

Southampton City Council

Juvenile Employment



Children in Entertainment Guide for Registered Chaperones

The law regarding performances by children is set out in:
The Children and Young Persons Act 1933 & 1963
The Children (Performances) Regulations 1968
The Children (Protection at Work) Regulations 1998
The Children (Performances) (Amendment) Regulations 2000

The following are details and suggestions only to help Matrons in dealing with children in their charge who take part in performances on the stage, in films, radio or television. It is recommended that the full details of the above regulations are obtained from H.M.S.O.

Matrons are responsible for the care and control of their children **at all times**, except when they are in the charge of a parent or teacher, with a view to securing their health, comfort and moral welfare. They are required and expected to act as guardian in place of the parent whilst the children are under their care and not engage in any activity that would interfere with the performance of their duties.

The legislation requires that all children, from babies until they cease to be of compulsory school age, be licensed by the Local Education Authority in which they live, to take part in a performance on stage or in a broadcast. **It is a matrons responsibility to make themselves familiar with the terms of the Licence granted and with the regulations and conditions which will apply to the children in their care** and to ensure that the Regulations applied to the licence **are upheld at all times**. The restrictions and conditions vary according to the age of the child and type of performance. Many of these restrictions and conditions concern the number of hours a child may be present to perform or rehearse and state how much time off for rest and meals they should have. Matrons must ensure that, as far as lies within their power, the restrictions and conditions are observed. You may find yourself under pressure by the production company to relax the Regulations but you must remember that it is paramount that your first duty is **the care of the child at all times**.

Arrangements for handing over from parent to matron will vary according to the circumstances. It is important to ensure that there is never a time at which it is left unclear who is responsible for the child. If the child is to live away from his/her home or the place where they usually live, by reason of taking part in the performance covered by the licence, and is not accompanied by a parent, this means that they must be in the charge of a matron throughout the engagement, except at a time when they are in the charge of a teacher. A matron must take the child to and from lessons.

The Local Education Authority has an obligation towards all children, that the premises where either a performance or rehearsal is to take place meets certain criteria. Therefore the Local Education Authority will approve a place of performance or rehearsal only if they are satisfied that suitable arrangements have been made for:

- Meals, rest and recreation
- the place is supplied with suitable and sufficient toilets and washing facilities
- the child will be adequately protected against inclement weather (location work)
- suitable arrangements have been made for the children to dress for the performance or rehearsal. Children aged five and over should only dress with children of the same sex.

The maximum number of children in the care of a matron at any one time must not exceed 12. A private teacher of children may act as matron, provided that they are not in charge of more than 2 children at the same time. An up to date list must be maintained by the matron of emergency contact names and telephone numbers of the children in their care.

No child should be allowed to perform when unwell. If a child falls ill or is injured whilst in the charge of a matron or teacher, a doctor should be called and the licence holder must immediately notify the parent named on the application.

Children on Tour

The child/ren must be in the constant charge of the Matron who must accompany them at all times. Lodgings for the children and arrangements where necessary for transport to and from the place of performance or rehearsal must be provided by the licence holder. It is the matron's responsibility to ensure these are approved by the Local Education Authority in whose area the performance or rehearsal takes place. The matron should arrange to sleep in the house where the children sleep and should have a room as near as possible to those in their care.

Dangerous Performances

These must be authorised before a licence is issued. If you think a performance is dangerous and therefore not authorised, consult with the Production Manager and their Health and Safety Officer. If you believe what is being asked of the child is still unacceptable, **stop** the performance until you are satisfied. It may help to talk or call in the Local Authority in whose area the performance is taking place.

Records

These should be available to a visiting officer of the Local Education Authority by the production. Matrons are often designated by the production company to keep these records in respect of the child. They should contain the following:

1. Times child is at place of performance (arrivals/departures)
2. Times child performs or rehearses
3. Times child has breaks and meals
4. Times child is waiting between performances
5. Dates and times of lessons and subject taught by private teacher (if applicable)
6. Date and details of injuries and illnesses suffered by the child. State if illness prevented the child from performing

The Local Education Authority has the power to inspect these records at any time either during the life of the licence or up to 6 months after the last performance for which the licence was issued.

Maximum Days Permitted for Broadcast/Recording Performance

A child may not take part in a performance or rehearsal for more than 5 days in any period of 7 days.

Other Performances

A child may not take part in a performance or rehearsal for more than 6 days in any period of 7 days. If there is a mixture of the two the limit is 5 days as for broadcast and recording performances

Breaks in Performances

Where a performance licence is granted for 60 days or more, there must be a 14 day break after 8 consecutive weeks of performing. A matron should advise the Local Education Authority if this break is not being taken. During the break period a child must not take part in any performance, rehearsal or employment of any form.

Permitted Hours of Performance

Hours differ to those permitted for stage performances compared to those in relation to broadcast or recorded performance. Stage performance earliest and latest times include:

10.00am - 10.00pm if aged less than 13 years
10.00am - 10.30pm if aged 13 years and over

The latest time may be extended by ½ an hour but not on more than 8 evenings in 4 consecutive weeks and then not on more than 3 evenings in any one week. A Matron must supervise and monitor this closely to ensure health of child. In addition, the regulations state:

- a child must not take part in a performance that lasts more than 3 ½ hours
- a child's part or total appearance mustn't exceed 2 ½ hours
- a child must not appear in more than 2 performances or 1 performance and 1 rehearsal on 1 day
- there must be an interval of at least 1½ hours between 2 performances and rehearsal in the same day (this interval may be reduced to 45 minutes on 2 days in a week, providing the child is not at the same place of performance for more than 6 hours)
- a child must only appear on 1 performance or rehearsal on any day that he attends school for the whole day
- if a child has taken part in a performance or rehearsal on the previous day there must be a break of at least 14 hours before he is again present at such a place

Broadcast or Recording Performances

The age of the child has a distinct effect on what a child may or may not do. Recent legislation has brought about radical changes in relation to this area of entertainment. (*See schedule for hours that a child is permitted to perform in broadcast or recorded performances*).

A Matron may give permission for a child to perform for an extra 30 minutes if s/he feels that the welfare of the child will not be prejudiced additionally. A child aged 12 or over may be present at a place of performance or rehearsal between the hours of 10.00am and 10pm, but only for very special circumstances. This exception applies **only** to the British Broadcasting Company and the Independent Television Authority.

Night Work in Broadcast or Recorded Performances

The Local Education Authority may grant a licence for a child to work after permitted hours if they are satisfied that outside scenes near studios or on location are essential and the child's appearance is necessary.

Work after Midnight

If work starts after midnight or cannot be completed before midnight the Local Education Authority may grant a licence **only**:

- if they are satisfied it is impractical to complete the work before then,
- work may be done in studio if weather does not permit out door work

Matrons are to understand that:

Hours after midnight count as part of performing time allowed on the previous day, before the child again starts work. If the child works on 2 consecutive nights they may not do any more night work for at least another week.

Restrictions to Circus Performances

Similar rules apply to those governing stage and other performances, except a child is allowed to give 1 extra performance or rehearsal. This means that the child may perform:

- 2 performances on school days
- 3 performances on other days

The following conditions apply in granting the above:

- There must be an interval of at least 1½ hours between each performance and rehearsal
- The duration of their appearance in any performance or rehearsal must not exceed 30 minutes

Dangerous Performances

No child shall take part in any public performance whereby his life or limbs are endangered (a performance of a dangerous nature includes all acrobatic performance and performances as a contortionist) No child under 12 years may be trained in such work.

A child who has attained the age of 12 may be so trained under a licence issued by the Local Education Authority of the area in which the training is to take place subject to conditions which may be imposed. The police of the area must be given 7 days notice of the intention to apply, and may oppose the grant.

If Matrons are in any doubt about the extent of their responsibilities or about the interpretation of the Regulations in any particular case they should refer to the Local Education Authority which issued the licence authorising the child to perform.

Please sign below to indicate that you have read the above. This can be viewed by the Local Education Authority on inspection if requested, together with your certificate of registration

Signature.....

Print name.....