



Policy Reviewed: April 2024  
Next Review: April 2026

### **Designated Safeguarding Leads:**

Amy Wyllie (Artistic Director) – 07709 424948 or amy@spinningwheeltheatre.com  
Rebecca Gibbs (Executive Director) – 07812 130064 or becca@spinningwheeltheatre.com  
Harriet Brill (Board DSL) – 07786 544396 or harrietbrill@hotmail.com  
Elizabeth Downie (Board DSL) – 07775 778228 or liz@erdconnection.org.uk

For 'Reporting abuse' guidelines, see Annex A.

This policy recognises the obligations and duty of care of organisations working with children and young people as covered in the Children Act (1989). This Act defines children and young people as anyone up to the age of 18 years.

A vulnerable adult is a person who is, or may be, in need of community care services because of mental disability or other disability, age or illness, and who is, or who may be, unable to take care of themselves or unable to protect themselves against significant harm or exploitation (see Arts Council England, Keeping Arts Safe, 2005).

Safeguarding is defined by government inter-agency statutory guidance as:

- Protecting children/vulnerable adults from maltreatment;
- Preventing impairment of children's and vulnerable adults' health or development;
- Ensuring that children are growing up in, and vulnerable adults are living in, circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children and vulnerable adults to have excellent life chances.

We recognise we have a duty to safeguard and promote the welfare of the children and vulnerable adults we work with, including our responsibility to report any allegations or concerns that come to our attention. The welfare of the child/vulnerable adult is paramount and The Organisation holds the view that all children and vulnerable adults, without exception, have the right to protection from all forms of abuse.

The body with overall and final responsibility for Safeguarding in Spinning Wheel Theatre is the Board of Trustees. The Artistic Director reports to the Board of Trustees and in turn delegates responsibility for overseeing, implementing and monitoring the policy and investigating shortfalls to the Artistic Director, Executive Director and Designated Safeguarding Leads (DSLs).

### **Who does this policy apply to?**

The Organisation recognises that it is the responsibility of each one of its staff, paid and unpaid, to prevent the physical, sexual or emotional abuse or acts of neglect or omission of children and vulnerable adults and to report any abuse discovered or suspected.

---

The Organisation aims to ensure that all children and vulnerable adults are welcomed onto its premises and programmes/activities, and will experience a safe, caring environment in a happy and friendly atmosphere. We do an appropriate Risk Assessment of our activities and premises in advance of sessions. To safeguard children/vulnerable adults we plan the work of the group to minimise situations where the abuse of children/vulnerable adults may occur.

We have adopted the The Children's Act guidance that recommends that the following staff ratios, number of adults should be present when working with children. If there are not enough leaders, the event will not take place:

0-2 years	1 leader to every three children
2-3 years	1 leader to every four children
3-8 years	1 leader to every eight children
Over 8 years	1 leader to ten children and one more for every further twelve children.
Vulnerable adults	on assessment of the needs of the individual(s)

An exception to this ratio may apply where the activity is designed for families and parents/guardians/carers are to be present for the activity.

### **Code of Conduct**

Each project will have its own bespoke risk assessment, and expectations for general behaviour is captured in the organisational code of conduct document.

### **Consent/medical forms**

We have consent forms including medical details for children and vulnerable adults attending the activity. See Annex B. Where special activities or events are run, additional consent is received from the parents/carers in advance.

As it is good practice, we keep a record of each activity/session. This record includes a register of participants, with their address and contact phone number, and a register of staff present and details of any significant incidents. These records are kept securely, in line with our Data Protection policy.

### **Photography/filming**

Any photography or filming of children and vulnerable adults at our activities will be subject to the consent of the parents/carers being received in advance of an event with a clear purpose as to why the photos are being taken, by whom and for what purpose. No one will be identified by their full name, age or address. As per our consent form (see Annex B).

### **Training**

We are committed to supporting, resourcing and training those who work with children or vulnerable adults and to providing appropriate supervision.

Our Board DSLs and Artistic and Executive Directors will receive safeguarding training every 3 years.

Other employees working with children/vulnerable adults will be expected to present or undertake a DBS check. All staff will be given, as part of their Induction/Introduction to the role, a guide to recognising the forms of abuse and a copy of this procedure so they know how and who to report any concerns to. (See Annex A for signs and reporting procedures).

### **Well-being**

All staff will have the opportunity to be given regular support meetings to help them with their role and to obtain feedback.

Private spaces for costume changing will be provided for individuals to use if they wish, in order to protect their privacy and dignity.

### **Safe Recruitment**

We recognise the importance of having the right people working with the children/vulnerable adults. To ensure this, we do the following:

- All staff working alone with children/vulnerable adults will be subject to an enhanced DBS check. This process is done immediately when starting, and in advance when this is possible. While waiting for a DBS check to arrive the person will never be left alone with children unsupervised.
- All staff who are working in loco parentis will complete an application form for the role, including two references who can comment on their suitability to work with children/vulnerable adults (Annex C). These references have to be received and accepted before the person is able to start. The person applying also has to provide two forms of identification to verify their identity and address, at least one of which should be recent photographic evidence (e.g., current passport or drivers licence) the other a recent utility bill or other proof of address, which will be stored in compliance with GDPR regulations.
- When working in settings where others are working in loco parentis (i.e., in a workshop where parents/carers are always present), a DBS check is preferred, but is not a legal requirement.

### **Information Sharing**

The Organisation is committed to maintaining good links with the statutory child care authorities. We recognise that the people we work with and their families need to feel reassured that their confidentiality is respected. In most cases we only share information about them with their consent, but there are circumstances where we need to override this consent. The exception to this is where not sharing information would put that child, vulnerable adult or others at increased risk of significant harm. Or, if it would undermine the prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with any potential investigation.

The safety and welfare of a child or vulnerable adult will always be considered when making decisions on whether to share information about them. Where there is concern that the person

may be suffering or is at risk of suffering significant harm, their safety and welfare must be the overriding consideration.

### **Communication with children and vulnerable adults**

#### **Communication via telephone**

Staff should communicate directly with parents/carers or next of kin of children and vulnerable adults via phone calls or texts.

#### **Communication via email**

Staff will, on occasion, be required to email children and young people using their personal email address. In all cases staff should use formal language to avoid any misunderstanding on the part of the recipient and should be carbon copied to the parent/carer as well. Staff members who have concerns regarding content of an email that they send or receive from a child/young person should consult a Designated Safeguarding Lead for guidance.

#### **Social media**

Spinning Wheel Theatre recognises that social media can be a legitimate and effective way to communicate with children and vulnerable adults. Current social media applications frequently used by the organisation include X (formally Twitter), Facebook and Instagram and YouTube.

Current organisational accounts are as follows:

X	@SpinningTheatre
Facebook	Spinning Wheel Theatre
Instagram	@SpinningWheelTheatre
YouTube	@spinningwheeltheatre5875

Direct messaging with children and vulnerable adults through such forums should not take place through organisational or personal accounts.

Spinning Wheel Theatre does not expect its staff to protect their personal social media accounts (thereby making sure their content is only visible to followers approved by the account holder) however it does ask all staff to respect their association with the organisation when posting.

#### **Online Participation**

Where initiating live, online participatory sessions involving children or vulnerable adults, safeguarding protocols must be followed and additional measures adopted;

- Risk Assessments must be completed before online sessions commence;
- Online Session Consent Forms must be completed before online sessions commence (this should include permissions for recordings to take place) – see Annex B;
- Spinning Wheel Theatre will always set up and host the online sessions;
- Spinning Wheel Theatre staff are responsible for ensuring the system is not left open for others to misuse or for contact to be made outside of the scheduled sessions;
- Spinning Wheel Theatre will not deliver any 1:1 activity during online sessions;
- Freelance artists must always be accompanied by a Spinning Wheel Theatre staff member for the full duration of the online session;

- All online sessions will be recorded and retained to safeguard staff, as well as for evaluation purposes.

All Spinning Wheel Theatre staff, participants, and parents/carers must agree to the following before participating in online sessions;

- Suitable environment - Everyone must be physically located in safe spaces, appropriate for online sessions;
- Dress code – everyone must be dressed appropriately for online sessions. Attire which would ordinarily be worn at in-person sessions is essential.
- Online Identity – participants must use their real name to be admitted into the session.
- Recording for safeguarding – all online sessions will be recorded and retained for security and evaluation purposes. All participants or parent/carers must agree to recording in advance, or participants cannot take place.

### **Performances by participants**

Children participating in performances are required to be licensed. See Annex F for details on this procedure.

### **Whistleblowing**

The NSPCC Whistleblowing Advice Line was commissioned by the Home Office in response to a recommendation for “a new whistleblowing national portal for child abuse related reports.” The line offers free advice and support to professionals with concerns about how child protection issues are being handled by an organisation. You can contact this line if you are concerned that:

- Spinning Wheel Theatre’s safeguarding procedures are not clear
- An issue is not being dealt with properly
- You are being treated unfairly regarding a safeguarding concern

A trained NSPCC practitioner will discuss your concerns, talk you through the whistleblowing process, and liaise with the relevant authorities. Calls can be made anonymously, and callers can request for contact details not to be shared with other agencies.

NSPCC Whistleblowing Advice Line

help@nspcc.org.uk

0800 028 0285

### **Data Protection**

All information will be held in line with GDPR standards. For more information, see our Data Protection policy.

### **Review**

Spinning Wheel Theatre recognises its responsibility to implement, maintain and regularly review procedures, which are designed to prevent and to be alert to such abuse. These reviews will be done by the Board biannually. A record of any incidents will be securely held and investigated.

## ANNEX A

### Procedure for reporting abuse (actual or suspected)

The following procedures must be followed:

- Report it – do not delay. All suspected abuse must be reported in confidence as soon as is possible and followed up in writing within 24 hours.
- Discuss your concerns with one of the Designated Safeguarding Leads (see pg 1 or 13 for contact details).
- If none of the DSL's can be reached, speak directly to Suffolk County Council's Customer First Support Service (0808 800 4005) or Norfolk County Council's Social Services (0344 800 8020)
- Assist with making a referral to Children's Social Care and/or the Police.
- If you are worried about the immediate safety of a child/young person and cannot contact a DSL or social services, call the police on 999.
- Record what you have seen, heard and said. Your report must be accurate and where possible use the child's exact words if they disclosed the information to you, not your own. Use Cause for Concern form (Annex D).
- Record the time and date
- Don't promise to keep what you are told a secret
- Tell the child or young person what you will do next
- Do not make promises you cannot keep
- The DSL team will follow up on any concern with an Incident Report form (Annex E)

For further guidance you can get a copy of "What to do if you're worried a child is being abused" published by HM Government, Department for Education and Skills can be downloaded at [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk)

### Allegations of abuse or malpractice against a member of staff or volunteer

When a complaint has been made, the Designated Safeguarding Lead should refer to the Local Authority Designated Officer (LADO). They will be able to offer advice and support on what action should be taken (see Annex G for specific contact details).

In the event of allegations being made against an employee (staff or voluntary), Spinning Wheel Theatre has a dual responsibility in respect of both the child/vulnerable adult and employee. The same person must not have responsibility for dealing with the welfare issues about children and vulnerable adults and the staff employment issues.

Two separate procedures must be followed:

- One Board DSL will lead the process related to the child/vulnerable adult. The aforementioned process will be followed.
- The other Board DSL will lead the process related to the staff member against whom the allegation has been made. The following process will be followed:

1. SWT will make formal contact with Suffolk Council Council (or the county where the alleged event took place) who is responsible for providing instruction in the event of an allegation of abuse or suspicious behaviour made against a staff member.
2. SWT is legally required to alert the LADO (Local Authority Designated Officer) to all cases in which it is alleged that a person who works with children and vulnerable adults has:
  - a.) Behaved in a way that has harmed, or may have harmed, a child/children and/or a vulnerable adult/vulnerable adults;
  - b.) Possibly committed a criminal offence against a child/children and/or a vulnerable adult/vulnerable adults;
  - c.) Behaved towards a child/vulnerable adult in a way that indicates they are unsuitable for such work.
3. The LADO will instruct SWT on procedure and what information may be shared with the person who is the subject of an allegation. SWT and LADO will decide, in consultation with the Police and/or any other relevant agencies, what may be shared in situations that may possibly lead to a criminal investigation.
4. Subject to advice from the LADO, and to any consequent restrictions on the information that can be shared, SWT will, as soon as possible, inform the accused person about the nature of the allegation, how enquiries will be conducted and the possible outcome.
5. In all instances SWT will seek to ensure that any staff member is treated fairly and honestly and that they are supported to understand the concerns expressed and processes involved. They will be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process.
6. Contact details for East Anglian LADO's are provided in Annex G.

**What constitutes abuse and neglect?** (ref: Care and Support Statutory Guidance, 2022)

This section considers the different types and patterns of abuse and neglect and the different circumstances in which they may take place. This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour which could give rise to a safeguarding concern.

Local authorities should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered.

Exploitation, in particular, is a common theme in the following list of the types of abuse and neglect.

**Physical abuse including:**

- assault
- hitting
- slapping
- pushing
- misuse of medication
- restraint
- inappropriate physical sanctions

**Domestic violence including:**

- psychological
- physical
- sexual
- financial
- emotional abuse
- so called 'honour' based violence

**Sexual abuse including:**

- rape
- indecent exposure
- sexual harassment
- inappropriate looking or touching
- sexual teasing or innuendo
- sexual photography
- subjection to pornography or witnessing sexual acts
- indecent exposure
- sexual assault
- sexual acts to which the adult has not consented or was pressured into consenting

**Psychological abuse including:**

- emotional abuse



- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation
- coercion
- harassment
- verbal abuse
- cyber bullying
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks

**Financial or material abuse including:**

- theft
- fraud
- internet scamming
- coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions
- the misuse or misappropriation of property, possessions or benefits

**Modern slavery encompasses:**

- slavery
- human trafficking
- forced labour and domestic servitude.
- traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

**Discriminatory abuse including forms of:**

- harassment
- slurs or similar treatment:
- because of race
- gender and gender identity
- age
- disability
- sexual orientation
- religion

**Organisational abuse:**

- Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through

neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

**Neglect and acts of omission including:**

- ignoring medical
- emotional or physical care needs
- failure to provide access to appropriate health, care and support or educational services
- the withholding of the necessities of life, such as medication, adequate nutrition and heating

**Self-neglect:**

- This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It should be noted that self-neglect may not prompt an enquiry. An assessment should be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. Repeated instances of poor care may be an indication of more serious problems and of what we now describe as organisational abuse. In order to see these patterns it is important that information is recorded and appropriately shared.

**Patterns of abuse vary and include:**

- serial abuse, in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- long-term abuse, in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse
- opportunistic abuse, such as theft occurring because money or jewellery has been left lying around

**Domestic abuse:**

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- sexual
- financial
- emotional

**Coercive control:**

- A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015.
- The offence closes a gap in the law around patterns of coercive and controlling behaviour during a relationship between intimate partners, former partners who still live together, or family members, sending a clear message that it is wrong to violate the trust of those closest to you, providing better protection to victims experiencing continuous abuse and allowing for earlier identification, intervention and prevention.

**Financial abuse:**

Financial abuse is the main form of abuse investigated by the Office of the Public Guardian both amongst adults and children at risk. Financial recorded abuse can occur in isolation, but as research has shown, where there are other forms of abuse, there is likely to be financial abuse occurring. Potential indicators of financial abuse include:

- change in living conditions
- lack of heating, clothing or food
- inability to pay bills/unexplained shortage of money
- unexplained withdrawals from an account
- unexplained loss/misplacement of financial documents
- the recent addition of authorised signers on a client or donor's signature card
- sudden or unexpected changes in a will or other financial documents

**County Lines:**

'County Lines' and the supply of drugs is effectively a gang of at least three people who have established a drug market in a rural town, with origins to an urban city location.

For Suffolk, it is likely to be a gang from London with them moving into local towns, predominantly Ipswich, Bury St Edmunds and Lowestoft although smaller market towns are being targeted - to transport/sell class A drugs (specifically crack cocaine and heroin). Gangs typically use vulnerable young people to deliver drugs to customers and this can include deception, intimidation, violence, and/or grooming. The nature of this activity causes disputes with other gang members or local drug dealers for the custom and hence many violent incidents occur because of this.

Where it is suspected that a young person is involved or at risk from County Lines involvement concerns should be reported via the safeguarding procedures.

**Radicalisation and Extremism:**

'Safeguarding vulnerable people from radicalisation is no different from safeguarding them from other forms of harm' (Home Office, Prevent Strategy – June 2015).

There is no single way of identifying a young or vulnerable person who is likely to be susceptible to terrorist ideology. As part of wider safeguarding responsibilities staff should be alert to:

- People voicing opinions drawn from extremist ideologies and narratives, including use of extremist or 'hate' terms to exclude others or incite violence.
- Intolerance of difference, whether secular or religious views based on, but not exclusive to, gender, disability, homophobia, race, colour or culture
- Disclosures by people of their exposure to the extremist actions, views or materials of others, especially where the person has not actively sought these out.
- Attempts to impose extremist views or practices on others
- Graffiti symbols, writing or art work promoting extremist messages or images
- People accessing extremist material online, including through social networking sites
- Distributing extremist literature and documentation
- Use of extremist language.

If a member of the SWT team has a concern that a young person or vulnerable adult is at risk of being radicalised this should be raised to a DSL in the same way as any other safeguarding concern.

This is not an exhaustive list, nor do these examples prove that there is actual abuse occurring. However, they do indicate that a closer look and possible investigation may be needed.

---

**ANNEX B**

**Example Children Consent Form**

Name of participant:
Date of birth:
Address:
Postcode:
Name of parent/guardian:
Contact telephone no:
Email address:
Address (if different to above):
Postcode:
Any medical conditions, allergies or access requirements you would like to make us aware of:

We will sometimes want to use video footage and photos for marketing purposes. Please complete the section below (parent/guardian if under 18) if you are happy with this:

I give consent /  I do not give consent (*please tick appropriate*) for my child's still & moving image and voice to be used for marketing purposes in the press, television, radio, social media and online.

Signed:

Print name:

When sessions take place online, we will record these for reference and evaluation purposes. Please complete the section below (parent/guardian if under 18) if you are happy with this:

I give consent /  I do not give consent (*please tick appropriate*) for any online sessions to be recorded for internal use by Spinning Wheel Theatre staff. (Please note, failure to consent will result in being unable to participate in online sessions).

Signed:

Print name:

**Example Vulnerable Adult Consent Form**

Name of participant:
Date of birth:
Address:
Postcode:
Contact telephone no:
Email address:
Name of next of kin:
Next of kin telephone no:
Next of kin email address:
Next of kin address (if different to above):
Postcode:
ANY MEDICAL CONDITIONS, ALLERGIES or access requirements you think WE need to BE AWARE OF:

We will sometimes want to use video footage and photos for marketing purposes. Please complete the section below if you are happy with this:

I give consent /  I do not give consent (*please tick appropriate*) for ..... still & moving image and voice to be used for marketing purposes in the press, television, radio, social media and online.

Signed: \_\_\_\_\_ Print name: \_\_\_\_\_

When sessions take place online, we will record these for reference and evaluation purposes. Please complete the section below (parent/guardian if under 18) if you are happy with this:

I give consent /  I do not give consent (*please tick appropriate*) for any online sessions to be recorded for internal use by Spinning Wheel Theatre staff. (Please note, failure to consent will result in being unable to participate in online sessions).

Signed: \_\_\_\_\_ Print name: \_\_\_\_\_

ANNEX C

Reference form for posts requiring access to children and vulnerable adults

This reference is for:	
Post offered:	
Please confirm employment dates:	From:                      To:
The applicant's most recent job title:	
Main duties/responsibilities of the post:	
Reason for leaving employment:	
How long have you known the applicant?	
Does the candidate perform their duties satisfactorily?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If no please provide details of any areas needing improvement:	
Please confirm the how many days sickness absence the applicant has had in the last 24 months:	
Can you think of any reason why this person might not be suitable for the above role?	
Please comment on the effectiveness of the applicant's interactions with children and young people:	

Are you completely satisfied that the applicant is suitable to work with children and young people? If no please provide details:	Yes <input type="checkbox"/> No <input type="checkbox"/>
To the best of your knowledge has the applicant had an allegation made against them regarding their behaviour towards children and young people?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please give details:
Has the applicant been subject to any disciplinary action relating to their suitability to work with children and young people in which penalties were imposed?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please give details:
Would you re-employ the applicant?	Yes <input type="checkbox"/> No <input type="checkbox"/> If no please give details:
Has the DBS check been carried out by your organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please state when:
Please state whether you would recommend this candidate for the post without reservation:	
Printed name	
Signature	
Position	
Organisation name	
Date	

Please return the reference by email using a recognised employer's email and making sure that you include the organisations logo on the email



## ANNEX D

### Cause for Concern form

All concerns must be reported immediately to one of the Designated Safeguarding Leads:

Amy Wyllie (Artistic Director) – 07709 424948 or amy@spinningwheeltheatre.com

Rebecca Gibbs (Executive Director) – 07812 130064 or becca@spinningwheeltheatre.com

Harriet Brill (Board DSL) – 07786 544396 or [harrietbrill@hotmail.com](mailto:harrietbrill@hotmail.com)

Elizabeth Downie (Board DSL) – 07775 778228 or liz@erdconnection.org.uk

2. Record facts and do not make judgements (state dates, times, places, actual words used, what was observed, who was present, questions asked etc).

3. If support is needed filling in this form do not delay, the DSL will help.

4. Any concerns about staff should be reported directly to the DSL. Concerns about the named DSL should be reported directly to the Board DSL.

Date and time of report:

Name of Child/Vulnerable Adult:

Age:

Home address and home number (if known):

Person reporting concern:

Position:

Person completing form:

Position:

Nature of concern (please give full details of the concern including dates and times):

Actions recommended to the person reporting concern (please include dates when these actions should be completed):

Actions SWT will take (please include dates when these actions should be completed):

Signature of person completing form:

Date:

**ANNEX E**

**Incident Review Form**

To be completed by DSL team as a follow up to all reported concerns.

Reason for Review	<i>Delete as appropriate</i>		
	Incident	Near-miss	Concern
			Complaint
Person Reporting Concern			
Position			
Date and Time of Report		Form of Communication	

Name of Activity	
Location of Activity	
Date and Time of Incident	

Nature of Incident	<i>Please give full details including dates and times.</i>
--------------------	--

Incident Review			
<i>This may include updating a risk assessment, reviewing the safeguarding policy, change of venue, staff training etc. In the case of repeated incidents, immediate action must be taken.</i>			
Action to be taken	Timeframe	Staff Responsible	Outcome

Signature of DSL 1	Signature of DSL 2	Signature of Board DSL

## ANNEX F

### Child performance licensing

All children who perform on stage or in television, films, commercials or who work as models, have their welfare and safety protected by the following children in entertainment legislation:

- Children & Young Persons Act 1933 & 1963
- Children (Performances) Regulations 1968
- The Children (Performance) (Miscellaneous Amendments) Regulations 1998(1)
- The Children (Performance) Amendment Regulations 2000
- The Children (Performance) (Amendment) (No.2) Regulations 2000
- Statutory Instruments: 1968 No. 1728, 1998 No. 1678, 2000 No. 10, & No. 2384
- Child performance and activities licensing legislation in England (April 2015)

For the purposes of children in entertainment, a child is a person aged from birth until the end of their compulsory schooling.

The aforementioned legislation requires licences to be issued by each Local Authority (LA) for children who take part in one of the following categories:

- broadcast performances (films, TV, video) covers performances that will be broadcast;
- non-broadcast performances (theatre, modelling) covers performance that are not broadcast.

It is the responsibility of SWT to establish contact with the relevant local authority in which a child resides to obtain instructions as to whether a license is required. It should be noted that there will be occasions when a licence is not required, see EXEMPTION sections below.

The Child performance and activities licensing legislation in England (April 2015) only applies to actual performances and therefore the following information does not apply to rehearsals or regular workshops. Rehearsals are, however, affected by the Regulations, if they take place during the currency of a licence (between first and last performing day). Rehearsals are then subject to the same restrictions and conditions applicable to that licence i.e. place of performance, performing times and so forth. Rehearsals also count as a performance when calculating length of working week i.e. 5 days broadcast, 6 days theatre/other.

### Chaperones

All licensed children need to be chaperoned in law while taking part in a performance. Chaperones act in loco parentis and should exercise the care which a good parent might be reasonably expected to give that child. Regulations require a ratio of 1 chaperone to 12 children.

A chaperone's first priority is always to the child and the chaperone must not take part in any activity that would prevent them from proper supervision and care of the children they are responsible for. A chaperone will have total charge of a child – unless the child is being chaperoned by their parent/carer – whilst the child is at the theatre/performance location, and is

responsible for the child's care and control. If the child has completed their performance and is then handed into the care and control of their parent/guardian who is outside of the stage performance area, the chaperone will no longer have responsibility for the child.

Chaperones are required by law to keep a record for each child, per performance. It is a requirement under the Regulations that these records be kept and made available, together with each child's Licence, at every place of performance where a child is present, for inspection by an officer of the Local Authority in whose area the performance takes place.

Upon completion of the production, the daily record sheet/s should be stored at the Licence Applicant's main company address for a period of not less than 6 months after the final performance date for which the Licence has been granted.

Licensed Chaperones are approved by Local Authorities and will be familiar with the law regarding children in entertainment.

### **Child performance licence exemptions**

#### **Exemption one - the 'Four-Day' rule:**

The "four-day rule" is an exemption that can be considered for use by both professional and amateur companies. This exemption states that a licence is not required for a child if:

- they perform for only 4 days in any 6-month period; and
- they do not need time off from school to undertake the performance; and
- they do not receive any payment other than expenses.

SWT will use the four-day rule where appropriate; however, this will only be done in consultation with relevant Local Authority Education Welfare Teams who will be required to know the names of the children taking part in the production, and the production dates.

#### **Exemption two - Body of Persons licence:**

The Children & Young Persons Act 1963 gives a local authority under Section 37(3)(b) the power to issue a licence to a Body of Persons e.g., a group of responsible adults (youth organisations, amateur dramatics, etc) to enable them to engage children and young people in non-broadcast and recorded performances without the need to apply for separate licences for each child for each production. Where appropriate, SWT will apply for a Body of Persons Licence.

The Body of Persons must then provide the Education Authority with the following information in advance:

- names, addresses and dates of birth of all the children who will be performing;
- venue and dates of performances;
- names and addresses of the adults forming the Body of Persons.

Approval can be granted providing:

- the child performers receive no payment other than expenses;

- the performance is for a stage production;
- the performances all take place within the local authority that is granting the Body of Persons licence;
- the child performers are supervised by the adults who form the Body of Persons or licensed chaperones;
- the organisation complies with the regulations on days and permitted hours of performance contained in the Children (Performance) Regulations 1968 (see section 7 of Good Practice);
- that the Child Employment Team agreed that the rehearsal/performance venue(s) are suitable places for children to perform;
- the organiser has ensured appropriate arrangements are in place to transport child performers to and from the venue and for them to be released into the care of an appropriate person;
- the organiser will not use the children in performances that may be dangerous;
- the organiser can demonstrate that it can meet any health, safety and welfare conditions set by the local authority;
- the Body of Persons ensure that arrangements are made to transport young performers to and from the venue;
- the Body of Persons does not use children in performances that maybe dangerous.

The holders of the licence must ensure that they keep records of each child's performance as required by Schedule 3 Children and Young Persons, The Children (Performances) Regulations 1968 (see ECC pro forma). Approval can only be granted for children who perform solely for the holder(s) of the Body of Persons Licence.

Although the law does not place a statutory obligation on organisations to ensure that chaperones are provided for unlicensed children, local authorities prefer that all children be provided with a chaperone as a condition of granting a Body of Persons licence. The local authority believes this preference is justified as a matter of good practice and to ensure that all children benefit equally from child protection procedures.

SWT will obtain a Body of Persons licence where appropriate and upon the advice of relevant Local Authority Education Welfare Teams.

## ANNEX G

### LADO contact details

Suffolk Safeguarding Partnership

Email: [LADO@suffolk.gov.uk](mailto:LADO@suffolk.gov.uk)

Phone: 0300 123 2044

Norfolk Safeguarding Children Partnership

Email: [LADO@norfolk.gov.uk](mailto:LADO@norfolk.gov.uk)

Phone: 0344 800 8020

Essex Safeguarding Children Board

Email: [lado@essex.gov.uk](mailto:lado@essex.gov.uk)

Phone: 03330 139 797

Cambridgeshire & Peterborough Safeguarding Board

Email: [LADO@cambridgeshire.gov.uk](mailto:LADO@cambridgeshire.gov.uk) or [LADO@peterborough.gov.uk](mailto:LADO@peterborough.gov.uk)

Phone: 01223 727967 (Cambridgeshire) or 01733 864038 (Peterborough)