

Guidance for Chaperones

Introduction

It is a legal requirement that whenever children are engaged in public performances or entertainment, they must be supervised at all times by a registered chaperone, unless they are under the direct supervision of a parent/carer or an agreed tutor.

The Local Authority must have approved both the child's chaperone and tutor. Chaperones registered with Enfield Council are approved for three years, at the end of this period the chaperone must re-apply to Enfield Council for registration.

The following regulations and guidance aim to provide chaperones approved by Enfield Council with guidelines on how to carry out their duties of care to children appearing in performances.

Legislation and Regulations

Legislation requires that all children, from babies until they cease to be of compulsory school age, be licensed by the local authority in which they live to take part in a performance.

Children and Young Persons Act 1933

Children and Young Persons Act 1968

Children (Protection at Work) Regulations 1998

The Children (Performances and Activities) (England) Regulations 2014.

This guidance is in accordance with the above legislation:

The legislation and regulations are designed wholly to protect the child's welfare and to prevent a child being exploited. Chaperones must familiarise themselves with these restrictions, especially where they have specific relevance to their role. Chaperones are expected to challenge the production over facilities, working conditions, hours worked etc. if they feel the child is in danger of being exploited. Chaperones have the power to withdraw a child from a performance if they are unable to resolve such concerns and/or feel the child is at risk of injury.

Who may apply to become a Chaperone?

Any adult (male or female) over 18 years old resident in Enfield may apply to Enfield Council to be approved as a chaperone.

The process to be an approved chaperone with Enfield Council is:

Completion of Application Form

Submission of two references

A successful 'Suitability Interview'

DBS enhanced disclosure child workforce certificate

The Local Authority shall not approve a chaperone unless satisfied that they can exercise proper care and control of the child(ren) and that they will not be prevented from carrying out their duties as a chaperone by other duties.

The chaperone should ensure that they carry their identification on every day that they are employed as a chaperone and have it available for inspection.

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(ren) in their care have been identified and that effective control measures are in place.

The Local Authority has the power to enter any premises where a performance or entertainment is being performed by children, without prior notice, to establish that the children are being properly supervised and cared for. The Local Authority has the power to withdraw the children from the performance, to withdraw the chaperone's registration or both.

Chaperones are required to notify Enfield Council in writing within seven days of:

- I. Any arrest for an offence that is to be heard in a Court of Law**
- II. Any conviction following an arrest, whether in the United Kingdom or otherwise**
- III. Any serious illness or disease**
- IV. Any change of address or name**

Duties and Responsibilities

- A. The principal duty of a Chaperone is to the child/ren in their care and must not undertake any activity that would interfere with the performance of these duties. Except when the child is in care of a Tutor, the Chaperone is in loco parentis and is required to exercise the care which a good parent might reasonably be expected to give a child; securing their health, comfort, treatment and moral welfare.
- B. The chaperone should make themselves thoroughly familiar with the terms of the performance licence granted by the Local Authority and see that as far as lies within their power the conditions are properly fulfilled.
- C. The chaperone should ensure that there is a complete register of the children, with emergency contact numbers, available at all times. However the chaperone must not disclose the personal information of the child(ren) in their care except to authorised personnel.
- D. The chaperone must be aware of the Child Protection Policy and acquaint themselves with the name of the appointed Safeguarding Personnel at the Production Company. This should be available from the licence holder.
- E. Corporal punishment must not be used in any circumstances.
- F. The maximum number of children a chaperone may have in their care is 12.
- G. Chaperones should be gender appropriate. The chaperone must be with the child(ren) under their supervision at all times (except when actually performing or in the care of a parent/carer or tutor).
- H. The chaperone must be satisfied with the arrangements for the dressing room (children 5 years old and above must only change with other children of the same sex), toilet facilities etc.
- I. To ensure that, when a child is not actually performing they have adequate meals, rest and recreation.
- J. The chaperone is required to ensure that suitable travel arrangements are in place for each child in their care; also to ensure that the child is collected by the person agreed by prior arrangement.
- K. The chaperone should be aware of the procedure for the evacuation of the building in case of fire.

- L. In the event of any concerns, contravention of the licence, or incident affecting the well-being of the child(ren) the chaperone **must** inform the licensing Local Authority at the earliest opportunity.
- M. Enfield County Council expects that chaperones authorised by them will ensure that no child is discriminated against on ANY grounds; including race, gender, colour, nationality, ethnicity, religion, national origin or disability.

Health and Safety

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. The chaperone 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 must be aware of Health & Safety issues on stage or set such as; electrical (cables, cameras), scenery, uneven surfaces or steps, spillage. Ensure that they familiarise themselves with the Fire Escape procedure and meeting points outside ensuring that the child(ren) are also aware.

Illness or Injury of Child

If a child suffers any injury or illness whilst in the charge of a chaperone or tutor, the holder of the performance licence shall ensure that, if necessary, a doctor is called and that the parent/carer of the child named in the application form are notified immediately of such injury or illness.

The chaperone must keep a record of any such instances of illness or injury and any action taken.

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 parent/carer informed immediately. The Local Authority that issued the licence should also be informed as soon as possible, the chaperone must record the incident and action taken.

No child may perform if unwell.

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 (e.g. Alarm Bell, Fire Drill etc.)

Safe place to stand in 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

Pyrotechnics

Trapdoors

Animals

Electrical cables

Very bright lighting

Protection from inclement weather

Movement of vehicles

Rivers, cliffs and other natural features that pose potential risks.

Record keeping

By law record keeping should be made available by licence holders to a visiting officer (Support and Challenge Adviser) of the Local Authority. Chaperones are designated to keep these in respect of the child. Records should include:

Times and date the child is at the place of the performance/rehearsal

Times of departure from the place of performance/rehearsal

Times of each period during which the child took part in a performance of rehearsal

Times the child had breaks and meals

Times the child was waiting between performances i.e. re-scheduling

The duration of education by Private Tutor

Details of any injuries at a place of performance/rehearsal

Registration Form should be completed for all children with emergency contact numbers

Injury/illness form should be completed. All details of any accident, injury or illness of any child, however slight, must be recorded.

Specific Performing Activities

Filming and Other Broadcast Recording

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 they are in the chaperone's charge, except when having lessons (in the care of the tutor) or on set (when the director is responsible). The chaperone will accompany the child from the dressing room or school-room, and remain on the set with the child(ren).

The chaperone should keep records of the times the child is on the set and the times they rehearse and perform, 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 their 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 thirty minutes beyond the latest permitted hour as long as the total number of hours (including the extra 30 minutes) does not exceed the maximum number of permitted hours. This discretionary thirty minute period may be used if the chaperone is satisfied 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 Local Authority of any such occurrence as soon as possible; no later than 4:30 p.m. the following working day (office hours Mon. to Fri. 9:00 p.m. to 5:00 p.m.).

Theatre, Paid Sport and Modelling

If the child is working in a theatre or place of rehearsal, the times of when they are present must comply within what is permitted in the Regulations.

The chaperone must ensure that, when the child is not actually performing, they are properly supervised and have adequate meals, rest and recreation. This includes any period between performances if there are two performances on the same day and the child does not go home or to their lodgings.

Children on Tour

If the child is living away from home, the chaperone is responsible for them throughout the period of the licence and ensuring 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 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.

The legislation states the maximum number of children a chaperone should have in their care is 12. However, Enfield Council may consider that due to the age and/or gender of the children and access to facilities available, the chaperone would only be able to effectively supervise a smaller number.

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 lodge in the same place of accommodation as the child(ren), preferably in a room near to that occupied by the child(ren).

The lodgings have to be approved by the Local Authority in whose area they are situated, but if for any reason the chaperone considers them to be 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 three hours journey.

The chaperone should ensure that the child(ren) have adequate exercise.

Child Protection

Introduction

'The action we take to promote the welfare of children and protect them from harm is everyone's responsibility. Paid and volunteer staff need to be aware of their responsibilities for safeguarding and promoting the welfare of children, how they should respond to child protection concerns and make a referral to local authority children's social care or the police if necessary'.

Source: Working Together to Safeguard Children 2015

The Children and Young Persons Act 1963 (s.37) specifies how the health and safety needs of child performers are met through regulation of the number of hours they rehearse and perform, the activities they can and cannot undertake and the standard of the facilities and conditions in which they may work.

This means that the production company and in particular chaperones have a responsibility to promote and safeguard the welfare of the children in their care.

The role of the chaperone is essentially a child protection role in the broadest sense, not only does the Child and Young Person Act requires that chaperones ensure that the child is not at risk of exploitation, implicitly, it requires that the welfare of the child is paramount.

It is helpful for production company staff to have a nominated person with child protection training or experience as a point of reference for chaperones and who can assist in making a referral to the relevant social services department for the area, if necessary.

Dealing with suspected or actual child abuse is always stressful and upsetting. Chaperones and others working with children in entertainment need to know how to recognize the indications of abuse and what action they should take to protect children and where to access personal support.

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.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. Non-organic failure to thrive may be a feature or a result of neglect.

Physical Abuse

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

Sexual Abuse

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 assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, 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.

Emotional abuse

Emotional abuse is 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 insofar 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 feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection 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 cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

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.

What to do if there is 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.

Suspicion of Abuse without Medical Emergency

If a chaperone has knowledge or suspicion of abuse from any source they should refer to Children's Social Care Duty Team 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 Children's Social Care Duty Team 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 you 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 young person 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.

If you have concerns about the wellbeing of a child in your care you have a duty to report it to the Enfield Children Social Care Team. This can be done by phone; Social Services need to have the following information when you make the referral:

referrers details

the child/siblings details

parents/carers details

The following questions will be asked:

1. What are the safeguarding concerns?
2. What are the concerns based on?
3. Are there any other services/ professionals supporting the child/ family?
4. Why are you referring to Children's Services now?
5. What do you want to happen next?
6. Are parents/ guardian aware of the referral being made? (If not why?)

If you do not have all the above information don't let this deter you from contacting Social Services.

Where the Production Company has a nominated Safeguarding/Child Protection Personnel, they should be informed of the concern and will make the referral. If in such circumstances the company declines to refer the matter on, you should do in accordance with the guidance above. Remember: The welfare of the child is paramount.

The maintenance of notes kept of significant events or conversations will assist with any referral and subsequent investigation. Such notes ensure that there is a documented account of the events and concerns which have led to a referral being made. They should be dated, written in plain English and always differentiate between facts, opinion or judgement. Records such as this can be an essential source of evidence for enquiries and investigations and a validation of the provider's decision to refer.

The wellbeing of the child is the paramount consideration in all child protection matters. In any conflict between the needs of the child and those of the parents/carers or staff working with the child, the needs of the child must be put first.

Chaperones must be aware of the Enfield Safeguarding Board procedures;

<https://www.enfield.gov.uk/safeguardingenfield/making-a-safeguarding-referral/policies-and-protocols>

Useful Telephone Numbers

Enfield Education Welfare Service	0208 379 3745
Enfield Children Social Care Team	020 8379 2507 9am-5pm on Monday - Thursday and 9am – 4.45pm on Friday.
Enfield Children Social Care Out of Hours Team	020 8379 1000 (select option 2 and you will be transferred to an advisor)
Metropolitan Police	101 In an emergency dial 999
Child Line	0800 1111
NSPCC Helpline	0808 800 500

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.	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

Note: Local Authorities should take note of Regulation 5 that 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 interest of the individual child.

Chaperone Check List – Arrival at the Venue.

- ✓ Familiarise yourself with the venue's layout
- ✓ Identify all hazard areas
- ✓ Locate all fire exits
- ✓ Ask to hear sound of fire alarm if possible
- ✓ Arrange 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 home 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

Dos and Don'ts for Chaperones

DO:

- ✓ check the child is comfortable – you are the person to whom the child looks to guidance , protection, clarification and protect
- ✓ stand up for the child above 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 e.g. 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
- ✓ exercise discretion (only when regulation allows) where that is in the best interests of the child
- ✓ be alert to all possible risks to the child
- ✓ challenge people and/or behaviours

DON'T:

- ❖ let the child perform if they are unwell
- ❖ leave the child alone with another adult (unless it's their parent or teacher)
- ❖ ignore or down play questionable behaviour from adults or other children
- ❖ allow the child to be pushed into things that they don't want to do
- ❖ take photos of the child
- ❖ seek autographs from performers or become star struck
- ❖ use inappropriate language or smoke whilst on duty
- ❖ consume alcohol or be under the influence of alcohol whilst on duty
- ❖ wear inappropriate clothing.