be kept confidential at all times and only shared when it is in the interests of the child to do so. Such information must not be used to intimidate, humiliate, or embarrass the child or young persons concerned
- If a chaperone who works with children is in any doubt about the sharing of information or its confidentiality he or she should seek guidance from a senior member of staff or a designated child protection person
- The storing of information about children and young people is governed by the Data Protection Act 2018. Employers should provide clear advice to chaperones about their responsibilities under the legislation
- Whilst chaperones need to be aware of the need to listen to and support children and young people, they must also understand the importance of not promising to keep secrets. Neither should they request this of a child/young person under any circumstances.
- Concerns and allegations about adults should be treated as confidential and passed to a senior manager without delay

This means that chaperones should:

- be clear about when information can be shared and in what circumstances it is appropriate to do so
- treat information they receive about children and young people in a discreet and confidential manner
- seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them
- know to whom any concerns or allegations should be reported

## Important note

If a chaperone has a safeguarding concern about a child then they should follow the procedure set out in section 20 Sharing Concerns and Recording Incidents. This includes direction on how and when to share information in such circumstances. It is paramount to highlight that where concerns are of the nature of sexual abuse, forced marriage or fabricated and induced illness you should contact Children's Services without the knowledge of parents or those deemed to be perpetrators as this may increase the risk posed to the child. Further information can be found in the Blackpool Safeguarding Procedures (see 1.1)

# 7 Making a professional judgement

- This code of conduct does not provide a complete checklist of what is appropriate behaviour for chaperones in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interest of the child or young person which could contravene this code or where no advice/guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interest and welfare of the children in their charge. Such judgements, in these circumstances, should always be recorded and shared with the organisation that they are working/volunteering for and the parent/carer. In undertaking these actions individuals will be seen to be acting responsibly and reasonably
- Chaperones should always consider whether their actions are safe, warranted, proportionate and applied equitably

This means that where no specific guidance exists, chaperones should

- discuss the circumstances that informed their action, or their proposed action, with their organisation and/or with the parent/carer (but not in specific safeguarding circumstances – see Section 20)
- report any actions which could be misinterpreted to their organisations
- always discuss any misunderstandings, accidents or threats with their organisation
- record any area of disagreement about course of action taken
- ensure they have copies of records which confirm decisions, discussions and reasons why actions were taken

# 8 Power and positions of trust

- All adults working with children and young people are in positions of trust in relation to the young people in their care. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship
  A relationship between an adult and a child or young person cannot be a relationship between equals. There is potential for exploitation of and harm to vulnerable young people. Adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.
- Where a person aged 18 or over is in a specified position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity

This means adults should not:

- use their position to gain access to information for their own or others advantage
- use their position to intimidate, bully, humiliate, threaten, coerce or undermine children or young people
- use their status and standing to form or promote relationships which are of a sexual nature, or which may become so

# 9 Expectations of behaviour

- Chaperones working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and the best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work
- There may be times, for example, when an adult's behaviour or actions in their personal life comes under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their role as a chaperone and their suitability to work with children and young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour. Chaperones looking after children and young people should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting
- The behaviour of a chaperone's partner or other family member may raise similar concerns and requires careful consideration by the local authority as to whether there may be a potential risk to the children and young people that the chaperone has a responsibility for

This means that chaperone should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with children or act as a role model
- make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such

This means that chaperones should:

- be aware that behaviour in their personal lives may impact upon their role as a chaperone
- follow the code of conduct issued by the local authority which issued their chaperone licence
- follow any code of conduct deemed appropriate by the organisation/production company they are working/volunteering for
- understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to continue their role as a chaperone

# 10 Dress and appearance

- A chaperone's dress and appearance are matters of personal choice and self-expression. However, adults should dress in ways which are appropriate to their chaperone role and this may need to be different to how they dress when not at work. Chaperones who work with children and young people should ensure they take care to dress appropriately for the tasks and the work they undertake.
- Those who dress in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations

This means that chaperones should wear clothing which:

- is suitable to their role
- is not likely to be viewed as offensive, revealing or sexually provocative
- does not distract, cause embarrassment or give rise to misunderstanding
- is absent of any political or otherwise contentious slogans
- is culturally sensitive and is not considered to be discriminatory

# Personal living space

- No child or young person should be invited into the home of a chaperone who works with them, unless the reason for this has been firmly established and agreed with parents/carers and senior managers of the organisation they are working for
- It is not appropriate for any organisation to expect or request that private living space be used for work with children and young people
- Under no circumstances should children or young people assist with chores or tasks in the home of a chaperone or any adult who works with them. Neither should they be asked to do so by friends or family of the chaperone

This means that adults should:

- be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations;

- challenge any request for their accommodation to be used as an additional resource for the organisation;
- be mindful of the need to maintain professional boundaries;
- refrain from asking children and young people to undertake personal jobs or errands.

### Important note

On occasions chaperones may be living temporarily in accommodation with children/young people they have chaperone duties for. **See Section 16**

## 11 Gifts, rewards and favouritism

- In some situations, the giving of gifts as rewards may be accepted practice for a group of children, whilst in other situations the giving of a gift to an individual child or young person will be part of an agreed plan, recorded and discussed with a senior manager and the parent or carer
- It is acknowledged that there are specified occasions when adults may wish to give a child or young person a personal gift. This is only acceptable practice where in line with an agreed policy and the chaperone has first discussed the giving of the gift and the reason for it, with the responsible person for the organisation and the parents or carer and the action is recorded
- Any gifts should be given openly and not be based on favouritism. Chaperones need to be aware however, that the giving of gifts can, in certain circumstances, be misinterpreted by others as a gesture either to bribe or groom a young person
- Adults should exercise care when selecting children and/or young people for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be transparent and subject to scrutiny
- Care should also be taken to ensure that adults do not accept a gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment
- There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

**This means chaperones should:**

- be aware of their organisation's policy on the giving and receiving of gifts
- ensure that gifts received or given in situations which may be misconstrued are declared
- generally, only give gifts to an individual young person as part of an agreed reward system with the parent/organisation
- where giving gifts other than as above, ensure that these are of insignificant value
- ensure that all selection processes which concern children and young people are fair and that wherever practicable these are undertaken and agreed by more than one member of staff

## 13 Infatuations

- Occasionally a child or young person may develop an infatuation with an adult who works with them. These adults should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and they should therefore make every effort to ensure that their own behaviour is above reproach

This means that chaperones should:

- report and record any incidents or indications (verbal, written or physical) that suggest a child or young person may have developed an infatuation with an adult in the workplace
- always acknowledge and maintain professional boundaries when working with children and young people

## 14 Photographs/videos

- Working with children and young people may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and wellbeing of children and young people
- Informed written consent from parents or carers and agreements and where possible, from the child or young person, should always be sought before an image is taken for any purpose
- Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media or on the Internet
- There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them
- Adults need to remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.
- It is not appropriate for adults to take photographs of children for their personal use

This means chaperones should:

- be clear about the purpose of the activity and about what will happen to the images when the activity is concluded
- be able to justify images of children in their possession
- avoid making images in one to one situations or which show a single child with no surrounding context
- ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed
- only use equipment provided or authorised by the organisation
- report any concerns about any inappropriate or intrusive photographs
- always ensure that there is parental permission to take and/or display photographs

This means that adults should not:

- display or distribute images of children unless they have consent to do so from parents/carers
- use images which may cause distress
- use mobile telephones to take images of children
- take images 'in secret' or taking images in situations that may be construed as being secretive

# 15 Social media

- Following a few common sense rules will help you to use your social media accounts without breaching the Chaperone Code of Conduct. Remember that even if your account is a purely personal one, you need to be aware of the content you post so that it complies with this code of conduct

Chaperones must:

- ensure their account is a personal one
- remember to set appropriate privacy settings on their accounts and not to leave social media accounts for general view
- think about what they post and not say anything that would bring their role as a chaperone into disrepute
- ensure that they do not accept any friend requests from children/young people they work with or send friend requests to any child or young person they work with
- inform the Child Protection lead immediately if they become aware that a child is being groomed online

## Important note

If at any time a chaperone has reason to believe that a child may be subject to grooming online or the sharing of inappropriate content, they should consult their child protection lead at the earliest opportunity.

**Chaperones must not:**

- 'friend' or 'follow' on social media children or young people they are working, or have worked, with
- post any pictures/videos of children that they work with
- swear/use inappropriate language or post photographs online that could cause offence
- 'follow' or 're-tweet' users that they know or believe to be children under the age of 18
- break the rules and guidelines of the social media site they are using

# 16 Overnight stays/trips and outings

- Adults should take particular care when supervising children and young people on trips and outings, where the setting is less formal than the usual place of work. Chaperones remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries
- Where activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults and parents should be informed of these prior to the start of any overnight stay. In all circumstances, those organising the overnight stay must pay careful attention to ensuring safe staff/child ratios and the gender mix of staff especially on overnight stays.

This means that Chaperones should:

- undertake risk assessments in line with the organisation's policy where applicable
- have parental consent for any activities the children/young people are taking part in
- never share beds with a child/children or young people
- not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with the person responsible for the production and with parents and the children/young people themselves

# 17 Transporting children and young people

- There will be occasions when chaperones are expected or asked to transport children as part of their chaperone role. Chaperones

who are expected to use their own vehicles for transporting children should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded
- It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the chaperone to ensure that this requirement is met. Chaperones should also be aware of the current legislation and adhere to the use of car seats for younger children where adults transport children in a vehicle which requires a specialist licence/insurance e.g. PCV or LGV – chaperones should ensure they have appropriate licence and insurance to drive such a vehicle
- It is inappropriate for chaperones to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the production manager and agreed with the parent/carers in exceptional circumstances
- There may be occasions where the child/young person needs transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to the parent/carers and the organisation.

This means that chaperones should:

- ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/or ability to drive
- be aware that the safety and welfare of the child is the chaperone's responsibility until they are safely passed over to a parent/carer
- record details of the journey in accordance with agreed procedures
- ensure that their behaviour is appropriate at all times
- ensure that there are proper arrangements in place to ensure vehicle passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven
- ensure that any impromptu or emergency arrangements or lifts are recorded and can be justified if questioned

# 18 Access to Inappropriate Images on the Internet

- There are no circumstances that will justify adults possessing indecent images of children. Adults who access and possess links to such websites will be viewed as a significant and potential threat to children. Accessing, making and storing indecent images of children on the Internet is illegal. This will lead to a criminal investigation and the individual being barred from working with children and young people, if proven
- Adults should not use equipment belonging to the organisation where they work/volunteer to access adult pornography, neither should personal equipment containing these images or links to them be brought into the place where they are carrying out their chaperone role
- Chaperones should ensure that children/young people are not exposed to any inappropriate images or web links. Chaperones need to ensure that Internet equipment used by children/young people has the appropriate controls with regard to access e.g. personal passwords should be kept confidential
- Where indecent images of children or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) should be immediately informed. Adults will be informed not to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to criminal prosecution.

This means that organisations that employ or commission chaperones should:

- have a clear e-safety policy in place about access to and use of the Internet
- make guidance available to both adults and children and young people about appropriate usage

This means that chaperones should:

- follow their organisation's guidance on the use of IT equipment
- ensure that children are not exposed to unsuitable material on the Internet
- ensure that any films or material shown to children and young people are age appropriate

# 19 Whistle blowing

- Whistle blowing is the mechanism which adults can voice their concerns made in good faith, without fear or repercussion. Each organisation should have a clear and accessible whistle blowing policy that meets the terms of the Public Interest Disclosure Act 1998
- Adults whom use the whistle blowing procedure should be made aware that their employment rights are protected. Chaperones should acknowledge their individual responsibilities to bring the matters of concern to the attention of senior management or relevant external agencies connected to the organisation that they are working/volunteering for. This is paramount when the welfare of children may be at risk

This means that organisations should:

- ensure they have appropriate whistle blowing policies in place
- ensure that they have clear procedures for dealing with allegations against staff that are in line with their local Safeguarding Children's Board procedures

This means that chaperones should:

- report any behaviour by colleagues that raises concern regardless of source.

## 20 Sharing Concerns and Recording Incidents

- Information sharing is an important part of working with children and young people. Section 1.4 of the Pan Lancashire Policy and Procedures for Safeguarding Children sets out how information should be shared and the situations in which it is important to not share information with specific people
- Chaperones should be aware of their organisation's child protection procedures, including procedures for dealing with allegations against adults. All allegations must be taken seriously and investigated in accordance with the local procedures and statutory guidance. Chaperones who are the subject of an allegation are advised to contact the Local Authority that issued their approval licence
- In the event of any allegation being made, information should be promptly recorded and reported to the safeguarding lead for the organisation as soon as possible and without delay
- It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of children and young people.

This means that chaperones should:

- be familiar with the organisation's recording system for recording concerns
- should take responsibility for recording any incident and passing on that information where they have concerns about any matter pertaining to any adult in the workplace
- record and report any concerns or allegations about another adult to the Local Authority Designated Officer (LADO) in the Local Authority in which the incident occurred

This means that organisations should:

- have an effective, transparent and accessible system for recording and managing concerns raised by any individual in the organisation.

## 21 Worried about a child?

Every child and young person has the right to be safe. Safeguarding children is everyone's business.

All reports or enquiries concerning the welfare or safety of a child must go straight to the Duty and Assessment Team:

Telephone: 01253 477477
Email: duty.assessment@blackpool.gov.uk

Address: Duty and assessment team
Children's social care
125 Albert Road
Blackpool
FY1 4BA

**Emergencies**: If a child is at immediate risk, contact the Police on 999.

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