



CHILDREN IN THE THEATRE

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1 INTRODUCTION

The amateur theatre needs children both for specific productions and, more importantly, because they represent the lifeblood for the future. Some children and young people value the amateur theatre as a springboard to an acting career. The Government see the amateur theatre as an integral part of its agenda to get more young people involved in the wider society. However, children need to feel safe and respected; their parents need to be confident about their children's welfare and members of the society need to feel able to exercise their responsibilities. This factsheet addresses many of the issues that arise when children are welcome and included in the theatre's activities and performances.

This factsheet is written as a general introduction to a very complex area of policy and practice. Its aim is to give NODA members a framework in which to develop their own policies and procedures. The guidance is provided in good faith, but cannot provide definitive answers to specialised queries that members may have, nor should it be seen as a precise interpretation of the law.

Words such as **group**, **society** and **theatre** are used in a generic sense to include people engaged in amateur theatre and related activities and the premises where they meet.

Children include anyone under the age of 18 (see section 3). Use of the words such as **he** or **she** are not intended to infer that any of the guidance in this factsheet is gender specific.

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Professional support for amateur theatre

2 BASIC PRINCIPLES

The welfare of the child sits at the heart of all legislation and good practice in this area and, it should be the guiding principle for anyone working with children. Whereas there are a number of legal constraints and requirements concerning children when performing, and child protection in a more general context, these act primarily as a safety net of minimum requirements. Any society that is applying best practice will inherently exceed most of the legal requirements.

Even though specific people may have been appointed to supervise children (see section 7), it is essential that everyone accepts their responsibility to treat children with respect so that children feel valued. Child abuse can take many forms, often grouped under the headings of physical, sexual or emotional abuse and neglect (see Appendix B). Whereas there is never any reason to abuse a child, children can still feel undermined or unwanted by lack of care from either adults or children with whom they interact. For a child, being ignored can be just as hurtful as being shouted at or lampooned.

3 CHILDREN AND YOUNG PEOPLE

Within the law, children are defined as being under the age of 18, though the term 'young people' is probably a better description for those in their teens. This distinction is important when considering how to deal with a mixed group of under-18s. Many Child Protection Policies, though they apply to the whole age range, seem to have been written primarily with the younger group in mind. However, treating a 17-year old as though he was 9, will be justifiably resented and falls short of the principle of respect. In the same way, presuming that a young person, on reaching the magic age of 18, turns from a child into an adult is equally misleading.

The whole raft of child employment legislation, within which fall the regulations concerning children in performances, focuses on children of compulsory school age and below. A child is required to attend school unless she is over the age of 16 on 31st of August, or until the last Friday in June after her 16th birthday. The intent of this legislation is to ensure that children will not engage in any form of employment to the detriment of their schoolwork.

Although the law refers to 'performance' and, by implication, 'actors', the duty of care extends to all children involved in the theatre. Societies should exercise exactly the same principles for young people engaged in lighting, scene shifting, costumes, make-up, music, sound and video recording or any of the other myriad activities necessary for a production. At no time should a child be exposed to any hazardous environment, which includes working at height, lifting heavy objects, excessive trip hazards etc. Issues of Child Protection, such as adequate supervision and avoiding lone working, should also be taken into account.

4 THE ROLE OF THE EDUCATION AUTHORITY

There are two areas of the law that cover children in the theatre focusing on children performing and on child protection (see Appendix A). Both of these areas acknowledge that the education authority (often referred to as an LEA) covering the area in which

a child lives has the primary responsibility for protecting the child's welfare. The LEA always retain the right to impose more stringent restrictions than required by law or to take pre-emptive action if they believe it is in a child's best interest.

Unless children have very limited involvement in amateur performances, their inclusion must be covered by a licence granted and monitored by their LEA (see section 8).

Each LEA sets the conditions for the licence and these may vary from child to child with respect to their individual welfare. Many LEAs publish their standard licence conditions on their websites, along with application forms for licences. Some LEAs offer licences that cover a group of children for a production, though that can only cover those children who live within their jurisdiction. Some neighbouring LEAs work closely together, which can reduce the bureaucracy. In some cases, groups who primarily work with children and who are well established can obtain a Body of Persons licence (see section 8). Even when a licence is not required, some LEAs ask to be notified about children taking part in performances and all require that children's welfare will be paramount.

Local authorities take the welfare of children seriously, not least because their officers are held responsible if anything goes wrong. Some LEAs take a very enlightened attitude towards extra-curricular activities, such as amateur theatre, in addition to their responsibility for child protection. Wherever possible, societies will gain from having an open and positive relationship with their LEA that allows confidence to build. It is always possible for a society to ask for review by the relevant ombudsman if they feel that an LEA is acting unreasonably, but that should be an action of last resort.

Originally, the Education Welfare Service in each authority took responsibility for licensing. Fewer authorities have Education Welfare, preferring services such as Education Psychology. Authorities still have the legal duty to administer and regulate children taking part in performances, but it is not always clear where the responsibility now resides. In Northern Ireland, the Education and Library Boards act as the responsible authorities.

5 THE ROLE OF THE LAW

Children involved in the theatre are covered by laws relating to their protection from harm and to limiting their 'employment' (see Appendix A). Where the law deems that a licence is required, e.g. when payment is involved, or the child performs on more than 4 days in any period of 6 months, it also defines how his welfare should be protected during the period of the licence. The law is also precise about the hours that a child may be on the theatre premises, whether licensed or not (see section 9). It is tempting to assume that if a licence is not needed then many of the specific requirements can be ignored. However, the licence requirements can also be viewed as an implementation of good child protection practice and should be in place regardless of whether a licence is needed. This is the view that several LEAs express.

The legal system in the UK is based on a combination of common law and statute law as interpreted from time to time by the courts. Unfortunately, this means that even legal experts can only give their opinion about how legislation should be interpreted until specific issues are decided either by case law or by judicial review. For instance,

the Home Office acknowledges that the definition of 'performance' in the 1963 Act will have to wait for a decision in court. LEAs have had a tendency to place child protection ahead of the wider welfare of children, sometimes making it very difficult for societies to involve children at all. There is some evidence of change as the importance of social activities, such as amateur theatre, on the wider development of children is being recognised. It is incumbent on all societies to build on this by demonstrating the value of involving children in their activities. Much of what has been achieved in this area would be undermined if any child came to harm, meaning that good practice in child protection should be in place at all times.

6 CHILD PROTECTION

Every one involved with children has a duty to protect them from harm. All societies should establish a Child Protection Policy (see separate NODA factsheet) and procedures relevant to its implementation. This section discusses some specific issues.

Responsibilities – Whereas asking someone to act as Child Protection Officer is a good idea, the responsibility for Child Protection always lies with the Trustees or Managing Committee. Trustees should regularly review how their procedures are working to satisfy themselves that their policy is being fully implemented.

Rules – Most Child Protection Policies tend to assume clear distinctions between children, members of staff, parents and other adults. In amateur dramatic groups, these distinctions may be fuzzy or absent making it more difficult to ensure that all the children feel valued and are safe. Some societies find it useful to establish a clear set of rules for both adults and children. Trustees must act as impartial arbiters, ensuring that all children are treated equally, regardless of whether or not their parents are present, for instance.

Recruitment and DBS checks – Assessing the suitability of a person to work with children is very difficult, but some basic steps can help. First, it is essential that the role be clearly defined, particularly as it relates to children, even when it is to be filled by someone well known to the society. Background checks, including CRB, should always be made. Talking to someone who has known the applicant for several years is far better than a written reference – few people will give a bad reference. Anyone taking on a new role should be mentored until she is well embedded into the role.

External people – From time to time, societies will welcome the advice or help from people with specific expertise and it would often be appropriate to ask them to go through DBS checks or provide references. This does not stop them from being advised about the policies and procedures that are in place and being expected to follow the rules. They should always be observed while with any of the children.

Monitoring – While background checks should prevent unsuitable people working with children, these cannot provide absolute assurance. Individuals can also have different opinions about what should be acceptable or what could inadvertently place themselves into compromising situations. For all of these reasons, everyone working with children should be monitored, which they should welcome as part of their own developing good practice. This demands an open culture in which issues can be aired without people feeling unfairly criticised.

Dealing with issues – It is fortunately rare that children are abused while in the care of theatre groups. If any abuse is suspected then the Child Protection Policy should include clear guidelines about how and to whom that should be reported. There is never any justification for abuse to be ignored, or dealt with internally, by the society. More often, situations will occur where favouritism, unkindness, bullying or a myriad of other causes will make a child feel unhappy. Children need to feel able to turn to someone for support and to trust that action will be taken. Children's welfare remains paramount so, for instance, cannot be superseded by the imperatives of getting a production ready for the opening night.

7 SUPERVISING CHILDREN

Whereas everyone has a responsibility to protect children from harm, there will usually be a need to have some adults specifically designated to supervise children.

Chaperones – A chaperone (or matron) is a person whose sole role is protection of the welfare of the children in their care. They stand in loco parentis and should exercise the care expected of an attentive parent. For situations covered by a licence, chaperones must be licensed by the local authority. Most chaperone licences include an enhanced DBS check plus an interview or training session. One authority deems such extended licences as illegal and only issues chaperone licences for the same period as performance licences.

Although chaperones are only legally required for periods covered by a performance licence (see Appendix C), they can play a very important role both for unlicensed performances and for other activities such as rehearsals. The full chaperone role comes into its own during public performances when there are more people around and most people's attention is focused on the stage. Every child should be assigned to a chaperone, whose sole duty is to look after the children in their care. The number of children, their ages, genders and their roles in the performance, will all help to determine how many children a chaperone can realistically look after, though the maximum is 12. At times other than performances, some of these strictures can be relaxed since the risk profile is different. It may, for instance, be possible for chaperones to also be doing other tasks or work more as a group, so long as they are available whenever needed by a child and that the children feel looked after. The guiding principle should always be that of the 'attentive parent'.

Parents – Usually, the first person a child looks for at a point of uncertainty or crisis is their parent or guardian, as it should be. Legally, parents always take precedence over other carers. However, this can potentially lead to awkward situations if the child is in the care of a chaperone and parents should be asked to abide by the society's rules. Parents who are looking after their own child, i.e. not acting as chaperones, should not help other children.

Many of these issues can be alleviated when parents become licensed as chaperones. They need to make it clear to their child when they are performing their chaperoning role and to treat all children in their charge equally.

Relatives – Relatives other than parents or guardians should only supervise children, even those to whom they are related, if they are licensed as chaperones. No adults who are not involved in a production should be backstage during a performance. This may seem harsh, and difficult to enforce, but makes it easier for both children and chaperones.

8 LICENCES

The general principle is that children need to be licensed to take part in a production if it is considered commercial, if the child will perform on more than 4 days in any period of 6 months or if the child will need to take time off from school. Commercial productions are those that include payment, other than covering expenses, to any performer or recording for any form of public showing. Charging for tickets does not automatically make a production commercial.

Performance licence – Individual performance licences are issued by the local authority of the area in which the child lives, known as the licensing authority. The licensing process is designed to include situations where children are heavily involved to an extent that they need tutors or lodgings. It is rare that an amateur performance would have such requirements but still uses the same application form. There are three parts to the application:

- Part 1 is completed by the person responsible for the production, usually the director, and covers details of:

- the production
- amount of involvement by the child
- arrangements made for looking after the child's welfare
- summary of other children taking part

- Part 2 is completed by the parent or guardian and focuses on more personal details about the child:

- home and school addresses
- licensed and unlicensed performances in the preceding 12 months
- other employment
- consent

- Supporting documents, including:

- birth certificate, or equivalent
- child's photograph
- contract, or similar document
- declaration that the part taken by a child under 14 can only be played by a child
- medical certificate

The licence regulates all performances and rehearsals while it is in force.

In Wales, there is also a legal requirement for the child's head teacher to give permission before a licence can be granted. Some other authorities have adopted a similar approach.

Body of Persons Licence – The legislation refers to a Body of Persons licence that can be issued either by the local authority or by the Secretary of State. Unfortunately, there is no legal definition of such a licence and, hence, it is up to local authorities whether they will issue Body of Persons licences and under what terms. There are at least three variations:

- A licence granted to a youth group that names the people running the group and covers any children who are members of the group. The licence conditions will normally encompass many of the regulations of a performance licence, but do not require specific productions or children to be named. The exemption granted to the Scout and Guide associations for Gang Shows by the Secretary of State is an example of this form of licence.

- A more restricted version is a licence that names a set of chaperones and children who are involved in a specific production. Again, the licence conditions will normally be very similar to those of a performance licence, but the local authority does not require as much detail on each child.

- The final version groups performance licence applications. The same level of information is required, including parental consent and medical certificates, and licences are provided for each child.

Notification – Many local authorities require notification of any production involving children even if there is seemingly no requirement for licences. There are three main reasons why it is wise to notify the local authority:

- The rule regarding no more than four performing days in the last 6 months includes any performance. The local authority can satisfy itself that this is not being exceeded.

- Local authority inspectors have the power to stop a production if they believe that licences should have been obtained. A letter from the local authority agreeing that the production is exempt should avoid such an embarrassment.

- The willingness of a society to notify the local authority should help build trust and

demonstrate that the society is keen to promote best practice.

9 TIME RESTRICTIONS

There are several restrictions as to how much time a child, under compulsory school age, can perform or be at the place of performance and the intervals between performances (see Appendix D). Most of these restrictions apply whether or not the child is subject to a licence. For the purpose of these restrictions, rehearsals and performances are treated equally. There are a number of specific areas to note:

- Performances must be limited to 3.5 hours, with the child performing for no more than 2.5 hours.
- A child can only take part in two performances per day, or one performance if she has been at school for more than just the morning.
- A child must not be on the premises before 10:00am or after 30 minutes after the performance has finished. Children under 13 should have departed no later than 10:00pm and over 13 by 10:30pm. This can be extended to 11:00pm on up to 3 days in a week if necessary for the performance. This restriction means that children need to be on their way home by the times stated and, for instance, this could affect after show parties.

Although the regulations place these absolute limits on a child's attendance, the principle is that involvement in extracurricular activities should not be at the expense of schoolwork. While it cannot be their responsibility to ensure that homework is completed, a society can promote a culture that values education – even as the performance date looms! It may be pertinent, for instance, to set a quiet area aside where children can do their homework at times when they are not needed for performance or rehearsal. It is always open to a head teacher to restrict a child's involvement in performances if she feels schoolwork is suffering and she is likely to get full backing from the LEA.

10 PREMISES

Under health and safety legislation, there is a general requirement that premises should be suitable for the purposes for which they are being used. Risk assessments should take account of the age and number of children as well as specific hazards caused by scenery, props, cables and other paraphernalia associated with a production.

The regulations stipulate that, during the period of a licence, there must be suitable arrangements for children's meals, rest and recreation. They also require that suitable areas should be provided for children to dress and, for children of five and over, that there are separate areas for boys and girls. Most local authorities would deem that the areas could be separated by a curtain or tent where there are insufficient rooms. There is no specific legal requirement that children's dressing areas should be separate from adults, though this would normally be the case. Since these are examples of good practice, they should also be in place for unlicensed performances.

If a local authority inspector feels that the welfare of children has not been sufficiently protected, he has the power to stop the children taking to the stage. Societies can pre-empt such an outcome by inviting the local authority to inspect their plans beforehand

and discussing any issues as they arise.

11 CONTENT

One of the joys of performing is the opportunity to enter a fantasy world where actors can, for instance, explore emotional issues, portray violence or create risqué situations. Acting also encourages people to relax some of their inhibitions, essential for the art but a risk for protection of children.

Societies need to be aware of how children are reacting to the content of productions, and to be ready to deal with situations as they arise. Young children are unlikely to be involved in productions that deal with adult themes, but innuendo in a pantomime, for instance, could raise some interesting questions. There is potentially far more of an issue for adolescents, many of whom will have times of their own emotional trauma. Portraying lost love or the sadness of bereavement, could be uncomfortably close to reality, for instance. On the other hand, acting may be a therapy, allowing the young person to explore their emotions in a safe environment. The challenge for the society is to make sure that the environment is safe and that there are people on hand to provide support as and when it is needed.

12 RELATED MATTERS

Maintaining records - Full records, detailing at least times of attendance, performances, rest periods, meals and tutoring, must be maintained for each child covered by a licence. These records must be retained for at least 6 months after the last performance to which they refer. It is wise also to record similar information where licences are not in force to demonstrate that the limits have not been exceeded.

Data protection – Societies will necessarily hold more information about children than just their names and addresses and will therefore need to comply with the provisions of the Data Protection Act. This act regulates any situation where personal data is held in a structured system, whether that is on a computer or in a filing cabinet. All systems must comply with the eight data protection principles (see Appendix E).

First Aid – Children have accidents and feel unwell at times. Societies need to consider how they can provide adequate first aid cover whenever children are around. Funding first aid training for volunteer chaperones can be an astute move since it also, in part, repays them for their time and care.

Audiences – By extension, the society not only has responsibility for children involved with the production, but also children in the audience. Promotional material should make clear if the production includes content of an 'adult nature', and that could include pantomime innuendo.

Photography – Child protection policies routinely advise against taking photographs

of children and, particularly, identifying any children by name. Such a stricture is regularly ignored by the local press, often to the great pleasure of parents and children alike. Societies need to strike a balance by exercising care, always seeking parents' permission and making children aware that strangers could know their names. Photographs should never show children in embarrassing poses and close-ups should focus on the head and upper body.

APPENDIX A - SUMMARY OF RELEVANT LEGISLATION

This list of legislation identifies those sections that are most relevant to children in the theatre. This summary is for information only – it is not comprehensive nor does it seek to promote any specific interpretation of the law. All comments relate to the acts as currently updated (Sep 07). The full, amended texts of the acts can be viewed at www.statutelaw.gov.uk.

The acts and regulations listed are those specifically covering England, Wales and Northern Ireland. Scotland has its own version of the legislation that only differs by reflecting the separate legal administration. Child protection is an area that is the responsibility of the devolved administrations, which may lead to greater divergence of detail in the future. This list includes significant regulations from the devolved administrations.

Although societies may take the view that they are not 'employing' children, the law treats taking part in performances as a form of employment. Recent legislation also gives statutory effect to the general principle that everyone is responsible for protecting children from harm.

A.1 Children and Young Persons Act 1933

Section 18 sets out restrictions on employment of children.

Section 23 prohibits young people from taking part in dangerous performances.

A.2 Children and Young Persons Act 1963

Section 37 requires all children to be covered by a performance licence if:

- any charge is made for the performance
- the performance is in licensed premises
- the performance is recorded or broadcast for public use

unless,

- no one involved in the performance receives payment beyond defraying expenses
- the child has performed on less than 4 days in the preceding 6 months
- it is a school performance or covered by a Body of Persons licence

The remainder of section 37 previews the Regulations.

Section 38 requires a declaration that the part to be taken by a child under 14 can only be taken by a child of that age, unless the part is mainly musical as part of an opera or ballet.

Section 39 gives power to the local authorities, in which the child lives and in which the

performance takes place, to vary the conditions under which children can perform. This section also requires the licence holders to maintain records and gives them the right to challenge licence conditions.

Section 40 makes it a criminal offence for anyone to cause, or allow, a child to perform without the necessary licence or to fail to keep the necessary records.

A.3 Theatres Act 1968

Section 2 makes it an offence to present, or direct, an obscene play, so defined if its effect is such as to intend to deprave and corrupt persons who were likely to attend it. Societies can protect themselves by noting on promotional material if a production includes adult themes that would be unsuitable for children, since that limits the likelihood of children in the audience.

A.4 The Children (Performances) Regulations 1968 #1728

Amended by Statutory Instruments 1998/1678, 2000/10 and 2000/2384.

These regulations implemented Section 37 of the Children and Young Persons Act 1963. They include most of the detailed rules that cover situations where a licence is required and extend some of those for when a licence is not required.

Part 1 defines the information required by the licensing authority for grant of a licence. It also defines the records that need to be kept and made available up to 6 months after the performance.

Part 2 defines the number of performing days, issues around troupe work and the need for medical examinations.

Part 3 defines many of the conditions that have to be part of licences including tutoring, chaperones, arrangements for getting home, breaks in performances and production of the licence.

Part 4 limits numbers of performance days, lengths of performances and the earliest and latest times a child can be at the place of rehearsal or performance.

Part 6 extends part 4 to situations where a licence is not required.

This factsheet does not attempt a full interpretation of the regulations since this varies widely between local authorities. Most local authorities publish their own requirements that may include extra local bylaws.

A.5 Children's Act 1989

Section 1 of this act established the principle that the child's welfare is paramount in any decision that affects them.

A.6 EU Council Directive 94/33/EC of 22 June 1994

Article 5 requires the employment of children for the purpose of performance in cultural activities always to be licensed. UK Government has suggested that this would remove the allowance for four days of unlicensed performances in any 6 month period. This has not been implemented so far in UK law.

Other changes required by this directive have been included in amendments to UK acts and regulations.

A.7 Children (Public Performances) Regulations (Northern Ireland) 1996

Basically a restatement of the 1968 Regulations, but with specific references to Northern Ireland and the Education and Library Boards.

A.8 Education Act 1996

Section 558 defines a child, for the purpose of child employment legislation, as anyone not over compulsory school age.

Section 559 gives the local education authority the duty to prohibit employment of a child if it is detrimental to her education.

A.9 Police Act 1997

Part 5 set up the Criminal Records Bureau

A.10 Data Protection Act 1998

The DPA regulates any situation where personal data is being stored or processed. It is based on eight fundamental principles (see Appendix E).

A.11 Protection of Children Act 1999

This act established the basis for government agencies to maintain lists of people considered unsuitable for working with children. Subsequent amendments made it an offence for many childcare organisations to employ someone who was on one of the lists.

A.12 The Children (Protection at Work)(Scotland) Regulations 2000

Tightens up some details concerning employment of children.

A.13 Licensing Act 2003

One of the four main intentions of the Licensing Act is to protect children from harm through the sale or consumption of alcohol. Sections 145 to 154 detail the legal position, but also allow the local authority to impose their own regulations. The important change is that the licence covers the whole premises and not just the bar area. This could, for instance, affect teenagers having a drink in an after show party.

A.14 Children's Act 2004

Section 11 places a statutory duty on key people and bodies, including local authorities, to safeguard and promote the welfare of children.

The statutory guidance relating to Section 11 includes the following statements regarding child employment:

Young people's development through legitimate employment should be encouraged,

however, it must be ensured that work is done in a safe environment and within sensible constraints. Local authorities are responsible for administering child employment legislation and local bylaws.

The Local Authority Education Welfare Service is responsible for administering the child employment legislation, currently contained in local bylaws. The health, education and wellbeing of every child for whom a work permit or performance licence is issued, must be protected. Employers of children also have a responsibility to safeguard and promote the welfare of children by applying to the local authority for an employment permit.

A.15 Safeguarding Vulnerable Groups Act 2006

In essence, this act will make it an offence to engage anyone to work with children whose name is on lists to be held by a new government agency, the Independent Safeguarding Authority (ISA). Names of people cleared by a CRB disclosure will be added to a cleared list that will be open for inspection by parents, employers or other people. The ISA will track and update the status of people on the cleared list. This will have several effects:

- In many cases, multiple CRB checks will be unnecessary since societies can inspect the cleared list.
- The onus for making decisions about CRB disclosures will move to the ISA.
- Engaging a barred person, or not checking, will become a criminal offence.
- Societies will have a duty to inform the ISA about any causes of concern they may have about someone possibly harming children.

A.16 The Children (Performances) (Amendment) (Wales) Regulations 2007

These amendments modify some of the specific details in the 1968 Regulations. The most important changes are to require permission from a head teacher before granting a licence, tighten up approval of matrons and require adherence to an approved Child Protection Policy.

APPENDIX B - DEFINITIONS OF HARM AND ABUSE

Taken from the Government publication, "What to do if you're worried a child is being abused" (DfES 2006).

B.1 What does safeguarding and promoting the welfare of children mean?

Safeguarding and promoting the welfare of children is defined for the purpose of statutory guidance under the Children Acts 1989 and 2004 respectively as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

B.2 What is significant harm?

Some children are in need because they are suffering, or are likely to suffer, significant harm. The Children's Act 1989, introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. The local authority is under a duty to make enquiries, or cause enquiries to be made, where it has reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm (S47 of the Children's Act 1989). To make enquiries involves assessing what is happening to a child. Where S47 enquiries are being made, the assessment (the 'core assessment') should concentrate on the harm that has occurred, or is likely to occur, to the child because of child maltreatment in order to inform future planning and the nature of services required. Decisions about significant harm are complex and should be informed by a careful assessment of the child's circumstances, and discussion between the statutory agencies and with the child and family.

B.3 What is abuse and neglect?

Abuse and neglect are forms of maltreatment – a person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children and young people may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent, or carer, fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional abuse is the persistent emotional maltreatment 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, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual abuse involves forcing, or enticing, a child, or young person, to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual on-line images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect is 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. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born it may involve a parent failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- protect a child from physical and emotional harm or danger
- ensure adequate supervision (including the use of inadequate care-givers)
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

APPENDIX C - DUTIES OF CHAPERONES

Both legislation and local authorities outline the duties of chaperones (either male or female), which typically include:

- The first duty of a chaperone is to the children in her care. While acting as chaperone, she must not engage in any activity that would interfere with the performance of her duties. Except when a child is in the care of a teacher, or the child's parent or guardian, the chaperone is in loco parentis, and she should exercise the care that an attentive parent might be reasonably expected to give that child. A chaperone should aim to secure children's health, comfort, kind treatment and moral welfare.
- The precise duties, while the child is at the place of performance, will vary according to the nature of the performance. The chaperone's main duties will be to ensure that children are properly supervised and have adequate meals, rest and recreation. This includes the period in between performances, if there are two performances on the same day.
- The maximum number of children in the chaperone's care at any time may not exceed 12, but ages and conditions may mean that this should be less. It is advisable for chaperones to liaise with each other and to work as a team.
- The chaperone should understand the terms of the performance licence and see that, as far as lies within her power, the conditions are properly fulfilled. This includes times at the theatre, periods performing and safe arrangements for getting home.
- Chaperones should be gender appropriate. This means that for a mixed cast of boys and girls requiring separate dressing rooms, there should be at least two chaperones.
- In the event of any contravention of the licence, or incident affecting the well-being of any children, the chaperone must inform the Licensing Authority at the earliest opportunity.
- 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.

APPENDIX D - STATUTORY LICENCE RESTRICTIONS (May be varied by other administrations)

Performances (same day)	Either 1 performance & 1 rehearsal OR 2 performances.	
Performances per week	Either 1 performance & 1 rehearsal OR 2 performances Max. 6 days per 7 day week Max. 8 consecutive weeks requires 2 week interval before performing again in ANY production.	
Time gap between performance days	14 hours must elapse between the end of one day's performance and the beginning of the next.	
Performance Time	Max. 3.5 hrs including breaks.	
Appearance in Performance	Max. 2.5 hrs aggregated.	
Intervals	1.5 hours minimum between 2 performances OR 1 performance & 1 rehearsal.	
Exception to Intervals (in any week)	On not more than 2 days minimum of 45 minutes interval between performances and/or rehearsals. Maximum 6 hours at place of performance.	
School Day	ONLY 1 performance OR 1 rehearsal if attending more than the morning session at school.	
Medical	Required if performing for a period longer than 1 week or over 6 consecutive days.	
	Age 12 & Under	Age 13 & Over
Earliest Arrival	10.00am	10.00am

	Age 12 & Under	Age 13 & Over
Latest Departure	The earlier of 10.00pm or 30 min. after completing rehearsal or performance.	The earlier of 10.30pm or 30 min. after completing rehearsal or performance.
Exception	If essential for the performance, not later than 11.00pm on not more than 3 evenings per week, for up to 8 evenings in a period of 4 consecutive weeks.	
Arrangements for getting Home	The licensee shall ensure that suitable arrangements (having regard to the child's age) are made for the child to get to his home, or other destination, after the last performance, or rehearsal, or the conclusion of any activity on any day.	

APPENDIX E - DATA PROTECTION PRINCIPLES

The eight principles enshrined within the Data Protection Act 1998:

- Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless the subject has given explicit consent*.
- Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- Personal data shall be accurate and, where necessary, kept up to date.
- Personal data processed for any purpose, or purposes, shall not be kept for longer than is necessary for that purpose or those purposes.
- Personal data shall be processed in accordance with the rights of data subjects under this Act.
- Appropriate technical and organisational measures shall be taken against unauthorised, or unlawful, processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- Personal data shall not be transferred to a country, or territory, outside the European Economic Area unless that country, or territory, ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Personal data includes any information relating to an identifiable live individual.

Processing encompasses creation, modification, storage and retrieval.

* There are situations, mainly related to statutory obligations, where data can be processed without the subject's consent.