



Essex County Council

Missing Education and Child Employment Service

Roles and Responsibilities of the Chaperone

Information and Guidance

Children and Young Persons Act 1963 Children (Performance and Activities) (England) Regulations 2014

This legislation lays down the regulations for chaperones working with children in Entertainment Performances and Activities. This includes theatre, film, TV, modelling, photo shoots and sport.

Any child taking part in a performance must be supervised by their parent or a Local Authority licensed chaperone.

The licensed chaperone acts in loco parentis to the child or children in their care and is expected to exercise a duty of care which any parent/carer might be reasonably expected to give their child.

The role of the chaperone is to ensure that the child performs within the terms of his/her performance licence and that he/she is properly cared for at all times, thus securing their health, comfort and welfare.

The Local Authority is responsible for licensing chaperones (18+) and must satisfy itself that the applicant has the relevant skills and knowledge for the role.

This guidance is for those who intend to undertake the duties and responsibilities of chaperones

Chaperone Licenses

All applications for licenses will be thoroughly checked, references taken up and criminal background checks undertaken. Essex will not licence anyone as a chaperone without being satisfied that they can exercise proper care and control of children and that they will not be prevented from carrying out their duties. Some licenses may be restricted, allowing chaperones, for example only to supervise children of a specified age and/or agenda.

Licensed chaperones are required to notify the local authority within seven days of any:

- change of name or address
- serious or notifiable illness or display
- arrest for any offence that could or has led to a criminal conviction whether in the UK or elsewhere

If you have moved to the UK within the last five years or returned to the UK from a period abroad we may also ask you to provide a Certificate of Good Conduct from the country in which you resided.

The local authority does not find employment for chaperones and will not recommend chaperones to employers or producers.

Duties and responsibilities of chaperones

- The prime duty of the chaperone is to the children in their care. The chaperone is acting in loco parentis and must exercise the same care as might reasonably be expected of a good parent. They must, for instance, escort the child from the performance area to the dressing rooms and must always remain with the child when they are performing or receiving tuition.
- The chaperone must safeguard the child's welfare and not do anything that may jeopardise the child's welfare or cause them any harm. Corporal punishment must not be used under any circumstances. They must guard the child against exposure to possible harm, including abuse or discrimination
- The chaperone must be aware of local child protection procedures which should be made available by the licence holder, (production company) and be informed regarding the companies child protection policy and designated persons.
- The chaperone should be thoroughly familiar with the terms of the performance licence (a copy of which should be provided by the licence holder) and ensure that the conditions are properly fulfilled. Any breach of the conditions that cannot be rectified by the chaperone must be reported to the local authority. The chaperone must also be in receipt of a copy of the performance schedule.
- The chaperone must be in charge of the child at all times, except when the child is in the charge of his/her parent or an approved tutor. Under no other circumstances should the chaperone hand the child over to any other person, other than a doctor in an emergency, except where the parent's prior consent has been obtained
- The chaperone must ensure there is a complete register of the children, with emergency contact numbers available at all times. Personal information on the children in their care must not be disclosed to unauthorised personnel.
- The chaperone must be responsible for the proper care and control of the child, including their health, comfort, kind treatment and moral welfare and ensure that adequate provision is made for meals, rest and recreation. Any special diets on moral, religious or medical grounds must be catered for. The child should be provided with nutritional food and not have any takeaway snacks.
- In the case of a recorded performance the chaperone must keep a record of the times the child is on set, in rehearsals and performing and ensure the child has proper breaks for meals and rest periods.
- The chaperone must ensure the child has suitable opportunities for recreation and is protected from stress, strain, bad weather and any conditions likely to cause harm.

- Chaperones must not allow a child to perform if unwell. If a child becomes ill or is injured, whilst in the care of the chaperone, the parents must be informed, a doctor called and the local authority notified.
- The chaperone should have a basic understanding of emergency first aid and ensure that the licence holder has made adequate provision under the Health and Safety (First Aid) Regulations. The chaperone should acquaint themselves with the following:-
 1. Names of the appointed first aiders
 2. The location of the first aid equipment on the premises
 3. The location in the building of the first aiders
- The chaperone must be satisfied with the dressing room arrangements and toilet facilities and know the procedures for the evacuation of the building in the case of fire and emergencies.
- Chaperones must ensure the child is not discriminated against on the grounds of race, gender, age, colour, nationality, ethnicity or national origin.
- A chaperone may use their discretion and allow a child to perform for up to an hour later than the latest permitted time, in exceptional circumstances only.

Where the child is living away from home the chaperone must be responsible for them throughout the duration of the licence. This includes seeing that their lodgings are satisfactory and that they are properly occupied in their spare time. In general a chaperone needs to exercise a greater amount of supervision than if the child were living at home and must

- Ensure there are suitable arrangements for meals which should normally be provided at the lodgings.
- Sleep in a room near to the room occupied by the child in the same accommodation
- Ensure adequate, comfortable and clean lodgings are provided for the child. Lodgings have to be approved by the local authority in whose area they are situated, but if for any reason the chaperone thinks them unsatisfactory, they should insist on a change of accommodation.
- See 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 should have plenty of exercise.
- The child must not perform when unwell and in the event of the child being too ill to perform, the chaperone must make arrangements for the child to be sent home under proper escort. In the case of serious illness/accident the child should be sent/taken to hospital and the child's parent(s) informed immediately. The authority that issued the licence should also be informed as soon as practicably possible.

Other conditions

- The number of children in the care of a chaperone must not exceed 12 at any one time. This includes the chaperone's own children
- Whilst working a chaperone should carry/display their photo ID licence badge at all times and always keep this in a safe place
- Transport of children: the chaperone is responsible for and must ensure that they are transporting children in line with the duties of a chaperone. The following must be in place:-
 1. Full comprehensive motor insurance, including business use
 2. Written permission from the parents/carers to transport their child
- In the event of any contravention of the licence, or incident affecting the wellbeing of the child, the chaperone must inform Essex County Council's Missing Education and Child Employment Service as a matter of priority.

Inspection

Essex County Council has the authority to inspect places of entertainment where a child is believed to be performing under Section 37 performance licence and make enquiries about any child taking part in a performance –

- within the County boundaries
- without prior notice being given
- with or without a warrant

Inspections are normally undertaken by Essex Local Authority Missing Education and Child Employment Service Officers but could include Health and Safety inspectors, Fire Officers and the Police. The officer will make themselves known to the chaperone on arrival and will have proper identity cards

Chaperones should, under no circumstances, hand any child over or let the child be examined by, any other person. The only exceptions to this are with the prior approval of the child's parents/carers or in an emergency situation under the supervision of a doctor, police officer in uniform, or other suitable persons.

Child not collected after a performance

Uncollected children must always remain in the chaperone's care and the following is a guide on the process that should be followed:-

- Do not transport the child yourself
- Do not dial 999
- Contact the parent/carer in the first instance – failing this
- Contact the emergency numbers provided by the parent/carer – if you do not make contact with the parent
- Dial the 101 non-emergency police number, ask for the control room and explain the situation

An abandoned child will always be dealt with as an emergency

Safeguarding

It is important to understand that the chaperone's overall responsibility is to the child and not to the director, producer, production company or amateur group.

Chaperones must have a general knowledge of the company's / society's child protection policy and an understanding of the practice issues involved in implementing that policy. You should ensure you read this and make yourself aware of the content. If you are concerned about a child or a disclosure is made to you then the child protection procedures must be followed...

To make a referral to Social Care in Essex or ask advice

- Telephone 0845 603 7627 – this goes to a call centre to you will need to ask for Family Operation Hub
- Email: FOH@essex.gcsx.gov.uk
- Post: Family Operations Hub, Essex House, 200 The Crescent, Colchester, CO4 9YQ
- Out of hours: 08456061212

Dangerous performances

The Young Persons Act 1933 states that no child is permitted to do anything which may endanger life or limb and that production companies must inform the local authority of any dangerous performances. Local authorities must be satisfied that a risk assessment and health and safety checks have been carried out before issuing a licence. Chaperones must inform the local authority if a production company has not made the local authority aware of such a performance and / or is acting illegally.

Legislative requirements of the production company

It is the responsibility of the production company to ensure the following:-

- To be aware of and work within the legislation and guidance
- Work in partnership with local authorities
- Complete licence applications and submit to local authorities with all required information
- Ensure a licensed chaperone is in place
- Provide names and addresses of chaperones and the local authority that issued the licence
- Ensure children are safe from harm

It is the responsibility of the production company to keep accurate records on the child. These include times of arrival and departure to the place of performance, time performing, breaks, meals, medical conditions/medications, contact details, emergency contacts and any assessments carried out together with the licence. This responsibility is often given to the chaperone to undertake on the producers behalf.

Legislative requirements of local authorities

It is the responsibility of local authorities to ensure the following:-

- Permit performances in approved places only
- Ensure licenses are issued within legislation and guidance
- Ensure that a child's education will not suffer
- Ensure a child is medically fit to perform
- Ensure a child does not perform for longer than the legislation permits
- Ensure a child is working within the legislation
- Ensure chaperones are licensed

Time Tables – Restrictions 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.	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 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.	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 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.
Education (Reg.13)	N/A	3 hours per day (maximum of 5 hours per day). 15 hours per week, taught only on school days. Minimum of 6 hours in a week if aggregating over 4 week period or less.	3 hours per day (maximum of 5 hours per day). 15 hours per week, taught only on school days. Minimum of 6 hours in a week if aggregating over 4 week period or less.
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

Arrival at Venue Checklist for Chaperones

Chaperones may find it useful to photocopy this to use at each job they attend

- Familiarise yourself with the venue's layout
- Identify all hazard areas
- Locate all fire exits
- Ask to hear the fire alarm if possible
- Arrange a fire drill (with alarm) for children
- Locate first aid facilities
- Inspect dressing rooms (separate for 5 years and over)
- Locate and inspect toilets
- Locate and inspect rest rooms
- Locate and inspect school room
- Check on meal arrangements
- Check total number of children
- Check total number of chaperones
- Acquire list of children's names

- Check each child's performance licence
- Ensure you have emergency contacts for each child
- Where relevant, ensure you have details of each child's medical problems and/or medication
- Ensure there is a signing in and out procedure

Chaperone Referral Form

This form is for chaperones who need to alert Essex County Council's Missing Education and Child Employment Service of any concerns encountered whilst chaperoning a child/children who are taking part in a performance falling within the Child (Performance and Activities)(England)Regulations 2014 and subsequent statutory instruments.

Chaperone Name	
Contact Details	
Name of Production	
Venue	
Incident Date	
Number of children involved	
Reason for referral	

Details	
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Signed		Dated	
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Please return to:
Missing Education and Child Employment Service
E2, Zone 2
County Hall
Chelmsford
CM1 1LD