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**The Children (Performances and Activities) (Scotland) Regulations 2014**

**Application for a Licence to South Ayrshire Council**

*Note – It is important that this form, duly completed, should be sent so as to reach Education Services, County Buildings, Wellington Square, Ayr, KA7 1DR not less than 21 days before the first performance or activity for which the licence is requested, since South Ayrshire Council may otherwise refuse to grant a licence.*

**PART 1**

**to be completed by the applicant**

|  |  |
| --- | --- |
| **1** | **Application** |
|  | I apply for a licence under section 37 of the Children and Young Persons Act 1963 authorising\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (insert name of child)\*(1) to take part in a performance; or\*(2) to take part in a sport, or\*(3) to work as a model  (\**Delete as appropriate*)either on the dates specified in item 4(i) of the Annexe to this part or on the number of days and during the period specified in item 4(ii) to the Annexe to this Part. |

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| **2** | **Declaration** |
|  | I certify that to the best of my knowledge the particulars contained in the **Please tick**Annexe to this Part are correct. |

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| **3** | **I attach the following -** |
|  | 1. a copy of the birth certificate of the child or other satisfactory evidence of the child’s age;
2. two identical prints (unmounted) of a photograph of the child taken during the six months preceding the date of the application;
3. a completed risk assessment detailing any potential risks arising from the child’s participation in the performance or activity and information on the steps which will be taken to mitigate those risks;
4. a copy of the contract, draft contract or other documents containing particulars of the agreement regulating the child’s appearance in the performances or regulating the activity for which the licence is requested;
5. a copy of Disclosure Scotland’s Protecting Vulnerable Groups (PVG) scheme record for individuals identified as chaperones for the child named on this application.
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| **4** | **Restrictions and conditions** |
|  | I understand that if a licence is granted to me it will be granted subject to the restrictions and conditions laid down in the Children (Performances and Activities) (Scotland) Regulations 2014 and to such other conditions as the licensing authority may impose under those Regulations. |
| *Signed (applicant)* | *Date* |
| *Full Name (****print name****)* | *Occupation* |
| *Company (if applicable)* |
| *Address* |
| *Telephone No.*  |
| ***Note – 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 level 3 or imprisonment for a term not exceeding three months or both (section 40 of the Children and Young Persons Act 1963).*** |

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| **5** | **Head teacher approval** |
|  | If the application relates to a performance or activity for which the child will require to be absent from school  |
| *Signed (head teacher)* | *Date* |
| *Full Name (****print name****)* |
| *School name* |
| *School address* |
| *School telephone No.* |

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| **ANNEXE TO PART 1**  |
| **PARTICULARS CONNECTED WITH THE PERFORMANCE OR ACTIVITIES IN WHICH THE CHILD TAKES PART** |

|  |  |
| --- | --- |
| **1** | **Name and nature of the performances or activities in respect of which the licence is requested (e.g. theatrical, filming, television, modelling etc;)** |
|  |  |

|  |  |
| --- | --- |
| **2** | **Description of the child’s part.** |
|  |  |

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| --- | --- |
| **3** | **Place of the performances or activities in respect of which the licence is requested. (This includes the places at which work on location is to be done)** |
|  |  |
|  | **Venue Checklist**(Particulars connected with the place of performance, rehearsal or activity) |
|  | **3.1 Please provide details of arrangements for the suitable provision of meals (if applicable).** |
|  |  |
|  | **3.2 Please provide details of arrangements for the child to dress for the performance, rehearsal or activity (if applicable).*****N.B. Arrangements for a child who has attained the age of 5 to dress for a performance, rehearsal or activity are not suitable unless the child can dress only with children of the same gender*** |
|  |  |
|  | **3.3 Please provide details of arrangements for the child’s rest and recreation when not taking part in a performance, rehearsal or activity (if applicable).** |
|  |  |
|  | **3.4 Please provide details of suitable and sufficient toilets and washing facilities for the child.** |
|  |  |
|  | **3.5 Please provide details of arrangements to ensure that the child will be adequately protected against inclement weather (if applicable).** |
|  |  |

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| **4** | **(i) the number of days and during the period for which the licence is requested OR** | **(ii) the dates of the performances or activities for which the licence is requested** |
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| **5** | **Time and duration of the performances or activities in respect of which the licence is requested.** |
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|  |  |
| --- | --- |
| **6** | **Approximate duration of the child’s appearances in the performances or activities in respect of which the licence is requested.** |
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| --- | --- |
| **7** | **The amount of night work (if any) for which approval will be sought from the licensing authority under** **Regulation 28 of the Children (Performances and Activities (Scotland) ) Regulations 2014 stating -**  |
|  |
|  | 1. the approximate number of days
 | 1. the approximate duration on each day
 |

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| **8** | **The sums to be earned by the child in taking part in the performances or activities in respect of which the licence is requested.** |
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| **9** | **The days or half days on which leave of absence from school is requested to enable the child to take part in performances or activities for which the licence is requested, or in rehearsals.** |
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| **10** | **Proposed arrangements (if any) under Regulation 12 of the Children (Performances and Activities) (Scotland) Regulations 2014 for the education of the child during the period for which the licence is requested stating -**  |
|  |
|  | 1. the name of school currently attended,
2. the name and address of the school to be attended during period to which licence relates if any, or
3. (i) (if the child requires to be absent from school for more than five days during the period to which the licence relates) the name, address and qualification of the proposed private teacher, their registered body and registration number

(ii) the place where the child will be taught, (iii) the proposed course of study,(iv) the number of other children to be taught by the private teacher at the same time as the child in respect of whom this application is made, and the gender and age of each such child, and(v) whether the child is to receive the required amount of education in accordance with Regulation 12(4)(e) or Regulation 12 (5). |

|  |  |
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| **11** |  **The name of the licensing authority (if any) which has previously approved the appointment of the teacher.** |
|  |
|  | *Name:* |
|  | *Address:* |

|  |  |
| --- | --- |
| **12** | **The name, address and contact telephone number of the proposed chaperone.** |
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| --- | --- |
| **13** | **Is the chaperone the parent/guardian of the child (if no complete questions 14-18)** |
|  |  Yes No |

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| **14** | **Details of relevant qualifications and experience of the proposed chaperone.** |
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| **15** | **The name of the licensing authority (if any) which has previously approved the appointment of the proposed chaperone for the purposes of a licence.** |
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| **16** | **Details of whether or not the proposed chaperone is listed on any administrative chaperone register held by a licensing authority -** |
|  |
|  | 1. if yes, which licensing authority;
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| **17** | **The number of other children to be in the care and control of the proposed chaperone during the time when the proposed chaperone would be in care and control of the child in respect of whom this application is made and the gender and age of each such child (N.B. maximum 10 or if chaperone is teacher maximum 3).** |
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| **18** | **The address of the accommodation where the child will live if a licence is granted if the child has to live somewhere other than at the place where the child would usually live, the name of the householder and the number of other children who will live in the same accommodation.** |
|  |
|  |  |
| **19** | **Approximate length of time which the child will spend travelling -** |
|  | 1. to the place of performance, rehearsal or activity,
2. from the place of performance, rehearsal or activity,
 |
|  | **Arrangements, if any, for transport -** |
|  | 1. to the place of performance, rehearsal or activity,
2. from the place of performance, rehearsal or activity.
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| **20** | **Name of any other licensing authority to which an application has been made for another child to take part** **In a performance or an activity to which this application relates.** |
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| **21** | **Where the application is for a licence for an activity, a statement by the child’s parent that the child is medically fit for the proposed activity.** |
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| **22** | **Details of any known health conditions which could (a) adversely affect the child’s ability to participate in the performance or activity, and (b) be adversely affected as a result of the child’s involvement in the performance or activity.** |
|  |
|  |  |

Education Support Services

South Ayrshire Council

County Buildings

Wellington Square

Ayr

KA7 1DR

**Tel- 01292612284**

**e-mail:Edservicesperformancelicence@south-ayrshire.gov.uk**

[**www.south-ayrshire.gov.uk**](http://www.south-ayrshire.gov.uk)

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**The Children (Performances and Activities) (Scotland) Regulations 2014**

**Application for a Licence to South Ayrshire Council – Parent/Carer**

*Note – parent includes a guardian, a person with parental rights or responsibilities or other person who has for the time being care or control of the child.*

 **To be completed by parent**

|  |  |
| --- | --- |
| **1** | **Childs’ Information** |
|  | Full Name of Child |  |
| Childs Date of Birth |  |
| Address of Child |  |
| Contact Telephone Number of Parent/Carer |  |

|  |  |
| --- | --- |
| **2** | **School Information** |
|  | Name and address of schools attended by the child during the 12 months preceding the date of this application or, if the child has not attended school, the name and address of the child’s private teacher |  |
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| **3** | **Previous Licences Granted** |
|  | Particulars of each licence granted during the 12 months preceding the date of this application by any local authority other than the local authority to whom this application is made, stating in each case-  |
| 1. name of the local authority
 | 1. the date on which the licence was granted, and
 | 1. the dates and nature of the performances or activities
 |
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| **4** | **Previous Licences Refused** |
|  | Particulars of each application for a licence made during the 12 months preceding the date of this application and refused by any local authority other than the local authority to whom this application is made, stating in each case: |
| 1. the name of the local authority
 | 1. the date of the application, and
 | 1. the reasons (if known) for the refusal to grant a licence
 |
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| **5** | **Previous Performances** |
|  | Particulars of each performance for which a licence was not required in which the child took part during the 12 months preceding the date of this application, stating in each case: |
| 1. the date
 | 1. the place
 | 1. the nature of the performance, and
 | 1. the name of the person responsible for the production of the performance in which the child took part.
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| **6** | **Previous Performances** |
|  | Dates (if any) on which the child has been absent from school during the 12 months preceding the date of this application by reason of taking part in a performance or activity. |  |

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| **7** | **Employment Information**  |
|  | Particulars of any employment of the child during the 28 days preceding the day of the first performance or first activity for which the licence is requested stating: |
| 1. the nature of the employment,
 | 1. the days on which the child is employed, and
 | 1. the times during which the child is employed.
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| **8** | **Employment Information**  |
|  | Particulars relating to the sums earned by the child during the 12 months preceding the date of this application stating: |
| 1. whether the sums earned were in respect of performances or activities for which a licence was granted or performances or activities for which a licence was not required.
 |  |
| 1. Or other forms of employment,
 |  |
| 1. the amount of the sums earned,
 |  |
| 1. the date on which payment was received, and
 |  |
| 1. the name, address and description of the person from whom the payment was received
 |  |

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| --- | --- |
| **9** | **Declaration** |
|  | I support this application for a licence.I approve the arrangements for accommodating the child as set out in Part 1 (18) that it meets the needs of the individual child in question, including, for example, that it is clean and comfortable and can provide a suitable degree of privacy; and that the accommodation enables the child to have continuous access to his or her chaperone (regulation 15) *(if applicable)*I certify that to the best of my knowledge the particulars given are correct and I understand that if a licence is granted it will be granted subject to the restrictions and conditions laid down in the Children (Performances and Activities) (Scotland) Regulations 2014 and to such other conditions as the licensing authority may impose under those Regulations.  |
| *Signed :**(parent)* | *Date:* |
| *Full Name:* |
| *Address:* | *Postcode:* |
| *Relationship to child:\** |
|  | ***Counter-signature for children over 12*** |
|  | *Signed:**(child)* | *Date:* |
|  | *Full Name:* |
|  | *Address:* | *Postcode:* |



**THE CHILDREN (PERFORMANCES AND ACTIVITIES)(SCOTLAND)**

**REGULATIONS 2014**

**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 licence 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 the 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. **Individual Needs of the Child**

The following must be considered within any assessment of the risks:

1. 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.
2. The 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.

5. **Consent**

The following must be considered within any assessment of the risks:

1. 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.
2. Valid consent may require consent from persons other than the performer or participant, such as parents, or carers. 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.
3. 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 their unwillingness to perform may be used.
4. 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.
5. **Carrying out a Risk Assessment**

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.

7. A template for a risk assessment is attached in the Annex to this note.

8. 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.

9. As risks may change in severity and new risks may 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.

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**The Children (Performances and Activities) (Scotland) Regulations 2014**

**Risk Assessment**

**PHYSICAL**

| **Risk category** | **Potential harm** | **Degree of risk****1=not present****2= minimal****3=moderate****4=high/severe** | **Description of specific risk** | **Description of any control measures in place (i.e. actions to decrease risk)** | **Comments** |
| --- | --- | --- | --- | --- | --- |
| **Falling injury** |  |  |  |  |  |
| **Exposure to extremes of temperature** |  |  |  |  |  |
| **Exposure to adverse weather conditions** |  |  |  |  |  |
| **Injuries from staging scenery** |  |  |  |  |  |
| **Participation in stunts** |  |  |  |  |  |
| **Other(please specify)** |  |  |  |  |  |

| **Risk category** | **Potential harm** | **Degree of risk****1=not present****2= minimal****3=moderate****4=high/severe** | **Description of specific risk** | **Description of any control measures in place (i.e. actions to decrease risk)** | **Comments** |
| --- | --- | --- | --- | --- | --- |
| **Infection**  |  |  |  |  |  |
| **Fatigue** |  |  |  |  |  |
| **Dehydration** |  |  |  |  |  |
| **Inappropriate diet** |  |  |  |  |  |
| **Other (please specify)** |  |  |  |  |  |

**HEALTH**

**PSYCHOLOGICAL**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Risk category** | **Potential harm** | **Degree of risk****1=not present****2= minimal****3=moderate****4=high/severe** | **Description of specific risk** | **Description of any control measures in place (i.e. actions to decrease risk)** | **Comments** |
| **Emotional content e.g. sex, violence, drug use** |  |  |  |  |  |
| **Competition e.g. talent show, sports** |  |  |  |  |  |
| **Invasion of privacy** |  |  |  |  |  |
| **Other content inappropriate to age of the child** |  |  |  |  |  |
| **Stress/coercion** |  |  |  |  |  |
| **Peer group activity** |  |  |  |  |  |
| **Shock/trauma** |  |  |  |  |  |
| **Insult to dignity** |  |  |  |  |  |
| **Exposure to occult/supernatural** |  |  |  |  |  |
| **Other (please specify)** |  |  |  |  |  |



THE CHILDREN (PERFORMANCES AND ACTIVITIES)

(SCOTLAND) REGULATIONS 2014

**CHECKLIST FOR APPLICANTS**

|  |  |
| --- | --- |
| Application form completed and signed |  |
|  |  |
| Risk Assessment |  |
|  |  |
| Application form complete and signed by the parent/guardian of the child |  |
|  |  |
| Copy of birth certificate of the child (or other satisfactory evidence of child’s age enclosed)  |  |
|  |
|  |  |
| Particulars of the performance in which the child is to take part (including rehearsalsAnd hours relating to age of child) |  |
|  |
|  |  |
| 2 identical un-mounted prints of a photograph of the child taken within the preceding 6 months |  |
|  |  |
| Letter from child’s school giving permission for absence (if time off school is required) or head teacher’s signature on form |  |
|  |
|  |  |
| Contract (if applicable)  |  |
|  |  |
| Copy of PVG for chaperone (dated within previous 3 years) |  |
|  |  |
| Copy of South Ayrshire Council letter of suitability for chaperone  |  |
|  |  |
| Statement from child’s parent that the child is medically fit for the proposed activity (if applicable) |  |
|  |  |
| Details of the overnight accommodation where the child is staying if different from home address |  |
|  |  |
| Have suitable arrangements been made for transport of the child? (if applicable) |  |
|  |  |
| Have suitable arrangements been made to educate the child (if applicable) |  |
|  |  |
| Copy of PVG for private teacher (if applicable) |  |
|  |  |
| Copy of private teacher’s registration with professional body (if applicable) |  |

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**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 hoursPerform 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 rehearsing |
| 5-8 | Attend 8 hoursPerform 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 by the licensing authority | A break of at least 15 minutes after every hour of performing or rehearsingA food break of not less than 1 hour if present for more than 3 ½ hours |
| 9-school leaving age | Attend 9 ½ hoursPerform 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 rehearsingA food break of not less than 1 hour if present for more than 3 ½ hoursA further meal break of at least 30 minutes if present for more than 8 consecutive hours |
| There must be a minimum of a 12 hour period between a child leaving a place of performance or rehearsal on one day and returning the next. Where the 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. |