

THE CHILDREN (PERFORMANCES AND ACTIVITIES) (SCOTLAND) REGULATIONS 2014

CHECKLIST FOR APPLICANTS

1.	Application Form completed and signed*	<input type="checkbox"/>
2.	Application form completed and signed by the parent/guardian of the child*	<input type="checkbox"/>
3.	Copy of birth certificate of the child (or other satisfactory evidence of child's age enclosed)*	<input type="checkbox"/>
4.	Copy of the contract – particulars of the performance in which the child is taking part (including rehearsals and hours relating to age of child)*	<input type="checkbox"/>
5.	2 identical unmounted prints of a photograph of the child taken within the preceding 6 months*	<input type="checkbox"/>
6.	Letter/e-mail from child's school giving permission for absence (if time off school is required)* or head teacher's signature on form*	<input type="checkbox"/>
7.	Copy of risk assessment of premises where child is performing*	<input type="checkbox"/>
8.	Statement from child's parents that they are medically fit for proposed activity (if applicable)*	<input type="checkbox"/>
9.	Copy of PVG/Scheme of Membership Statement for chaperone*	<input type="checkbox"/>
10.	Details of the overnight accommodation where the child is staying if different from home address (if applicable)*	<input type="checkbox"/>
11.	Have suitable arrangements been made for transport of the child? (if applicable)	<input type="checkbox"/>
12.	Have suitable arrangements been made to educate the child? (if applicable)*	<input type="checkbox"/>
13.	Copy of PVG/Scheme of Membership Statement for private teacher (if applicable)*	<input type="checkbox"/>
14.	Copy of private teacher's registration with professional body (if applicable)*	<input checked="" type="checkbox"/>

***Check box to confirm that these documents are enclosed.**

CONDITIONS APPLYING TO ALL PERFORMANCES (PART 5 OF THE REGULATIONS)

CHILD PERFORMANCE WORKING HOURS

Age of Child	Maximum Duration of Attendance and Performance per day	Latest and earliest hours of attendance	Breaks
0-4	Attend 5 hours Perform 2 hours	0800-2000 but can be extended by half an hour in exceptional circumstances and with agreement of the chaperone. Any additional extension must be agreed with the licensing authority	A break of at least 15 minutes after every 45 minutes performing or rehearsal.
5-8	Attend 8 hours Perform 3 hours	0700-2300 but can be extended by half an hour in exceptional circumstances and with the agreement of the chaperone. Any additional extension must be agreed with the licensing authority.	A break of at least 15 minutes after every half of performing or rehearsing. A food break of not less than 1 hour if present for more than 3 1/2 hours.
9- school leaving age	Attend 9 1/2 hours Perform 4 hours	0700-2300 but can be extended by half an hour in exceptional circumstances and with the agreement of the chaperone. Any additional extension must be agreed with the licensing authority.	A break of at least 15 minutes after every hour or performing or rehearsing. A food break of not less than 1 hour if present for more than 3 1/2 hours. A further meal break of a least 30 minutes if present for more than 8 consecutive hours.
There must be minimum 12 hour period between a child leaving a place of performance or rehearsal on one day and returning the next. Where a child has participated in a performance after the latest permitted hour, the child must not take part in any other performance or rehearsal until at least 16 hours have elapsed since the end of the performance. (See regulations 22 and 28 respectively for more detailed information on this.)			
Suitable arrangements must be made to protect, promote and support the wellbeing of the child whenever they are not performing or rehearsing. This should include access to food, play opportunities etc.			

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CHAPERONES CHECKLIST

Essential Criteria

Demonstrable experience of working with children and young people, including previous experience of acting as a chaperone to children and young people*	<input type="checkbox"/>
2 Character References*	<input type="checkbox"/>
Photo ID*	<input type="checkbox"/>
Current membership of Protection of Vulnerable Groups Scheme*	<input type="checkbox"/>
Doctor's confirmation that they are fit and well – as required*	<input type="checkbox"/>
Details of any previous and/or current listing on another licensing authority's administrative chaperone register*	<input type="checkbox"/>
Face to face interview*	<input type="checkbox"/>

Desirable Criteria

Awareness of the UNCRC and the Rights of the Child*	<input type="checkbox"/>
Knowledge of the Common Core of Skills, Knowledge and Understanding and Values of the Children's Workforce*	<input type="checkbox"/>
Awareness of Getting it Right for Every Child (GIRFEC)*	<input type="checkbox"/>
Awareness of the concept of Wellbeing and how to promote the wellbeing of children of varying ages*	<input type="checkbox"/>

***Check box to confirm these measures have been followed.
(Licence can be refused if essential criteria not completed)**

Verified by: _____

Date: _____

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RISK ASSESSMENT – RISKS AND MITIGATION

Introduction

1. In assessing the potential risks that may arise from a child's participation in a performance or licensed sporting or modelling activities, applicants for a licence¹ must take account of all factors potentially affecting the wellbeing of children and young people.

Wellbeing

2. Our understanding of children's wellbeing builds on the rights set out in the United Nations Convention on the Rights of the Child (UNCRC), an international treaty which sets out the guarantees that each and every child must have if they are to enjoy a healthy and happy life. While the UNCRC describes the guarantees that every child can expect, the term 'wellbeing' describes the positive outcomes that children are likely to experience as a result of those guarantees being delivered. This holistic approach to wellbeing includes that need for the child to be safe, healthy, achieving, nurtured, active, respected, responsible and included.

Risk Assessment

3. While participating safely in well-managed performances or activities can have many positive benefits for the wellbeing of children and young people, there is potential for children involved in these activities to be exposed to risks to their immediate safety and longer term wellbeing. For this reason, under schedule 1 of the Children (Performances and Activities) (Scotland) Regulations 2014, applicants are required to undertake a careful analysis of the risks and potential harms arising from the child's particular involvement in a performance or activity and to put in place measures to negate or mitigate any possible negative impact on the child's wellbeing. A copy of the completed risk assessment must be submitted as part of the licence application process.
4. The following must be considered within any assessment of the risks.

Individual Needs of the Child

5. Children and young people differ in their vulnerabilities and resilience. Their age, gender, physical and mental capacity, maturity, cultural, ethnic and religious background and their previous life experiences can all affect how they might respond to the specific circumstances and nature of a performance. These must, therefore, be considered when assessing the distinct risks to which individual children might be exposed in consequence of their participation in a performance or activity.

¹The applicant is responsible for arranging professional or amateur performances or the organisation of, or engaging of a child or young person in a licensed activity.

Consent

6. The autonomy and dignity of performers or those taking part in an activity should also be respected at all times. This means that valid consent must be in place throughout the performance or activity and a right to withdraw at any point should be made clear to each participant.
7. Valid consent may require consent from persons other than the performer or participant, such as parents, or guardians. Children of any age should be regarded as competent to give consent verbally or through their 'assent' as displayed in their conduct and willingness to continue in the performance or activity. The behaviour of very young children, in particular, should be monitored for signs of unwillingness to continue. Unlike in England, where the age of capacity is 18, in Scotland the age of capacity is 16, so those over 16 but under 18, may provide sole written consent.
8. When signs are displayed that assent is no longer being given, the applicant must endeavour to resolve any issues for the child such that they may choose to continue under a different set of conditions. If the child still does not want to be involved, where relevant, only filmed footage taken up until the point of unwillingness to perform may be used.
9. Aspects of the performance that have associated risks, and the mitigation measures proposed, should be explained clearly to the child or young person, and other persons consenting to the child's participation in the performance or activity, before the child's consent is sought.
10. In carrying out a risk assessment care must be taken to also consider the following risks:
 - Injury – environmental hazards
 - Ill health – exposure to dangerous materials, environments and potential infection
 - Psychological harms – exposure to damaging behaviour and experiences
 - Lack of adequate management control
 - Lack of competent staff and chaperonage
 - Failure to ensure valid consent
 - Failure of supervision
 - Unsuitable transport arrangements
 - Excessive performance demands – with regard to individual characteristics of performers
 - Inadequate provision for emergencies
 - Unwelcome contact – physical or other invasive/abusive contact
11. A model template for a risk assessment is attached in the Annex to this note.
12. The nature and extent of risks under these headings and any other aspects of the performance or activity that carry additional risk must be described in the licensing application/risk assessment together with the appropriate measures for their mitigation.
13. As risks may change in severity and new risks emerge in the course of a performance or activity, constant monitoring of risks and mitigation measures is a crucial element in safeguarding children and young people.

RISK ASSESSMENT – RISKS AND MITIGATION

Child's Details

Child's Name: _____

Child's Address: _____

Date of Birth _____

Performance/Activity

Description of
Performance/Activity
for which licence is
being applied

Name of Applicant: _____

Signature of Applicant: _____

Date of Application: _____

RISK ASSESSMENT – RISKS AND MITIGATION

*Degree of Risk – 1 = green (none or minimal); 2 = amber (moderate); 3 = red (high/severe)

Risk Category	Potential Harm	Risk Present? Yes/No	Degree of Risk*	Description of specific risk and mitigation/control measures	Notes/Comments	Date Risk Assessed
1. Environmental/physical						
Falling injury	Minor or serious injury					
Exposure to extremes of temperature						
Exposure to adverse weather conditions						
Injuries from staging/scenery						
Participation in stunts/in the vicinity of stunts/special effects						
Risk Category	Potential Harm	Risk Present? Yes/No	Degree of Risk*	Description of specific risk and Mitigation/ control measures	Notes/ Comments	Date Risk Assessed
2. Health						
Infection	Sudden illness					
Fatigue	Illness or injury					
Dehydration	Illness/fainting episodes					
Inappropriate diet	Feeling unwell/ nausea					

Risk Category	Potential Harm	Risk Present? Yes/No	Degree of Risk*	Description of specific risk and mitigation/control measures	Notes/Comments	Date Risk Assessed
3. Psychological						
Emotional content eg. violent, sex, drug use	Emotional distress Engendered fears					
Competition eg. Talent show, sports	Emotional distress Harm to self-esteem					
Invasion of privacy	Emotional distress Loss of autonomy					
Sexual content	Precocious sexualisation Moral damage					
Other content inappropriate to age of child	Sanctioning/encouraging inappropriate behaviour					
Stress/coercion	Insecurity Distress/anxiety Mental fatigue Loss of autonomy					
Peer group activity	Bullying Peer pressure					
Shock/trauma	Emotional distress Engendered Fear/anxiety					
Insult to dignity	Embarrassment/distress					
Exposure to occult/super-natural content	Engendered fears					
Other (specify)						

Completed by: _____

Date: _____