

**APPLICATION FOR A BODY OF PERSONS EXEMPTION (BOPE)**

**For Performances Taking Place within the South Ayrshire Council Boundary**

**Children and Young Persons Act S37 (3)(b)**

**Local authorities can grant a body of persons exemption (BOPE) to an organisation, removing the need for individual child performance licences, to be obtained for a performance or for a series of performances taking place over a two year period. THIS EXEMPTION WILL NOT APPLY WHERE THE CHILD IS PAID FOR TAKING PART IN ANY PERFORMANCE (including a payment to their parent/carer or guardian). Please note that if a payment is being made then an individual child performance licence is required and the relevant application form(s) should be completed and submitted.**

**PLEASE NOTE THE CHILD PERFORMANCE WORKING HOUR LIMITS SET OUT IN THE CHILDREN (PERFORMANCE AND ACTIVITIES) (SCOTLAND) REGULATIONS 2014 WILL APPLY TO ALL PERFORMANCES.**

**Section 1 – Organisation Details**

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| --- | --- |
| Name of Organisation seeking to apply for Body of Persons Exemption |  |
| Address and postcode of Organisation |  |
| Telephone Number(s) |  |
| Email |  |

|  |  |
| --- | --- |
| Name of Applicant\* |  |
| Position in Organisation |  |
| Address and postcode if different from above |  |
| Telephone Number(s) |  |
| Email |  |
| Please describe the activities  undertaken by your organisation, particularly those which involve children. |  |

*\*NB The applicant must have the authority to agree, on behalf of the organisation, to any terms and conditions set out by the local authority*

**Section 2 – Details of Performance (or Performances including Rehearsals) for which you are seeking a Body of Persons Exemption (BOPE) (if known- details of further performances can be provided at least 21 days before the performance)**

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| --- | --- |
| Performance Title  (*Please use a separate sheet if this is more convenient*) |  |
| Address and postcode of Venue |  |
| Date(s) of Rehearsal(s) |  |
| Time(s) of Rehearsal(s) |  |
| Location of Rehearsal(s) |  |
| Date(s) of Performance(s) |  |
| Time(s) of Performance(s) |  |
| Description of the Performance in respect of which the approval is requested.  *Please provide as full a description as you can about what the children will actually be required to do* |  |

**Section 3 – Details of Children**

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| --- | --- |
| Number of Children and Age Range. | Please complete full details on the attached ‘BOPE Children List’ including details of any absences that are required from school. (*Please note the Body of Persons Exemption does not provide authorisation to remove a child from school)* |

**Section 4 – Chaperone Details**

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| --- | --- |
| Chaperones are required for each performance and a ratio of 1:10 children is required. Please refer to the Process for Chaperones and ensure that an application form is completed (where required) for any chaperones that are intended to be used. | Please complete full details for every Chaperone on the attached ‘BOPE Chaperone List’.  Application forms for new chaperones require to be submitted 2 months prior to the first performance. |

**Section 5 – Safeguarding Arrangements**

|  |  |
| --- | --- |
| Name of Person Responsible for Child Protection and Safeguarding within your organisation |  |
| Position in Organisation |  |
| Address and postcode |  |
| Telephone Number(s) |  |
| Email |  |

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| --- | --- |
| Does your organisation have a child protection policy? (Please attach a copy to this application) |  |
| How do you ensure your child protection policy is followed throughout your organisation? |  |
| What safeguarding training do you provide to those in your organisation who come in to contact with children? |  |
| What arrangements do you have in place for the supervision and well-being of the children at rehearsals and performances? |  |
| What arrangements do you have in place for the safe travel of children to and from the place(s) of performance/rehearsal? |  |

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| **Declaration of Compliance with *The Children (Performances and Activities) (Scotland) Regulations 2014***  The above organisation has applied to **South Ayrshire Council (the Local Authority)** for a Body of Persons Exemption (BOPE) under s37 Children & Young Persons Act 1963. If approved, the organisation would be exempted from the need to apply for individual licences for children to perform **within South Ayrshire** for a two year period.  If the Body of Persons Exemption is approved, the organisation confirms that it understands and agrees to adhere to the following conditions:   1. No payment will be made to the child or anyone else, on behalf of the child, other than reasonable expenses for taking part in a performance to which the BOPE applies. 2. No child will be absent from school to take part in a performance given under the BOPE unless approval has been given by their Head Teacher. 3. The organisation will provide the local authority with details of each performance in South Ayrshire (including rehearsals) including the dates, times and location, together with the full name, date of birth and address of all children taking part, at least 21 days in advance of the performance unless the local authority has agreed to a shorter notice period. Any changes to the performance schedule must be advised to the local authority in advance or as soon after as is practicable in respect of late changes. 4. The organisation agrees to comply with Regulations 8 and 9 and Regulations 12 to 29 of *The Children (Performances and Activities) (Scotland) Regulations 2014*. 5. A risk assessment will be carried out in respect of each place of performance and rehearsal venue. 6. Appropriate first aid provision must be in place for each performance and rehearsal. 7. The organisation will ensure that an appropriate number of suitable adults are engaged to care for the children having specific regard to their sex and age, ensuring that each child is reasonably supervised at all times. The organisation will ensure it complies with the Protection of Vulnerable Groups legislation. 8. The organisation agrees to any authorised officer of the local authority having access to any rehearsal or performance at any venue within South Ayrshire that the organisation uses for such purposes. 9. The organisation will provide a written Child Protection Policy to the local authority. 10. The organisation will ensure that a list of emergency contact details in respect of each child including any medical issues or additional needs is available at the place of performance and at each rehearsal. 11. The organisation will ensure signing in and out sheets are completed for each performance and rehearsal. 12. The organisation will notify the local authority of any serious injury sustained to any child during a performance or rehearsal during the period the exemption is in effect.   Failure to comply with any of the above agreements or conditions is likely to result in the local authority revoking the Body of Persons Exemption with immediate effect.  Failure to comply with Children & Young Persons Act 1963 S37 and ***The Children (Performances and Activities) (Scotland) Regulations 2014*** is a criminal offence, which on conviction carries a maximum penalty of £1,000 or three months imprisonment or both, for each offence.  Applicant Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**South Ayrshire Council**

**Educational Services**

**Education Administration & School Estate**

**County Buildings**

**Wellington Square**

**AYR**

**KA7 1DR**

[**Edservicesperformancelicence@south-ayrshire.gov.uk**](mailto:Edservicesperformancelicence@south-ayrshire.gov.uk)

**For further clarification, please refer to Getting It Right for Young Performers –** [**http://www.gov.scot/Resource/0047/00471861.pdf**](http://www.gov.scot/Resource/0047/00471861.pdf)