

Children in Entertainment
Guidance for
Licence Holders & Matrons

Solihull MBC
Education Welfare Service



Guidance for Licence Holders

Introduction	1
Legislation	2
What Type of Performances Require a Licence?	3
What Type of Performances do not Require a Licence?	3
Who May Apply for a Licence?	3
What are the Responsibilities of the Licence Holder?	3
How to Apply for a Licence	4
Medical Requirements	5
Educational Provision	6
Absence from School	6
Matrons	7
Other Licence Conditions and Permitted Hours	7
Maximum Days	7
Breaks in Performance	8
Permitted Hours	8
Night Work in Broadcast or Recording	10
Travel Arrangements	10
Venues (Performance or Rehearsal)	10
Children Staying Away from Home	11
Restrictions to Circus Performances	11
Performances Abroad	11
Licence Records	12
Powers of the Local Authority	13

Guidance for Matrons

Introduction	14
Who May Apply to be a Matron?	15
Other Registration Requirements	15
Duties and Responsibilities	16
Illness or Injury of a Child	18
Specific Hazards	18
Specific Performing Activities	19
Filming and Other Broadcast Recording	19
Theatre, Paid Sport and Modelling	20
Children on Tour	20
Child Protection	21
Inspections	21

Appendices

Appendix 1: Licence Application Form	23
Appendix 2: Medical Declaration (completed by parent/carer)	28
Appendix 3: Applicant's Checklist	29
Appendix 4: Matron Application Form	30
Appendix 5: The Certificate	33

Guidance for Licence Holders

Introduction

Solihull recognises 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 licence holders 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.

This guidance presents the Local Authority's interpretation of primary legislation, directs licence holders to the legislation, explains Solihull's procedures, and outlines the minimum requirements of good practice expected by Solihull.

This guidance applies to all licensed children that are resident in Solihull and are of compulsory school age.

For further information, contact the Education Welfare Service on 0121 788 1505.

Solihull MBC is grateful for the contribution and support provided by Surrey CC in the preparation of this document.

Legislation

The legislative framework relates to:

**Children in Entertainment:
performing on stage, television, film, radio, commercials
etc.**

Children working in paid/professional sport

Children working as models

This guidance is written in accordance with the following legislation:

- *The Children and Young Persons Act 1933*
- *The Children and Young Persons Act 1963*
- *The Children (Performances) Regulations 1968*
- *The Children (Protection at Work) Regulations 1998*
- *The Children (Performance) (Miscellaneous Amendments) Regulations 1998 (1).*
- *The Children (Performances) Amendment Regulations 2000*
- *The Children (Performances)(Amendment) (No. 2) Regulations 2000*

(Note: The amendments above are also known as Statutory Instruments [SI] and may be known by their SI number. 1968 No. 1728; 1998 No. 276; 1998 No. 1678; 2000 No. 10; 2000 No. 1333; 2000 No. 2384.)

The 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.

Compulsory school age:

A child whose 16th birthday falls between 1st September and 31st August remains of compulsory school age until the last Friday in June of the academic year of their 16th birthday.

What Type of Performances Require a Licence?

The following guidance outlines the general regulations on performances; there will occasionally be unusual circumstances that require closer examination and discussion with the Local Authority.

A licence is required for any performance:

- in connection with which a charge is made.
- at a licensed premises or registered club.
- any broadcast or any performance recorded, by any means, with a view to its use in a broadcast or film intended for public exhibition.

(Note: a child acting as a stand-in [understudy] **must** be licensed in the same way as other children in the performance.)

What Type of Performances Do Not Require a Licence?

- If a child does not perform on more than four days in any six month period (provided there is no absence from school).
- School performances.
- Performances put on by a body approved by the Secretary of State (Home Office) or the Local Authority for which no payment has been made to the child **or any other person** (this could include amateur productions, drama societies, churches, scouts, and other youth organizations), except for defraying expenses.
- Any activity which the Local Authority does not consider to be a performance (for example, children interviewed or filmed while taking part in some normal activity, not specifically arranged for the purpose, such as doing ordinary school lessons, playing in the park or at a youth club).

Who May Apply for a Licence?

The person responsible for the production of the performance in which the child is taking part is the person who should make the application for the licence. This is usually the producer of the performance and not, for example, the dance coach or the Matron.

The person who signs the licence application will be deemed to be the licence holder.

What are the Responsibilities of the Licence Holder?

The licence holder is responsible for observing the conditions of the licence (see p. 5).

Wherever children are involved in a public performance for which a licence has been issued, the **law requires** that they are cared for at all times by a registered matron (see Matron Guide). It is the responsibility of the licence holder to ensure that there are the appropriate number of required matrons on duty at each performance and that they are providing the supervision required by law (see p. 6).

The licence holder is expected to empower the appointed matron/s to adequately fulfil their role in safeguarding the well-being of the child/ren in their care.

The licence holder is required to keep records (see p.11) which **must** be retained for at least six months following the last performance to which the licence relates.

How to Apply for a Licence

A licence is issued by the Local Authority in which the child lives (this may not necessarily be the same Authority as the child's school, nor the intended place of performance).

Application **must** be made on the Local Authority application form (see Appendix 1).

- The applicant completes Part 1.
- The parent/carer of the child named in the application completes Part 2.

The completed application form **must** be accompanied by the following documents:

- Proof of the child's date of birth (photocopy of birth certificate).
- Two identical passport-sized photographs (unmounted).
- A copy of the child's contract.
- A declaration of the nature of the performance if the child is under fourteen years of age.

The application **must** be made (completed) to the Local Authority at least twenty-one days before the first performance; failure to do so may result in the Local Authority refusing the application.

Application forms are available from, and should be returned to:

The Chief Education Welfare Officer
The Education Welfare Service
Education and Children's Services
Keeper's Lodge
Chelmsley Road
Chelmsley Wood
Solihull
B37 7RS

If the child is not a resident of the U. K., application should be made to the Local Education Authority in whose area the applicant resides, or has his place of business.

The licence will show the following information:

- details of the child
- photograph
- identity of the licence holder
- name and nature of the performance
- place of the performance
- dates of performances or, in the case of some recorded performances, the number of days during a period not exceeding six months for which a child is licensed.
- any conditions stipulated by the Local Authority, these could include for example the permitted hours, transport arrangements and educational provision.
- direction for % payment to be placed in trust fund.

A licence will not be issued unless the Local Authority is satisfied that the child is fit to take part in a performance, that his/her education will not suffer and that proper supervisory arrangements have been made to secure the child's health, comfort and well-being.

Medical Requirements

In order to ensure that a child is medically fit to take part in a performance the Local Authority may require a child to take part in a medical examination if necessary. If the Local Authority requests a medical examination and the child is certified fit to take part in a performance, the certification is valid for six months from the date of issue.

Medical certification is conducted by the Senior Medical Officer (or any other practitioner approved by the Authority) responsible for the area in which the child lives.

Medical certification **is required** for:

- film or television performances.
- performances lasting more than a week in which the child is expected to perform for six days during that week (five days for sound broadcasts).
- every month for performance 'runs' lasting more than four weeks.

No child should be allowed to perform if unwell.

If a child is taken ill or is injured whilst in the charge of the matron or tutor then a doctor should be called and the licence holder must inform the child's parent/carer and the Local Authority as soon as possible.

Educational Provision

The Local Authority, before granting a licence, will liaise with the Headteacher of the child's school to ensure that the child's education will not suffer should a licence be granted.

For long engagements the licence holder should engage a private tutor for the licensed children. However the regulations do not stipulate how many days absence from school may be permitted before the Local Authority insists on the engagement of a tutor. For children registered by Solihull, the licence holder will be expected to provide education if the pupil is to be absent from school for more than ten consecutive school days.

Such educational provision should be provided from the first day of absence from school. The licence holder will ensure that arrangements for the child's education during the period of the licence are carried out.

It is the responsibility of the licence applicant to state their proposals for the child's education, and it is the Local Authority who decide whether or not the arrangements are satisfactory. Before the Authority will approve the educational arrangements made by the applicant it **must** be satisfied that:

- the private tutor is suitable and competent.
- the course of study is suitable.
- one tutor will not teach more than six children at one time, unless all the children are at the same academic level and in this case the tutor may teach up to twelve.
- the school room has been approved by the Local Authority
- the child will be taught for at least three hours on each day that s/he would normally attend school.

Absence from School

Under the provision of regulation 11 of the *Education (Schools and Further Education) Regulations 1981*, absence from school may not be granted to enable any pupil to undertake employment except in accordance with a licence.

Absence from school may not be authorised for unlicensed performances.

Matrons

It is a **legal requirement** that, all children of compulsory school age engaged in public performances, under licence issued by the Local Authority, must be supervised by a matron.

The role of the registered matron is to ensure that proper provision is made to secure a child's health, comfort, and kind treatment. The person approved by the Local Authority shall be in charge of the child at all times for the duration of the licence except when the child is in the charge of their parent/carer or tutor.

The licence holder is expected to empower and support the matron in any decisions relating to a child's welfare and general well-being.

The licence holder should be aware of the guidance for Matrons (see p. 13).

The maximum number of children that may be supervised by a matron is twelve. The Local Authority may stipulate a smaller ratio depending on the age/gender of the children involved.

Matrons must accompany children at all times, including in the dressing room, therefore matrons should, ideally, be gender appropriate.

Other Licence Conditions and Permitted Hours

Maximum Days Permitted to Perform

- A child may not take part in a performance, or rehearsal, on more than five days in any seven day period for **Broadcast or Recorded Performances**.
- A child may not take part in a performance, or rehearsal, on more than six days in any seven day period for **Other Performances**.
- For a combination of broadcast/recorded and other performances, the limit for a child's performances is as per broadcast and recorded performances: no more than five days in any seven day period.

(Note: there is no prohibition on Sunday performances.)

Breaks in Performances

- Where a performance licence is granted for sixty days or more there **must** be a fourteen day break after eight consecutive weeks of performing.
- During the break period a child **must not** take part in any:
performance
rehearsal
employment of any form

Permitted Hours of Performance

Hours differ slightly between broadcast/recorded performances and stage performances.

Stage

Age	Under 13 yrs	13 yrs and over
Earliest/latest times at the place of Performance or rehearsal.	10:00 am - 10:00 pm	10:00 am - 10:30 pm

- A child shall not be present at a place of performance or rehearsal more than thirty minutes after the end of his/her part or the latest time permitted (see table above).
- If a child's presence is required in a performance after the latest time in the table above, the child must not be present at the place of performance later than 11 p.m.; on not more than three evenings in one week and not on more than eight evenings in four consecutive weeks.
- A child must not take part in a performance that lasts more than three and a half hours.
- A child's part or total appearances must not exceed two and a half hours.
- A child must only appear in one performance or rehearsal on any day that s/he attends school for the whole day.
- A child must not appear in more than two performances, or one performance and one rehearsal, in one day (that is not a school day).
- There must be an interval of at least one and a half hours between the two performances, or rehearsals in one day. This period may be reduced to forty five minutes on two days in a week, providing the child is not at the same place of performance from more than six hours.
- If a child has taken part in a performance or rehearsal on the previous day there must be a break of at least fourteen hours before s/he is again present at such a place. For example, if a technical rehearsal

continued until 10:30 pm a thirteen year old must not attend for a dress rehearsal until at least 12:30 pm the following day.

Broadcast or Recording Performances

Age	9 yrs and above	Over 5 yrs but under 9 yrs	Under 5 yrs
Maximum hours at place of performance or rehearsal.	9.5 hours	7.5 hours	5 hours
Earliest/latest times at place of performance or rehearsal.	7:00 am – 7:00 pm	9:00 am – 4:30 pm	9:30 am – 4:30 pm
Maximum period of continuous performance or rehearsal.	1 hour	45 minutes	30 minutes
Maximum number of hours performance or rehearsal.	4 hours	3 hours	2 hours
Minimum intervals for meals and rest.	<p>If present for more than 4 consecutive hours: 2 hours break (one of which must be at least 1 hour, the remainder not less than fifteen minutes each)</p> <p>If present for 9.5 consecutive hours: 3 hours break (two of which must be at least 1 hour, the remainder not less than fifteen minutes each)</p>	<p>If present for more than 3.5 consecutive hours: 2 hours break (one of which must be at least 1 hour, the remainder not less than fifteen minutes each)</p> <p>If present for 7.5 consecutive hours: 3 hours break (two of which must be at least 1 hour, the remainder not less than fifteen minutes each)</p>	Any time during which the child is not taking part in a performance or rehearsal must be used for meals, rest and recreation.
Minimum hours of education if being privately tutored.	<p>3 hours per day (15 per week)</p> <p>or</p> <p>6 hours per school week with the remainder to be taught on non-school days, providing it is no more than 5 hours per day.</p>	<p>3 hours per day (15 per week)</p> <p>or</p> <p>6 hours per school week with the remainder to be taught on non-school days, providing it is no more than 5 hours per day.</p>	Not applicable.

Night Work in Broadcasts or Recorded Performances

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

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

- if they are satisfied it is impractical to complete the work before then.
- if work may be done in a studio if the weather does not permit outside work.

Travel Arrangements

The licence holder shall ensure that suitable arrangements are made for the child/ren to be returned home, or other destination, after the last performance or rehearsal on each day.

A child's age should be taken into account when making these arrangements but children should not be allowed to go home unsupervised especially, for example after an evening's performance in the theatre.

Matrons must be kept fully advised of all arrangements made for children in their care.

Venues (Performance or Rehearsal)

The Local Authority will approve a place of performance or rehearsal only if satisfied that:

- suitable arrangements have been made for meals, rest and recreation.
- the venue is supplied with suitable and sufficient toilets and washing facilities (separate from the facilities provided for adults).
- The child will be adequately protected against inclement weather.
- Suitable arrangements have been made for the child to dress for the performance or rehearsal (children aged five and over should only dress with children of the same sex).

Children Staying Away from Home

The Local Education Authority has to ensure the comfort of children required to stay away from home as a result of their performance/s. Therefore, a child may only stay in a place approved by the Local Authority for the area in which s/he is to perform. That Authority may inspect the lodgings to make sure that they are clean, comfortable and suitable for children.

A child must be in the care of a matron at all times.

Restrictions to Circus Performances

The rules relating to circus performances are similar to those of performances on stage. However, a child is allowed to give one extra performance or rehearsal:

- two performances on school days.
- three performances on other days.

These additional performances are subject to the following conditions:

- there **must** be an interval of at least one and a half hours between each performance or rehearsal.
- the duration of the child's appearance in any performance or rehearsal **must not** exceed thirty minutes.

Children **should not** take part in dangerous performances, however it is difficult to define 'dangerous performance' and so the following guidance and regulations apply:

- a performance of a dangerous nature includes all acrobatic and contortionist performances.
- no child shall take part in any performance whereby his/her life or limbs are endangered.
- no child under twelve years of age may be trained in such work.
- a child aged twelve or over may be so trained under licence issued by the Local Authority of the area in which the training is to take place, and subject to any conditions imposed by the Authority.
- the police of the area in question must be given seven days notice of the intention to apply for a licence, and may oppose the issuing of a licence.

Performances Abroad

No child is permitted to go abroad (outside Great Britain and Northern Ireland) for the purpose of:

- singing.
- playing.
- performing.

- taking part any broadcast or recording to be used in a film for public exhibition.

unless

- a licence has been granted for this purpose by a Justice of the Peace, sitting at a magistrates court within the area of where the child normally resides.
- notice of the intended application must be given to the Chief Officer of the Police for the district in which the child lives, at least seven days before the application is heard. The magistrate shall not grant the licence unless s/he is satisfied that the notice has been properly given.

Licence Records

Records **must** be kept by the licence holder and retained for six months after the last performance to which the licence relates.

The licence holder **must** retain the following documents and information:

- the licence.
- the following particulars of each day/night on which the child is present at the place of performance or rehearsal:
 1. the date.
 2. time of arrival.
 3. time of departure.
 4. the time and duration of each period during which the child took part in a performance or rehearsal.
 5. the time and duration of each rest interval.
 6. the time and duration of each meal interval.
 7. the time of any night work authorised by the Local Education Authority (Regulation 30, *Children (Performances) Regulations 1968*).
- where arrangements are made for education from a private tutor, the date and duration of each lesson and the subject taught.
- comprehensive details of any injuries or illness suffered by the child at the place of performance, including details of whether or not the injury/illness prevented the child from being present at the place of performance.
- dates of any medical examinations of the child, and details of examiner.
- dates of breaks in performance (Regulation 16, *Children (Performances) Regulations 1968*).
- the amount of all sums earned by the child for taking part in the performance, and the name, address and description of the persons to whom such sums were paid.

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

Powers of the Local Authority

With a warrant, an officer of the Local Authority or a Police Officer may enter any place where there is a reasonable cause to believe that:

- employment is taking place.

Without a warrant, an officer of the Local Authority or a Police Officer may at any time enter any place:

- used as a broadcasting or film studio.
- used for the recording of any film or performance which is intended for public exhibition and make enquiries about any child/ren taking part.
- a child is believed to be taking part in a performance or being trained for dangerous performances, and may make enquiries about that child.

Guidance for Matrons

Introduction

The Children Performance (Regulations 1968) (as amended) states that in certain circumstances, children taking part in entertainment **must** be supervised by a Matron (reg.12.1) and, if the Local Education Authority think fit (Reg 10.1), must be taught by a suitable teacher (Reg 10.3c).

Although the Licence Holder will be the employer of the Matron, the Local Education Authority **must** have approved both the child's Matron and tutor. Matrons registered with Solihull are approved for three years, at the end of this period the Matron must re-apply to Solihull for registration.

Solihull recognises 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 Matrons 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 aims to provide Matrons registered by Solihull Metropolitan Borough Council with guidelines on how to carry out their duties of care to children appearing in performances.

This guidance applies to all licensed children that are resident in Solihull and are of compulsory school age.

The holder of the licence (e.g. usually the Producer of the show/programme; BBC, IBA, Stage School or Theatre) is responsible, throughout the period covered by the licence, for ensuring that the child shall be in the charge of a responsible adult. This person is known in law as a 'Matron'. (Some Local Authorities refer to Matrons as Chaperones.)

Who may apply to be a Matron?

Any adult (male or female) may apply to Solihull MBC to be registered as a Matron.

The criteria for approval to be a registered Matron with Solihull MBC are: -

- *Certificate indicating satisfactory 'Enhanced' disclosure obtained from the Criminal Records Bureau (CRB).**
- *Submission of two references.*
- *An awareness of Solihull's Child Protection Procedures (see p. 21).*
- *An awareness of relevant legislation (see p. 2).*

The Local Education Authority shall not approve a Matron unless satisfied that s/he can exercise proper care and control of the child/ren, and that s/he will not be prevented from carrying out his/her duties as a Matron by other duties.

Applications for the post of Matron are to be addressed to:
(See Appendix 4 for application form)

The Chief Education Welfare Officer
Education Welfare Service
Education & Children's Services
Keeper's Lodge
Chelmsley Road
Chelmsley Wood
Solihull
B37 7RS
Tel: 0121 788 1505 Fax: 0121 779 7714
Email: educationwelfare@solihull.gov.uk

Other Registration Requirements of Solihull MBC

(note: these requirements are not statutory, but are expectations of Solihull MBC)

- When approved, Matrons are required to notify Solihull MBC (the Chief Education Welfare Officer) in writing within seven days of:
 - ✓ Any arrest for an offence that is triable in a Court of Law.
 - ✓ Any conviction following an arrest, whether in the United Kingdom or otherwise.

* CRB further information: Customer Services, CRB, P.O.Box 110, Liverpool L3 6ZZ (0870 909 0844). Applications for 'Enhanced' disclosure certificates must be made through a registered body, also known as an 'umbrella organisation', a list of umbrella organisations may be found on the CRB website www.disclosure.gov.uk or by telephoning the CRB. The cost of CRB application will be borne by the applicant, Solihull MBC **will not** fund the CRB check.

- ✓ Any serious or notifiable illness or disease.
 - ✓ Any change of address or name.
- The Matron should ensure that they carry their certificate on every day that they are employed as a Matron, and have it available for inspection (see Appendix 5 for example of the certificate).
 - The Matron 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 Matron 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 Matron 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 Matron 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.

Duties and Responsibilities

1. The post of Matron is one of responsibility and trust. The prime duty of the Matron is to the child/ren in their care.
2. The Matron 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.
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 Local Education Authority for this purpose: the Matron. The only exception to this rule is when the child is in the charge of his/her parent/carer or a tutor.
4. A Matron acting under licensing regulations shall be considered to have the care and control of the child/ren with a view to securing his/her health, comfort, kind treatment and moral welfare.
5. The Matron should ensure that there is a complete register of the children, with emergency contact numbers, available at all times. However the Matron **must not** disclose the personal information of the child/ren in their care except to authorised personnel.
6. The Matron **must** be aware of the Local Safeguarding Children Board Procedures (see p. 21).

7. Corporal punishment **must not** be used in any circumstances.
8. A private tutor may act as a Matron, if approved as such by the Local Education Authority, provided the number of children in his/her care does not exceed three, and that the Local Education Authority are satisfied that the arrangements will not adversely affect the children's education or welfare.
9. The Matron's first duty is to the child/ren in his/her care. Whilst s/he is acting as a Matron s/he may not engage in any other activity that would interfere with the performance of his/her duties.
10. Except when a child is in the care of a teacher, the Matron 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 Matron shall be in charge of the child/ren at all times, except when the child is in the charge of his/her parent or a teacher.
12. The maximum number of children a Matron may have in their care is 12.
13. Matrons should be gender appropriate. The Matron 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), this means that for a mixed cast of boys and girls requiring separate dressing rooms there should be at least two matrons.
14. The Matron 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 s/he has 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 p.m. (for children under 13 years), 10.30 p.m. (for children over 13 years) whichever is the earliest (see p. 8 for permitted hours).
17. The Matron 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 matron **must** inform the Chief Education Welfare Officer of any concerns.

19. The Matron 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 Matron **must** inform the licensing Local Education Authority at the earliest opportunity.
21. Solihull Metropolitan Borough Council expects that Matrons authorised by them will ensure that no child is discriminated against on the grounds of race, gender, colour, nationality, ethnicity or national origin.

Illness or Injury of Child

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

The Matron **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 Matron 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 is possible, the Matron **must** record the incident and action taken.

No child should 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

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

The Matron should keep records of the times the child is on the set and the times s/he rehearses and performs, so as to ensure that the periods permitted under the Regulations are not exceeded. The Matron should also ensure that the child does not get less than the required number of breaks for rest and meals (see p. 8).

The Matron 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 Matron 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 Matron 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 Matron must inform the Local Authority as soon as possible; no later than 4:30 p.m. the following working day (office hours Mon. to Fri. 8:45 to 5:20).

The Matron 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 s/he present must comply within what is permitted in the Regulations.

The Matron's will be ensure that, when the child is not actually performing s/he is properly supervised and has 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 his/her lodgings

Children on Tour

If the child is living away from home, the Matron is responsible for him/her throughout the period of the licence and that s/he is properly occupied in his/her spare time. In general a Matron 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 Matron 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 Matron should have in his/her care is 12, Solihull MBC recommends that the maximum number of children supervised during a tour should be 5 per Matron.
- The Matron 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 Matron, who **must** accompany them at all times.
- The Matron 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 Education Authority in whose area they are situated, but if for any reason the Matron considers them to be unsatisfactory the Matron should insist on a change of accommodation.
- The Matron 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.
- Ensure that the child/ren should have adequate of exercise.

Child Protection

All those who come into contact with children and families in their everyday work, including people who do not have a specific role in relation to child protection, have a duty to safeguard and promote the welfare of children.

'What to do if you're worried a Child is being Abused'
Department of Health 2003

All Matrons registered by Solihull MBC will be issued with the 'blue' guide 'A Multi-Agency Guide to Child Protection'. All Matrons **must** familiarise themselves with the procedures contained in this document.

Additional Circumstance (not covered by 'blue' guide).

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.

The Matron **must** contact the Area Social Services Department immediately.

Social Services - Duty Assessment & Referral Team – 0121 788 4300
Social Services (Out of Hours) – 0121 605 6060
Police Child Abuse Investigation Unit – 0121 712 6143

In all cases a written report of events must be forwarded to the Chief Education Welfare Officer within 48 hours.

Inspections

The Local Education Authority will make regular inspections, without prior notice, to places of entertainment within the Authority. Inspections are normally carried out by Education Welfare Officers, but it could include a Fire Officer, Health and Safety Officer or a Police Officer. The Officer should make his or herself known to the Matron on arrival and will have proper identity cards.

Matron's 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.

FORM OF APPLICATION FOR A LICENCE

(Note – it is important that this form, duly completed, should be sent so as to reach the licensing authority not less than twenty-one days before the first performance for which the licence is requested, since the licensing authority may otherwise refuse to grant a licence)

APPLICATION to the SOLIHULL METROPOLITAN BOROUGH COUNCIL

PART 1

(TO BE COMPLETED BY THE APPLICANT)

1. I hereby apply for a licence under section 37 of the Children & Young Persons Act 1963

authorising..... (insert name of child)

- (1) to take part in a performance*
- (2) otherwise to take part in a sport,* or
- (3) to otherwise work as a model*

either on the dates specified in item 4(i) of the Annexe to this Part or on the number of days and during the period specified in item 4(ii) to the Annexe in this Part.

2. I certify that to the best of my knowledge the particulars contained in the Annexe to this part are correct.

3. I attach the following:-

- (a) a copy of the birth certificate of the child or other satisfactory evidence of the child's age;
- (b) two identical prints (unmounted) of a photograph of the child taken during the six months preceding the date of application.
- (c) A copy of the contract, draft contract or other documents containing particulars of the agreement regulating child's appearance in the performance or regulating the activity for which the licence is requested.
- (d) If the child is under 14 years of age: a declaration under section 38(1)(a) or (b) of the Children and Young Persons Act 1963 [stating that the part s/he is to undertake cannot be taken except by a child of about his/her age].*

4. I understand that if a licence is granted to me it will be granted subject to the restrictions and conditions laid down in the Children (Performances) Regulation 1968 and to such other condition as the local authority or the licensing authority may impose under the said Regulations.

Date:..... Signed.....

(Applicant)
Full name.....

Address.....

.....
Occupation.....

NOTE – Any person who fails to observe any condition subject to which a licence is granted or knowingly or recklessly makes any false statement or in connection with an application for a licence is liable to a fine not exceeding level 3 on the Standard scale (currently £1,000) or imprisonment for a term not exceeding three months or both (section 40 of the Children and Young Persons Act 1963)

* Delete as applicable

(a) A licence specifying the number of days on which a child may perform and the period,, not exceeding six months, in which the performance may take place may be granted only to the British Broadcasting Corporation, the Independent Television Authority, a programme contractor within the meaning of section 1(5) of the Television Act 1964 or a body supplying programmes to such a programme contractor to be broadcast by the Independent Television Authority or in respect of a child taking part in a performance to be recorded (by whatever means) with a view to its use in a film intended for public exhibition.

Appendix 1
ANNEXE TO APPLICATION PART 1
PARTICULARS CONNECTED WITH THE PERFORMANCE OR ACTIVITY IN
WHICH THE CHILD IS TO TAKE PART
(To be completed by the Applicant)

Please answer all questions; if 'no' or 'not applicable' enter 'no' or 'N/A' in the box.

1	Name and nature of the performances or activities in respect of which the licence is requested.	
2	Description of the child's part.	
3	Place(s) of the performance or activities in respect of which the licence is requested (a).	
4	(i) The dates of the performance or activities for which the licence is requested, or (ii) the number of days, and the period during which it is requested that the child may take part in performances or activities (b).	
5	Time and duration of performance or activities in respect of which the licence is requested. (You may attach a clearly marked schedule.)	
6	Approximate duration of the child's appearances in the performance or activities in respect of which the licence is requested.	
7	The amount of night work (this is work beyond the permitted hours, i.e. after 10:30 p.m.) for which approval will be sought from the local authority under Regulation 30 of the Children (Performances) Regulations 1968 stating- (i) the appropriate number of days (ii) the approximate duration on each day.	
8	The sums to be earned by the child in taking part in the performances or activities in respect of which the licence is requested.	
9	Where a licence is requested in respect of a performance, state the proposed arrangements for rehearsals taking place during the fourteen days preceding the first performance for which the licence is requested: stating in respect of each rehearsal i, ii, iii. (You may attach a clearly marked schedule.)	i) date: ii) location: iii) Approx. duration
10	The number and dates of days or half days on which leave of absence from school is requested to enable the child to take part in performances, rehearsals, or activities for which the licence is requested.	

- a) This includes the places at which work on location is to be done.
b) A licence specifying the number of days on which a child may perform, not exceeding six months, in which the performance may take place may be granted only to the British Broadcasting Corporation, the Independent Television Authority, a programme contractor within the meaning of section 1(5) of the Television Act 1964 or a body supplying programmes to such a programme contractor to be broadcast by the Independent Television Authority or in respect of a child taking part in a performance to be recorded (by whatever means) with a view to its use in a film intended for public exhibition.

Appendix 1

11	<p>Proposed arrangements (if any) under Regulation 10 of the Children (Performances) Regulations 1968 for the education of the child during the period for which the licence is requested stating:-</p> <ul style="list-style-type: none"> i) the name, address and qualifications of the proposed private tutor. ii) <ul style="list-style-type: none"> a) the place where the child will be taught. b) the proposed course of study. c) the number of other children to be taught by the private teacher at the same time as the child in respect of whom this application is made, and the sex and age of each such child. e) whether the child is to receive the required amount of education in accordance with Regulation 10(4) (a) or Regulation 10(4)(b). 	
12	The name of the local authority (if any) which has previously approved the appointment of the private teacher for the purposes of a licence.	
13	The name, address and description of the proposed matron.	
14	The name of the local authority (if any) which has previously approved the appointment of the matron for the purposes of a licence.	
15	The number of other children to be supervised by the matron during the time when she/he would be in charge of the child in respect of whom this application is made, and the sex and age of each child.	
16	The address of the lodgings where the child will live if a licence is granted by reason of which the child has to live elsewhere than at the place where he would otherwise live, the name of the household and the number of children who live in the same lodgings.	
17	<p>Approximate length of time which the child will spend travelling-</p> <ul style="list-style-type: none"> (a) To the place of performance, rehearsal or activity. (b) From the place of performance, rehearsal or activity. <p>And the arrangements (if any) for transport</p> <ul style="list-style-type: none"> (a) To the place of the performance, rehearsal or activity. (b) From the place of performance, rehearsal or activity. 	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
18	Name of other licensing authority to which an application has been made for another child to take part in performances or activities to which this application relates.	
19	Where the application is for a licence for an activity, a statement by the child's parents that the child is medically fit for the proposed activity.	

Appendix 1

ANNEXE TO APPLICATION PART 2 **PARTICULARS CONNECTED WITH THE PERFORMANCE OR ACTIVITY** **IN WHICH THE CHILD IS TO TAKE PART** **(To be completed by the Parent/Carer)**

(Note-Parent/Carer includes a guardian or other person who has for the time being the charge of or control over the child).

Please answer all questions; if 'no' or 'not applicable' enter 'no' or 'N/A' in the box

1	Full name of child.	
2	Child's date of birth.	
3	Address of child.	
4	Name and address of schools attended by the child during the twelve months preceding the date of this application or, if s/he has not attended school, the name and address of her/his private teacher.	
5	Particulars of each licence granted during the twelve months preceding the date of this application by any local authority other than the licensing authority to whom this application is made, stating in each case- (i) the name of the local authority (ii) the date on which the licence was granted. (iii) the dates and nature of the performances or activities.	
6	Particulars of each application for a licence made during the twelve months preceding the date of this application and refused by any local authority other than the licensing authority to whom this application is made, stating in each case: (i) the name of the local authority (ii) the date of the application (iii) the reasons (if known) for the refusal to grant a licence	
7	Particulars of each performance for which a licence was not required in which the child took part during the twelve months preceding the date of this application stating in each case: (i) The date (ii) The place (iii) The nature of the performance (iv) The name of the performance in which the child took part.	

Appendix 1

8	<p>Dates (if any) on which the child has been absent from school during the twelve months preceding the date of this application by reason of his taking part in a performance or activity.</p>	
9	<p>Particulars of any other form of employment in which the child has been employed during the twenty-eight days preceding the day of the first performance or first activity for which the licence is requested stating:</p> <p>(i) the nature of the employment.</p> <p>(ii) the days on which the child was employed.</p> <p>(iii) the time during which the child was employed.</p>	
10	<p>Particulars relating to the sums earned by the child during the twelve months preceding the date of this application stating:</p> <p>(i) whether the sums earned were in respect of performances or activities for which a licence was granted, performances for which a licence was not required or other forms of employment.</p> <p>(ii) The amount of the sums earned.</p> <p>(iii) The date on which payment was received.</p> <p>(iv) The name, address and description of the person from whom the payment was received.</p>	

I support this application for a licence.

I certify to the best of my knowledge the foregoing particulars are correct and I understand that if a licence is granted it will be granted subject to the restrictions and conditions laid down in the Children (Performances) Regulations 1968 and to such conditions as the local authority or the licensing authority may impose under the said regulations.

Date:.....

Signed:.....
(Parent/Carer)

Full name:.....

Address:.....

.....

.....

Contact telephone number:..... Relationship to child*.....

NOTE- Any person who fails to observe any condition subject to which a licence is granted or knowingly or recklessly make any false statement in or in connection with an application for a licence is liable to a fine not exceeding £1000 (level 3 on the standard scale) or imprisonment for a term not exceeding three months or both (section 40 of the Children and Young Persons Act 1963).

* State whether parent, guardian or other person having for the time being the charge of, or control over, the child.

**SOLIHULL EDUCATION WELFARE SERVICE
CHILDREN IN ENTERTAINMENT
MEDICAL DECLARATION**

CHILD'S NAME(in full) :.....

ADDRESS :.....

.....

TEL.NO.....

SCHOOL.....

DATE OF BIRTH.....

1. Has your child ever had any serious illness , operation or accident ?If so , please give detail

2 . Has he / she had any illness during the past year ? If so please give details.

3 . Does he / she have any difficulty with Hearing or Eyesight ?

4 . Are you aware of any problems of behaviour, undue nervousness , defect of speech , tendency to fits or fainting ? If so please give details .

5 . Does your child require any medicines , diet or special treatment about which the Doctor is aware ?

PERFORMANCE NAME

PERFORMANCE DATES.....

and would involve absence from school as above.

DATE.....

SIGNATURE.....(Parent/Guardian)

Children in Entertainment

Licence Application Checklist

- Fully completed Application Form:
Part 1 by the Applicant
Part 2 by the Parent/Carer
- Two passport sized photographs of child named in application (unmounted).
- Proof of child's age (a photocopy of a birth certificate - Please DO NOT send original documents).
- Medical Declaration (completed by Parent/Carer).
- Registered Matron Appointed.
- All documentation to be returned to:

The Chief Education Welfare Officer
Education Welfare Service
Keeper's Lodge
Chelmsley Road
Chelmsley Wood
Solihull
B37 7RS

- Applications to be submitted at least twenty-one days before the first performance for which the licence is requested.

Appendix 4



Education Welfare Service
Education & Children's Services

MATRON APPLICATION FORM

CHILDREN AND YOUNG PERSONS ACT 1963
CHILDREN (PERFORMANCE) REGULATIONS 1968
CHILDREN (PROTECTION AT WORK) REGULATIONS 1998
CHILDREN (PERFORMANCES) (MISCELLANEOUS AMENDMENTS) REGULATIONS 1998

“The Licensing Authority shall not approve a matron unless they are satisfied that she (he) is suitable and competent...” (Regulation 12(2), Children (performances) Regulations 1968)

All information given in this application form will be treated in confidence, other than information relating to criminal offences. Please complete this form in type or block capitals.

SURNAME		MR/MRS/MISS/MS/OTHER*
FIRST NAMES		
DATE AND PLACE OF BIRTH		
ADDRESS, inc. postal code		
TELEPHONE NO, inc. STD code		
HOW LONG HAVE YOU LIVED AT THIS ADDRESS?		
IF LESS THAN 5 YEARS PLEASE LIST PREVIOUS ADDRESS(ES)		

PRESENT EMPLOYER	
ADDRESS	
TYPE OF WORK	

Appendix 4

PROFESSIONAL QUALIFICATIONS	
<p>a) Have you ever been approved of as a Matron? If so, when and by which Authority?</p> <p>b) Are you a registered child minder or foster carer? If so, when and with which Authority?</p> <p>c) Have you received first aid training ? If so, date of certificate.</p>	

Please give the name, address and telephone number of two responsible persons who would be prepared to provide references as to your suitability to be a matron. At least one of these should know you in a professional capacity; please state in what capacity the person is known to you.

1.	
2.	

Due to the nature of the work, we need to know if you have ever been convicted of a criminal offence, (including any traffic offences) or had an allegation made against you or been the subject of a child protection case conference. Please tick the appropriate box, and provide relevant details.

<input type="checkbox"/> I have not been convicted of any offences.	<input type="checkbox"/> I have not had an allegation made against me or been the subject of a child protection case conference.
<input type="checkbox"/> I have been convicted of the offences shown below.	<input type="checkbox"/> I have had an allegation made against me/been the subject of a child protection case conference as noted below.

DATE	COURT/AUTHORITY	OFFENCE/ALLEGATION	OUTCOME

Appendix 4

Please give details of any other relevant work experience (e.g. teaching, social work, youth work, child minding, nanny, play groups, nursery nurse, or if you have acted in a voluntary capacity such as Clubs/Brownies. Please also add anything else that you would wish to add in support of this application. You may continue on another sheet if required.

When approved your name will appear on a list of the Local Education Authority's approved Matrons, unless you indicate otherwise; do you agree to your name being placed on this list?
Yes/No*

*Delete as appropriate

DECLARATION TO BE SIGNED BY THE APPLICANT

I hereby declare that the above information is true, to the best of my knowledge. I understand that I would be liable for prosecution if I have wilfully stated in it anything, which I know to be false or do not believe to be true.

SIGNED

DATE

This form should be returned, together with 2 passport sized photographs and CRB Certificate to:

Chief Education Welfare Officer
Education Welfare Service
Keeper's Lodge
Chelmsley Road
Chelmsley Wood
Solihull
B37 7RS

Tel: 0121 788 1505 Fax: 0121 779 7714

Email: educationwelfare@solihull.gov.uk



EDUCATION WELFARE OFFICER
CHILDREN'S SERVICES

CHILDREN'S SERVICES
CHILDREN'S PERFORMANCE REGULATIONS 1968

SPECIMEN

THE APPROVAL OF MATRONS (REGULATION 12)

This is to certify that.....
whose photograph is attached to this certificate as provided by Solihull
Metropolitan Borough Council as a Matron (Chaperone) under the above
mentioned regulations, to be in charge of the residential part in
performance of a voluntary period of 6 months from the date of this
licence.

Signature:..... Date:.....

Steve Martin - Chief Education Welfare Officer

Duties of Matron (Chaperone)

(1) GENERAL

A Matron is required and expected to act as a responsible guardian in place of
the parents while the children are under her Matron's care. It is a part of her
responsibility to ensure that if any child is to be released to the self or children
employed in the institution especially when they are to go to and so away from
the institution, the release is dependent every year only on the Matron, who is in
a position to ensure that the children are not exposed to possible hardship or
injury.

(2) VARIOUS DUTIES OF MATRON

It is to be distinctly understood that Matrons must undertake no other duties
which will at any time separate them from the children, or in any way interfere
with the proper supervision of the children while in their care.

SPECIMEN