

EDUCATION WELFARE SERVICE

Children in Entertainment

Children & Young Persons Act 1963 and The Children (Performances and Activities) (England) Regulations 2014

Introduction

Many children enjoy performing, whether in plays, films, and advertising or on television and parents enjoy supporting them. However, laws exist which are designed to protect children's welfare and prevent them from being exploited. (Children & Young Persons Act 1963 and The Children (Performances and Activities) (England) Regulations 2014 The Licensing Authority (Local Authority (LA) must be satisfied that:

- The child's education will not suffer
- His or her health will not suffer
- The place of performance/rehearsal is satisfactory
- The conditions of the licence will be observed

The LA can refuse a licence if it is not satisfied the above will be met.

Staff in the Education Welfare Service are responsible for licensing children who live in East Yorkshire and who perform in a range of entertainments. If you require any further information please contact the telephone number on the reverse of this booklet.

Does a child need a licence?

The law applies to all children from birth until completion of compulsory schooling which is the last Friday in June during the school year in which the child reaches the age of 16.

What type of performances need a licence?

Any performance:

- When a charge is made
- At a licensed premises or a registered club
- Recorded with a view to its use in a broadcast, or film intended for public exhibition

Licences may be issued for:

- Children employed in paid modelling work, photographic or catwalk work
- Children working in paid / professional sport
- Children in entertainment – performing on stage or in television in activities such as films or commercials

What types of performances do NOT need a licence?

1. If a child does not perform on more than four days in any period of six months (providing that there is no absence from school and they are not being paid)
2. A performance put on by a body of persons who has been approved by the Secretary of State or the Local Authority providing there is no absence from school and no payment is being made to the child or any other person and the performance is taking place in The East Riding of Yorkshire
3. A school performance
4. Any activity which the Local Authority does not consider to be a performance

Even where a licence is not required we still prefer to keep a register of children taking part in a performance as the rules and regulations still apply.

Why have a licence?

A licence is issued for a child to take part in a performance. The licence states the conditions which must be observed to ensure the child's safety and well-being.

No child will be able to be absent from school for a performance without a licence.

School performances

Schools (but not dance schools) do not need to have licences, except where your child may be involved in commercial work outside normal school activities.

Maximum days permitted to perform

A child may not take part in performances, including such rehearsals, on more than 6 consecutive days. Any rehearsal on the day of a performance or activity counts towards the permitted hours the child can be at the place of performance or activity. Warm-up time should be taken into account when assessing the amount of time that a child spends in rehearsal.

Permitted hours of Stage and Broadcast Performances

Topic	Age 0 to 4	Age 5 to 8	Age 9 and over
Maximum number of hours at place of performance or rehearsal (Reg.22)	5 hours	8 hours	9.5 hours
Earliest and latest permitted times at place of performance or rehearsal (Reg.21)	7am to 10pm	7am to 11pm	7am to 11pm
Maximum period of continuous performance or rehearsal (Reg.22)	30 minutes	2.5 hours	2.5 hours
Maximum total hours of performance or rehearsal (Reg.22)	2 hours	3 hours	5 hours
Minimum intervals for meals and rest (Reg.23)	Any breaks must be for a minimum of 15 minutes. If at the place of performance or rehearsal for more than 4 hours, breaks must include at least one 45 minute meal break.	If present at the place of performance or rehearsal for more than 4 hours but less than 8 hours, they must have one meal break of 45 minutes and at least one break of 15 minutes If present at the place of performance or rehearsal for 8 hours or more, they must have the breaks stated above plus another break of 15 minutes.	If present at the place of performance or rehearsal for more than 4 hours but less than 8 hours, they must have one meal break of 45 minutes and at least one break of 15 minutes If present at the place of performance or rehearsal for 8 hours or more, they must have the breaks stated above plus another break of 15 minutes.
Education (Reg.13)	N/A	3 hours per day (maximum of 5 hours per day). 15 hours per week, taught only on school days. Minimum of 6 hours in a week if aggregating over 4 week period or less.	3 hours per day (maximum of 5 hours per day). 15 hours per week, taught only on school days. Minimum of 6 hours in a week if aggregating over 4 week period or less.
Minimum break between performances (Reg.23)	1 hour 30 minutes	1 hour 30 minutes	1 hour 30 minutes
Maximum consecutive days to take part in performance or rehearsal (Reg.26)	6 days	6 days	6 days

Is there a time limit?

It is essential that your child obtains his / her licence before the performance takes place, therefore we ask for the application to be sent to us at least three weeks before the show or rehearsals are due to start. We always try our best to issue a licence but sometimes, if the application is very late, we may not be able to issue a licence for your child's performance.

Medical requirements

In order to ensure that a child is medically fit to take part in a performance, The East Riding of Yorkshire Council may require a letter from the child's G.P stating she / he is fit to perform.

A medical is compulsory for:

- Film or television performances
- Performances lasting more than a week in which your child is expected to perform for six days during that week (five days for sound broadcast)
- Every month for performance runs lasting more than four weeks
- Medical Certificates are required with applications for children wishing to take part in licensed performances in any television or film work, regardless of any number of days, or half days under the conditions of the licence
- For broadcast performances, such as radio productions, a child can perform on no more than 6 days in a six month period without the need of a medical certificate

Travel arrangements

The licence holder should make sure that suitable arrangements are made for the child to be returned home, or to another agreed destination, after the last performance or rehearsal on each day.

A child's age should be taken into account when making these arrangements and the arrangements must be suitable for the age of the child.

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

Performances abroad

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

- Singing
- Playing
- Modelling
- Performing
- Taking part in 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 lives.

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 they are satisfied that the notice has been properly given.

What happens next?

The application will be submitted to The East Riding of Yorkshire Council and if approved a licence will be issued to you. The East Riding of Yorkshire Council holds information such as:

- Name, address, date of birth, school attended
- Name of person applying for licence
- Name, place and dates of performance

The licence

If approved, the licence is sent to the person whose name is on the front of the form, (normally the producer). A copy is sent to the parent/guardian and where school absence is required the Headteacher will also be sent copy.

If a child is performing outside East Yorkshire, a copy of the licence will also be sent to the appropriate authority where the performance is taking place, and to the child's school

Can a licence be withdrawn?

Yes, if we are worried about the welfare of a child. We work closely with producers, chaperones, parents and schools so that children can maximise their opportunities. However, a child's welfare is of paramount importance.

Visits to performances

We do have a duty to inspect places where children are performing to check that they are suitable and that the children are being looked after appropriately. If the performance is outside East Yorkshire, the LA for that area will make the inspection. Whilst we cannot visit every venue, we do try to visit as many as possible.

Chaperones

The Children (Performances) Regulations 1968 (as amended) state that in certain circumstances, children taking part in entertainment must be supervised by a chaperone or a parent (reg.12.1) and, if the LA think fit (reg.10.1), must be taught by a suitable teacher (reg.10.3c).

The licence holder will be the employer of the chaperone. If appropriate a copy of the Chaperone licence will be required for every applicant of a performance licence.

Modelling

The East Riding of Yorkshire Council do not issue six month licences for modelling work. Instead we issue a full licence for each performance or 'shoot' as and when it is required.

If an agent registers your child on their books for modelling work they may ask for the following information before any work has been arranged:

- A completed Part Two of the licence signed by the parent or guardian
- Two passport sized photographs
- A copy of your child's birth certificate

The agent will forward this information to us and we will keep this on file for six months.

When agents obtain work for a child they must provide The East Riding of Yorkshire Council with:

- a) A fully completed Part One of the licence application form including the exact details of the location and date of activity
- b) Appendix A - Headteacher Certificate

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These details can be faxed to the Education Welfare Service and we will try to issue the licence as quickly as possible.

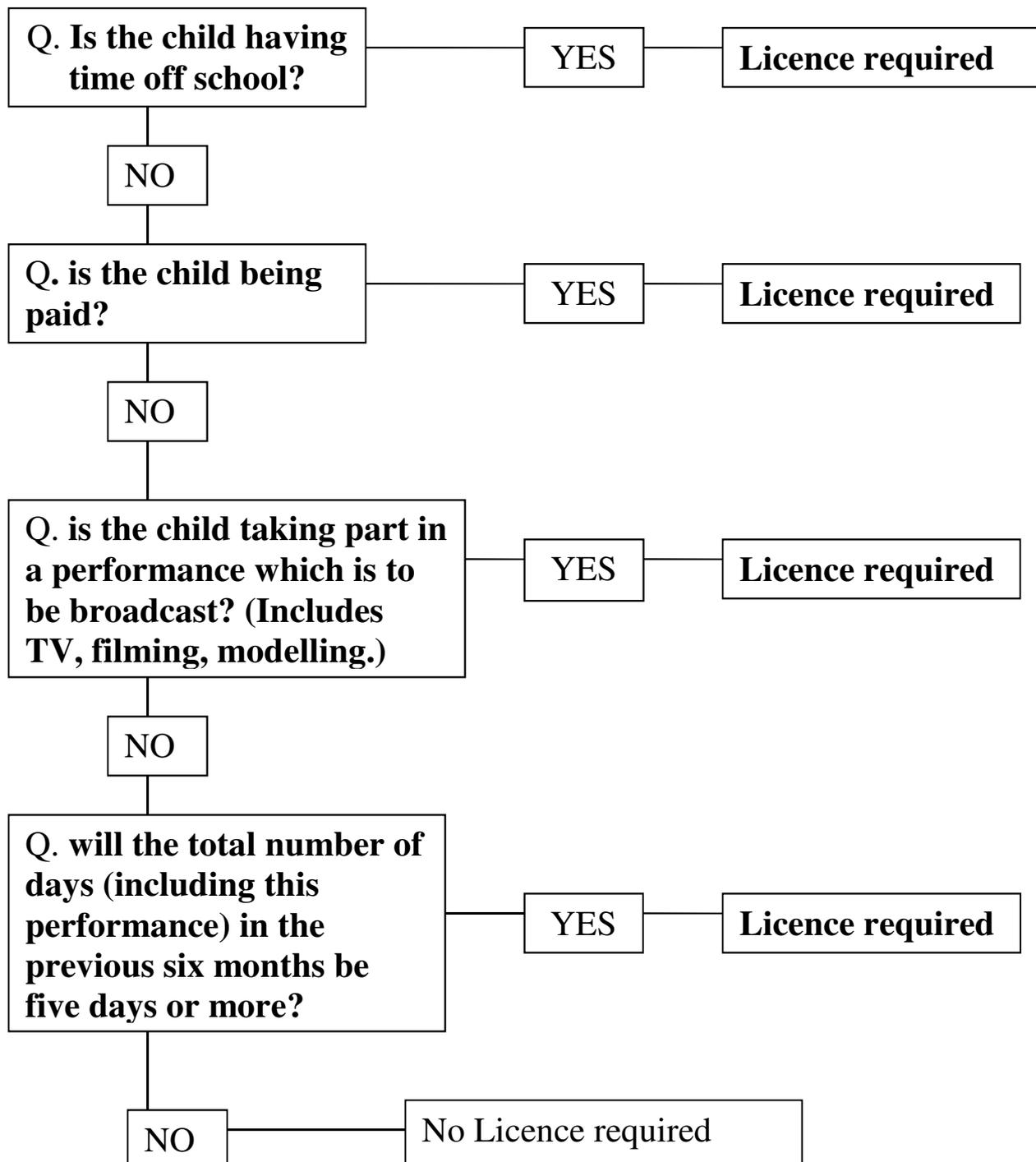
A child could have their name registered at more than one agency, and each agency may ask for the above information. A licence will only be issued if your child is offered work as we need to know the exact details before we can issue a licence.

Can I take my own child to a modelling assignment?

Yes, as a Parent/Guardian you can be the person responsible for your child if you do not want a chaperone to be in charge.

You should stay with your child at all times, even during a photo 'shoot'.

Is a child performance licence required?



Further information

For a child performance licence application form and further information, contact:

Education Welfare Service
East Riding of Yorkshire Council
County Hall
Beverley
HU17 9BA

Tel: 01482 392146

Fax: 01482 392850

E-mail: education.welfare@eastriding.gov.uk