



# **GUIDELINES FOR CHAPERONES**

The Children and Young Persons Act 1963  
Children (Performances) Regulations 1968  
Children (Protection at Work) Regulations 1998  
Children (Performances) (Miscellaneous Amendments)  
Regulations 1998

## **Introduction**

The following information is taken from The Children (Performances) Regulations 1968, The Children and Young Persons Act 1963, Children (Protection at Work) Regulations 1998, and Children (Performances) (Miscellaneous Amendments) Regulations 1998 which lay down the Regulations for Chaperones. These are to provide Chaperones registered by the City of York Council LA with some guidelines on how to carry out their duties in their care of children appearing in performances.

## **Statutory Duties and Responsibilities**

- The holder of the licence is responsible for ensuring that, during the period beginning with the first performance and ending with the last performance covered by the licence, the child is in the charge of a person who has been approved by the LA for this purpose, except when he/she is in the charge of his/her parent or a tutor. The regulations describe this person as a Chaperone (but in some areas the person may be described as a Chaperone), who may be a man or woman.
- A Chaperone while in charge of a child under this Regulation shall have the care and control of the child with a view to securing his/her health, comfort, kind treatment and moral welfare.
- The LA shall not approve a Chaperone unless satisfied that he/she can exercise proper care and control of the child(ren), and that he/she will not be prevented from carrying out his/her duties as a Chaperone by other duties.
- A private tutor may act as a Chaperone, once approved as such by the LA, provided by the number of children in his/her care does not exceed three, and that the LA are satisfied that the arrangements will not adversely affect the children's education or welfare.
- The Chaperones first duty is to the child/ren in his/her care; while he/she is acting as a Chaperone he/she may not engage in any activity that would interfere with the performance of his/her duties. Except when a child is in the care of a teacher, the Chaperone is in *loco parentis* and should exercise duty of care, which a parent might be reasonably expected to give that child.
- The Chaperone shall be in charge of the child at all times, except when the child is in the charge of his/her parent or a tutor.
- The maximum number of children a Chaperone should have in his/her care is 12. In many instances, however, this will be too many. It is recommended that a maximum of 8 children to be cared for at any one time.

## **Other Responsibilities**

This is what the LA expects, they are not statutory duties, and cannot be enforced by the LA once approval has been given.

- When approved, Chaperones are required to notify the LA in writing within seven days of:
  - Any arrest for any offence triable in a Court of Law, or any conviction in such a Court, whether in the United Kingdom or otherwise.
  - Any serious or notifiable illness or debility.
  - Any change of address or name.
- The Chaperone should keep the certificate of approval in a safe place, and ensure that they take it with them each day that they are employed as a Chaperone, and have it available for inspection should the need arise.
- The LA does not find employment for Chaperones, and will not recommend Chaperones to employers. However, with the permission of the Chaperone, the LA has a list of registered Chaperones available on request by employers.
- Chaperones must ensure that the applicant for the licence gives them a copy of the licence when issued so that they can ensure that the conditions are complied with, including rest periods, arrangements for tuition, meals etc. A record should be kept of the various periods during the hours of the licence.
- The Chaperone should be thoroughly familiar with the terms of the licence granted by the LA and see that, as far as it lies within his/her power, the conditions are properly fulfilled.
- 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 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/children in their care, have been identified and that effective control measures are in place.

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

- Fire Procedures
- 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 (e.g. bomb tanks)
- Pyrotechnics
- Trapdoors
- Animals
- Electrical cables

If the performance is outdoors then in addition to some of the above the following may need to be considered:-

- Protection from inclement weather
- Movement of vehicles
- The Chaperones duties will vary according to the nature of performance i.e. theatre or filming.
- The Chaperone must be satisfied with the arrangements for the dressing rooms (children 5 years old and above must only change with other children of the same sex), toilets etc and know the procedure for the evacuation of the building in case of fire. This again is the duty of the LA, but the LA considers it the responsibility of the Chaperone to keep a watching brief.
- In the event of any contravention of the licence, or incident affecting the well being of the child(ren), the Chaperone must inform the LA who issued the licence at the earliest opportunity.
- The City of York Council would expect that any Chaperone authorised by them ensures that no child is discriminated against on grounds of race, gender, colour, nationality, ethnic or national origin.

### **Filming**

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 the Chaperones charge, except when having lessons, and it is for him/her to accompany the child from the dressing room or schoolroom, as well as remaining on the set while he/she is there.

The Chaperone should keep records of the times the child in on the set and the times he/she rehearses and performs, 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 his or her 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 half hour beyond the latest permitted hour (see Regulations 27 to 29) as long as the total number of hours (including the extra 30 minutes) does not exceed the maximum number of permitted hours, if it appears to the Chaperone 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 LAS on either the same day or the following day that an extension has been approved.
- The Chaperone may allow one daily interval, put aside for a meal break, to be reduced, when the child is working outdoors, provided that the reduced break is still at least half an hour. Even with the reduction the total number of hours worked by the child must not exceed the permitted maximum.

### **Theatre, Paid Sport and Modelling**

If the child is working in a theatre, the times of when he/she is to be at the theatre and when he/she will be working are known in advance, and must come within what is permitted in the Regulations.

The Chaperone's main duties will be to ensure that, when the child is not actually performing (including 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) he/she is properly supervised and has adequate meals, rest and recreation.

### **Children on Tour**

If the child is living away from home the Chaperone is responsible for him/her throughout the currency of the licence and that he/she is properly occupied in his/her 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.

Although the legislation states the maximum number of children a Chaperone should have in his/her care is 12, the LA recommends that the maximum number of children should be 8.

- 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 sleep in the accommodation in which the children sleep near to the rooms occupied by the children.
- The lodgings have to be approved by the LA in whose area they are, but if for any reason she/he thinks them 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 3 hours journey. The child(ren) should have plenty of exercise.

### **Illness or injury**

If a child suffers any injury or illness while in the charge of a Chaperone or teacher, the holder of the licence shall ensure that a doctor is called and that the parent of the child named in the application form and the LA are notified immediately of such injury or illness.

It is advisable that the Chaperone keeps a record of any instances where this should happen.

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 parents informed immediately. The LA who issued the licence should also be informed immediately.

**No child should perform if unwell.**

### **Inspections**

The LA will make regular inspections without prior notice at places of entertainment within the Authority of the City of York Council; most Education Authorities have similar policies. Inspections are normally carried out by Education Welfare Service, but it could include a Fire Officer or Health and Safety Officer. The Officer should make his or herself known to the Chaperone on arrival and will have proper identity cards.

**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 with the prior approval of the child's parent, or 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.**