



GUIDANCE FOR CHAPERONES

Introduction

The Children (Performance and Activities) (Wales) Regulations 1915 states that in certain circumstances, licensed children taking part in entertainment **must** be supervised by either a parent or a Chaperone approved by the Local Authority in which they reside (reg.12).

The licence holder (the company or the person responsible for putting on the performance) is responsible throughout the period covered by the licence, to ensure that the child has a responsible adult in charge. This person is known as a 'Chaperone/Matron' in some cases the parent.

Local Authorities recognise that children may gain wonderful life experiences by being given the opportunity to appear in a local stage play, a film, a television advertisement, or as part of a national sporting team.

This document is intended to guide Chaperones through the large raft of legislation that has been produced to protect children taking part in performances and thus ensure that the experiences of these children is safe and rewarding.

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

This guidance applies to all licensed children from babies until they cease to be of compulsory school age and that are resident in Caerphilly.

Who may apply to become a Chaperone?

Any adult (male or female) may apply to Caerphilly LA to be approved as a Chaperone.

The criteria for approval to be an approved chaperone with Caerphilly LA are:

- Applicant prepared to undertake a CRB enhanced disclosure;
- Completion of Application Form;
- Submission of two references;
- An awareness of relevant legislation;
- Have undertaken safeguarding/child protection awareness training.

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

Applications for the post of Chaperone are to be addressed to:

Education Welfare Service
Caerphilly County Borough Council
Ty Penallta
Tredomen Park
Ystrad Mynach
Hengoed
CF82 7PG
Telephone: 01443 866689
Email: LEIAdmin@caerphilly.gov.uk

Other Registration Requirements of Caerphilly LA (note: these requirements are not statutory, but are expectations of Caerphilly LA)

When approved, Chaperones are required to notify Caerphilly LA (the Child Employment Officer) in writing within seven days of:

- Any arrest for an offence that can be tried in a Court of Law
- Any conviction following an arrest, whether in the UK or otherwise
- Any serious or notifiable illness or disease
- Any change of address or name.

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

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

Duties and Responsibilities

1. The post of Chaperone is one of responsibility and trust. The prime duty of the Chaperone is to the child (ren) in their care.
2. The Chaperone should make themselves thoroughly familiar with the terms of the performance licence granted by the LA and see that as far as lies within their power the conditions are properly fulfilled.
3. The licence holder is responsible for ensuring that, during the performance and all activities related to a performance (such as a rehearsal), the child is in the charge of a person who has been approved by the LA for this purpose: the Chaperone. The only exception to this rule is when the child is in the charge of their parent/carer or a tutor.
4. Chaperone acting under licensing regulations shall be considered to have the care and control of the child (ren) with a view to securing their health, comfort, kind treatment and moral welfare.
5. 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.
6. The Chaperone **must** be aware of the Local Safeguarding Children Board Procedures. These should be available from the licence holder if not a copy can be obtained from the LA.
 7. Corporal punishment **must not** be used in any circumstances.
 8. A private teacher may act as a Chaperone, if approved as such by the LA, provided the number of children in their care does not exceed three, and that the LA are satisfied that the arrangements will not adversely affect the child (ren's) education or welfare.
 9. The Chaperone's first duty is to the child (ren) in their care. Whilst they are acting as a Chaperone they may not engage in any other activity that would interfere with the performance of their duties.
 10. Except when a child is in the care of a teacher, the Chaperone is in *loco parentis* and should exercise a duty of care, which any parent/carer might be reasonably expected to give that child.
 11. The Chaperone shall be in charge of the child (ren) at all times, except when in the charge of their parent/care/tutor.
 12. The maximum number of children a Chaperone/Matron may have in their care is 12.
 13. 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).
 14. 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.
 15. To ensure that, when a child is not actually performing they have adequate meals, rest and recreation.
 16. The child must leave the theatre after each performance, not later than 30 minutes after the end of their part, or 10:00 pm (for children under 13 years), 10:30 pm (for children 13 years and over) whichever is the earliest (see page 10 for permitted hours).
 17. 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.
 18. The Chaperone **must** inform the Child Employment Officer of any concerns.
 19. The Chaperone should be aware of the procedure for the evacuation of the building in case of fire.
 20. In the event of any contravention of the licence, or incident affecting the well-being of the child (ren) the Chaperone **must** inform the licensing LA at the earliest opportunity.
 21. Caerphilly LA expects that Chaperones authorised by them will ensure that no child is discriminated against on the grounds of race, gender, colour nationality, ethnicity or national origin.
 22. If dressers/helpers are required, then at no time should they be left alone with a child. An approved Chaperone must always be present. The dressers/helpers should not take children to the bathroom alone. The dressers/helpers should speak to a Chaperone if they have any problems/concerns.

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 LA that issued the licence should also be informed as soon as is 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 (eg 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 (eg scene change)
- Falls from a height
- Smoke effects and dry ice
- Noise
- Pyrotechnics
- Trapdoors
- Animals
- Electrical cables
- Very bright lighting

If the performance is outdoors then in addition to the above the following should also be considered:

- Protection from inclement weather
- Movement of vehicles
- Rivers, cliffs and other natural features that pose potential risks

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 schoolroom, 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 (see page 12).

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 LA of any such occurrence as soon as possible, no later than 4:30 pm the following working day.

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 not less than 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 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.

Although the legislation states the maximum number of children a Chaperone should have in their care is 12, Caerphilly LA recommends that the maximum number of children supervised during a tour should be five per Chaperone.

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 LA 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 the child (ren) have adequate exercise.

Child Protection

Everybody who works with children, or works with parents and other adults in contact with children should be able to recognise, and know how to act upon, indicators that a child's welfare or safety may be at risk.

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, through not having parental responsibility, are known within a wider circle of the family or neighbourhood;
- A complete stranger
- Other children.

It is vital for anyone working with children to consider the indicators of abuse, based on knowledge and observation of the child. The status of the person at the cause of the suspicion should in no way prejudice your responses to the situation. Research clearly demonstrates that professionals do abuse children, their professional standing and accreditation is not a guarantee of their intent. The All Wales Child Protection Procedures clearly lists the expected actions if a professional is causing a concern for 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

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 harm to a child. Physical harm may also

be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after. This is commonly described as “Munchausen syndrome by proxy”. Any instances of female circumcision or infibulations will be regarded as physical abuse under the Prohibition of Female Circumcision Act 1995.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (eg rape or buggery) or non-penetrative acts. They may include non-contact activities such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways of failing to discourage them from such behaviour.

Emotional abuse

Emotional abuse is the persistent emotional ill treatment 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 or inadequate. It may cause children to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment 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 should be ended before any sexual relationship develops.

What to do if suspected/alleged child abuse

The All Wales Child Protection Procedures (AWCPP) clearly guides all professionals through the expectations of agencies in matters of child protection. All professionals working with children should be familiar with this guidance, and the responsibilities it places upon them. A copy of the AWCPP guidance can be found in the [Protocols, guidance and useful documents](#) section of the South East Wales Safeguarding Children Board website

<http://www.sewsc.org.uk/>

Practitioners can also find useful links, contacts and guidance related to the Safeguarding of children on this website.

The AWCPP is the stand-alone guidance for all professionals working with children in Wales. Even in instances where your work takes you outside of Wales these procedures should be followed if the child’s usual residence is in Wales. If there is an incident of abuse whilst a child is in your charge, the local police **to your location**

at that time should be informed immediately. The Police will assist you to ensure the relevant Children's Services referrals are made.

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 it is with the prior approval of the child's parent/carer, or medical 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.

Allegation against a Chaperone

If a young person or their parent/carer makes an allegation against a Chaperone, this will be taken very seriously and reported to Social Services in accordance with Caerphilly County Borough Council's Safeguarding procedures. A Chaperone could be subject to suspension and/or a risk assessment pending the outcome of the investigation, but will be kept informed by their employer. Suspension is a neutral act to protect the Chaperone's own interests and/or those of the children.

In all cases a written report of events must be forwarded to CCBC, Education Welfare Service within 48 hours.