

**EDUCATION  
SAFEGUARDING SERVICE**

**Children in Entertainment**

**Information Guide for a Child  
Performance Licence and  
Application pack**

*May 2020*

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## **A. What is a Child Performance Licence?**

A Child Performance Licence (CPL) is granted to an organisation when they arrange for a performance(s) to take place involving a child(ren). The CPL application is submitted to the Local Authority where child resides, not where the performance(s) is to take place.

A CPL is non-transferable and once issued it is only valid for the performance it was applied for. An open licence cannot be issued. However, for children performing on a regular basis on a single production where the dates/times of the performance have not yet been agreed and are subject to change a licence may be issued for a specified number of days over a maximum period of 6 months. This may be applicable for children in roles on soap operas and their licence may read 'up to 10 days (including up to 5 school days) between 01/01/1000 and 01/07/1000'.

## **B. Relevant Legislation and Guidance**

Children and Young Person's Act [1933](#) & [1963](#)

Education Act [1996](#)

The Children (Performances and Activities) (England) Regulations [2014](#)

Safeguarding Vulnerable Groups Act [2006](#)

Kirklees Council Byelaws

Working together to Safeguard Children [2018](#)

## **C. Who must apply?**

Any type of organisation, whether amateur or professional, should apply for a child performance licence where applicable. If the child(ren) is not being paid or missing school to perform then a Body of Persons Approval may be sought, for more information on this please contact the Child Employment and Entertainment Team. Any child, from birth until they reach compulsory school leaving age, who is performing will need a licence.

Performances include:

- theatre and pantomime
- films, TV
- commercials, video, internet for commercial purposes
- band/choir/dance shows
- modelling – all types, broadcast and non-broadcast
- amateur drama productions
- broadcast dance/singing competitions
- certain paid sport activities

Please note this list is not exhaustive and subject to change in line with legislation and Council Byelaws.

A CPL is required for both paid and unpaid performances.

A CPL isn't required for children performing in a production produced by the school where they normally receive their full-time education as defined under s4 of the Education Act 1996.

Where a child will be absent from school to perform, the headteacher or other authorised staff, from the child's school must consent to the absence and provide a letter for the organisation to include with their application. This letter should be on school letterheaded paper or a letter which contains the official school stamp and is signed and dated.

## **D. How to apply to for a Performance Licence**

To apply for a CPL, the production company must complete an application form, which is included in this document. Part 1 of the form is completed by a representative for the organisation who is responsible for the performance(s), therefore only contact details for the applicant should be provided in this part of the applicant. The child's parent or guardian completes Part 2. As the applicant, the organisation submits both parts of the form to the Child Employment and Entertainment Team, or through an agent once completed. For all applications Kirklees Local Authority requires 21 days' notice before the first date of performance.

## **E. What happens if the application is refused?**

If the application is refused the organisation will be informed in writing at the earliest opportunity with full reasons for rejection. The organisation may then be asked to submit further information. Organisations should consider this prior to submitting an application and should ensure that they apply with enough time to resolve any enquiries.

## **F. Once the Performance Licence has been issued**

Once an application for a CPL has been granted, the licence will be issued to the applicant from the production company. A copy of the licence will also be sent securely by email to the child's parent/guardian and their school if they are required to be absent from school for the performance. Please note that Kirklees Local Authority will not send a copy of the licence to third parties such as an agency as this would be in breach of GDPR. The holder of the licence shall ensure that the Children and Young Persons Act 1963 and the Children (Performances & Activities) (England) Regulations 2014 are adhered to. The applicant must also ensure the following requirements are applied:

- The issuing and host Local Authority must be informed 48 hours prior to all performances, confirming all call times, changes and additions to location(s) and changes to chaperones from when the original licence was issued (this is of particular interest to children who have licences allowing them to perform for a single production for a specified number of days over a period of time not exceeding 6 months)

- Notifications with the above detail should only be provided for children which have been licenced by Kirklees Local Authority, otherwise the notification would be in breach of GDPR and not recorded which could invalidate the licence.
- Have a copy of the CPL available at the place of performance in the event of an inspection.
- Allow any authorised officer of the Local Authority to have unrestricted access whilst any rehearsal or performance is taking place at any venue that the company uses.
- Ensure all chaperones have their licences available in the event of an inspection.

## **G. Child Welfare and Safeguarding**

The organisation must demonstrate to Kirklees Local Authority that it has clear, robust and well embedded policies for safeguarding children, together with a good understanding of The Children (Performances & Activities) (England) Regulations 2014. It must also have the following in place within the organisation: -

- A regularly updated (every 12 months) safeguarding or child protection policy and in line with Working Together to Safeguard Children 2018.
- A dedicated Designated Safeguarding Officer.
- Detailed and complete records of children involved with the group, including emergency contact details and details of any medical or additional needs.
- An ongoing (updated) list of registered chaperones that meet the requirements.

Kirklees Local Authority considers it to be best practice for the supervision and care of children at performances and events to be provided by Local Authority Registered Chaperones. Some types of events stipulate that each child is looked after and chaperoned by their own parent for the duration of the performance, in which case registered chaperones would not be required. However, in some circumstances it may still be advisable for the organisation to register its staff as chaperones.

**Keeping children safe is everybody's business!**

**WHEN IN DOUBT, RING AND ASK!**

Kirklees Duty and Advice Team (DAAT): 01484 456848

NSPCC Helpline: 0808 800 500

All concerns are treated seriously. Kirklees Local Authority works in partnership with other agencies where it is required to safeguard a child.

## **H. Performance Licence Risk Assessments**

Kirklees Local Authority does not approve or comment on the quality of risk assessments and it is the applicant's responsibility to ensure all aspects of the child's safety is considered and adhered to, evidenced in their risk assessment. A risk assessment may be used as evidence should a claim be made against the organisation

at any time during or following the child's performance. An organisation's insurance policy for the performance may not be valid if a claim is made and the correct licensing procedures have not been followed.

Where Kirklees Local Authority considers a role to be of high risk, the Child Employment and Entertainment Team may request further supporting information. Additional questions may be asked about the circumstances and measures taken to ensure the child's safety and evidence that the child's wellbeing is of paramount consideration. Approval of this supporting information is not approval of the risk assessment.

## **I. Application Process**

A complete application includes:

- 1) Part 1 and 2 of the application form, signed and dated by the applicant.
- 2) The organisation's up to date safeguarding policy including designated safeguarding lead details
- 3) Registered chaperone details – there is a section for this within the main application
- 4) Confirmation a risk assessment has been completed
- 5) An up to date photograph of the child, taken within the last 6 months
- 6) A copy of the child's birth certificate (scanned copies are acceptable – please do not send original hard copies)
- 7) School permission where absence is required to perform
- 8) Further supporting documents/ information if requested

Please return all completed applications to the Child Employment and Entertainment Team by email, listed in section J.

An application is included in this pack.

If you are unsure about any aspect of the application process, please contact the Child Employment and Entertainment Team on the contact details provided below.

## **J. Contact Details**

Child Employment and Entertainment Team  
Education Safeguarding Service  
Kirkgate Buildings  
Byram Street  
Huddersfield  
HD1 1BY  
[child.employment@kirklees.gov.uk](mailto:child.employment@kirklees.gov.uk)  
Telephone: 01484 221919

# Standard Child Performance and Activities Licence Application Form (England)

## The Children and Young Person Acts 1933 and 1963 The Children (Performances and Activities) (England) Regulations 2014

*Note: this form should be completed and submitted to the licensing authority not less than 21 days before the first performance or activity for which the licence is requested, since the licensing authority may otherwise refuse to grant a licence.*

### Part 1: Information to be provided by the applicant about the performance or activities<sup>1</sup>

Title:	Name:
Job title:	Company:
Address:	
Tel:	Mobile:
Email:	

1) Does your organisation have a child protection or safeguarding policy? b) When was this last updated?  Please insert a link or attach a copy.	
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*Note: it is best practice that organisations that involve children in performances, paid modelling or paid sport have or develop a child protection policy, regularly review and update it, and ensure that all staff and volunteers are familiar with it.*

2) Name and nature <sup>2</sup> of the performances or activities in respect of which the licence is requested:	
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<sup>1</sup> Schedule 2 Part 2 of The Children (Performances and Activities) (England) Regulations 2014 sets out the information to be provided by the applicant about the performance or activities.

<sup>2</sup> E.g. theatrical, musical, dancing, filming, sport, modelling

<p>3) Please provide as full a description as you can about what the child will actually be required to do. Include information about the environment they will be asked to do it in, and any other contextual information that may help us in assessing the potential risks, physical, emotional or psychological, to the child<sup>3</sup>.</p>	
<p>4) If you have completed a risk assessment please attach it to this application. <i>See the sector led best practice guidance for further information about risk assessments.</i></p>	
<p>5) Place of activities, performances and rehearsal for which the licence is requested, including any periods on location:</p>	
<p>6) The dates and times of activities, performances or rehearsals for which the licence is requested: If the dates are not known at this time<sup>4</sup>, please provide the number of days and the period during which it is requested that a child may take part in activities, performances or rehearsals.</p>	
<p>7) The expected total running time or duration of activities or performances (including any rehearsal) in respect of which a licence is requested:</p>	
<p>8) The approximate duration of the child's appearance in the performance or activity:</p>	

<sup>3</sup> It should not be necessary to provide a script – the description of the activity and context is more important.

<sup>4</sup> This might be because the filming schedule cannot be fixed in advance, or the activity is dependent on weather conditions. See paragraph 1.7.2 of the advice issued by the Department for Education.

9) The amount of night work (if any) for which approval is being sought and please state:	
a) the approximate number of days <sup>5</sup> :	
b) the approximate duration on each day:	
c) the reason that the performance must take the form of night work <sup>6</sup> :	

10) a) The sums to be earned by the child in taking part in the performance or activity:	
b) The name, address and description <sup>7</sup> of the person to whom or to which the sums are to be paid (if not to the child in question):	

11) Where a licence is requested in respect of a performance, the proposed arrangements for any rehearsals prior to the first performance for which a licence is requested. For each rehearsal please state the date, the place, and the approximate time and duration:	
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12) The days or half days on which leave of absence from school is requested to enable the child to take part in the performance, rehearsals or activity:	
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13) Proposed arrangements (if any) for the education of the child during the period for which the licence is requested stating -
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<sup>5</sup> For these purposes any performance taking place after midnight and before the earliest permitted hour counts as an extension to the previous day. E.g. if the child performs on Tuesday and then performs after midnight, in the early hours of Wednesday, that counts as one day (Tuesday).

<sup>6</sup> The local authority may want assurance that there is a good reason why the child is asked to take part in a performance or activity at night.

<sup>7</sup> i.e. if it is an individual what is their relationship to the child, or is it a company or organisation and if so, what is their relationship to the child?

a) Where the education is to be provided by a school, name and address of the school:	
b) Where the education is to be provided other than by a school:	
i. name, address and qualification of the proposed teacher;	
ii. the place where the child will be taught;	
iii. the proposed course of study;	
iv. the number of other children to be taught at the same time by the same teacher and the sex and age of each child;	
v. whether the child is to receive the amount of education in accordance with regulation 13(3)(e) of the Children (Performances and Activities) (England) Regulations 2014	

14) The name and address of the proposed chaperone, or the name and address of the parent or teacher who will have care of the child:	
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15) The name of the local authority or (in Scotland) the education authority (if any) which has previously approved the appointment of the chaperone:	
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16) The number of children to be in the charge of the chaperone during the time when the chaperone will be in charge of the child and the sex and age of each child:	
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17) The address of any accommodation where the child will live, if different from the place where the child	
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would ordinarily live, the number of other children and details of the chaperone (if any) who will live in the same accommodation:	
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18) a) Approximate length of time which the child will spend travelling to and from the place of performance, rehearsal or activity each day:	
b) Arrangements (if any) for transport there:	
c) Arrangements (if any) for transport back:	

19) The name of any other local authority, or in Scotland, any education authority to which an application has been made for another child to take part in performances or activities to which the application relates (if not known at the time of application, to be provided when known):	
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*Note: this will help the relevant local authorities to take a consistent approach.*

## Part 2: Information to be provided by the applicant in relation to the child

*Note: the applicant will usually need to obtain this information from the child's parent, and a parent of the child needs to sign the completed form, but the form should be submitted by the applicant (unless the parent is also responsible for organising the activity or production). See regulation 4 of the Children (Performances and Activities) (England) Regulations 2014.*

1) Child's name:	
2) Child's home address:	
3) Child's date of birth:	
4) Name and address of the school the child currently attends: OR If the child is not attending school, the name and address of the child's private teacher:	
5) Details of each licence in relation to the child granted during the twelve months preceding the date of the application by any local authority, or in Scotland, any education authority, other than the licensing authority to which this application is made <sup>8</sup> , stating -	
a) The name of the authority:	
b) The date the licence was granted:	
c) The dates and nature of performances or activities:	

<sup>8</sup> This will only be relevant if the child has moved between authorities in the last 12 months.

6)Details of each application in relation to the child for a licence refused by any other authority in the last 12 months, other than the licensing authority to which this application is made, stating -	
a) The name of the local authority or education authority:	
b) The reasons (if known) for the refusal to grant a licence:	

7)Details of any performances for which a licence was not required <sup>9</sup> in which the child took part during the previous 12 months, stating -	
a) The date of the performance:	
b) The number of days of performance:	
c) The title of the performance:	
d) The name and address of the person responsible for the production:	

8)Dates (if any) on which the child has been absent from school during the twelve months preceding the date of the application by reason of taking part in a performance or activity:	
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9)Amount of any monies earned by the child during the last twelve months, stating whether the monies earned were in respect of performances or activities for which a licence was granted or a performance for which a licence was not required:	
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<sup>9</sup> By virtue of section 37(3) of the Children and Young Persons Act 1963

### Medical declaration to be completed by child's parent

Does your child have: (answer yes or no)	If yes please provide details including any treatment or medication:
Asthma	
Any allergies	
Any skin conditions	
Hearing impairment	
Visual impairment	
Any learning disability	
Any physical disability	
Any medical conditions?	
Taking any regular medication(s)?	
Been to see or had a referral to a hospital consultant in the last 6 months?	
I confirm that I have parental responsibility <sup>10</sup> for this child.	Signature of parent:
	Print Name:
Postal Address (if different from child)	
Parents Email Address	

<sup>10</sup> As defined within section 3 of the Children Act 1989, 'parental responsibility' means all of the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property.

Parents Telephone No.	
Date:	
If the child, for whom the licence is required, is 16 years old they will need to give their consent for this application to be processed in accordance with The Data Protection Act 2018.	Signature of young person:
	Date:

**I certify that to the best of my knowledge the details in this application are correct. I hereby apply for a licence under section 37 of the Children and Young Persons Act 1963:**

<b>Signature of applicant:</b> <i>(To be signed by person named on page 1)</i>	
<b>Date:</b>	

**I attach the following:**

- (a) A copy of the child's birth certificate (scanned copies are acceptable – please do not send original hard copies)<sup>11</sup>;
- (b) Two identical prints (un-mounted) of a photograph of the child taken during the last 6 months *or* an electronic likeness (e.g. a jpeg file)<sup>12</sup>;
- (c) A copy of the contract, draft contract or other documents (where they exist) containing details of the agreement regulating the child's participation in the performance or activity to which this application relates.

<sup>11</sup> In the exceptional circumstance where the child's birth certificate cannot be provided as part of the application (e.g. because they don't have one) the licensing authority may accept alternative evidence.

<sup>12</sup> The image must not be altered or enhanced in anyway. It should be a full head shot taken in good light.

*Notes:*

- 1) Electronic versions of this form and electronic documentation are acceptable, including signatures.*
- 2) You should ensure that the parent/guardian and the chaperone are given a copy of the whole completed form, which you submit to the local authority.*
- 3) Any person who fails to observe any condition subject to which a licence is granted or knowingly or recklessly makes any false statement in or in connection with an application for a licence is liable to a fine not exceeding £1000 (level 3 on the standard scale) or imprisonment for a term not exceeding three months or both (section 40 of the Children and Young Persons Act 1963).*