



Child Licensing Guidelines

July 2023

ITV Guidance on Child Licensing

This Guidance includes –

**Filming With Children – Essential Information
Permitted Working Hours
Guidelines for Chaperones**

Filming with Children – Essential Information

New rules came into force in England on 6 February 2015, in Scotland on 20 February 2015 and in Wales on 30 October 2015. Please disregard all earlier guidance, which is now obsolete. These guidelines incorporate the new provisions.

These guidelines provide a brief summary only and the rules differ in England, Scotland and Wales. For further information, please refer to the full guidelines that apply to the area in which the child resides:

England: <https://www.gov.uk/government/publications/child-performance-and-activities-licensing-legislation>

Scotland: <http://www.gov.scot/Resource/0050/00500141.pdf>

Wales: https://gov.wales/sites/default/files/publications/2019-08/keeping-young-performers-safe-guidance-to-accompany-the-2015-child-performance_0.pdf

It is advisable to contact the relevant local authority as soon as possible to discuss your application and ensure you comply with their “best practice” guidelines and procedures.

All children under 16 years of age (or 16 and still in their GCSE year) taking part in a performance for broadcast, or with a view to broadcast, must be licensed via the Local Authority (LA) for the area in which the child resides (see exceptions below).

A PERFORMANCE is not defined in law but could include:

- Acting, singing and/or dancing
- Dramatized “reconstructions”
- Sports or modelling
- Taking part in a quiz team
- Activities in constructed artificial environments created by the production

The LICENCE APPLICATION : must be made at least 21 days before the performance takes place; the Casting Department can advise on this procedure.

Children must be SUPERVISED : either by a parent/ legal guardian, or by one of their teachers, or by a properly licensed chaperone.

The production is also responsible for safe and chaperoned travel arrangements, and hotel accommodation, and these arrangements must be approved by the LA granting the licence.

Permitted hours of work, rest and meal breaks – see the Working Hours Guidance below. Night work needs to be authorised by the Licensing Authority in advance, and where it occurs there must be a break of at least 16 hours between the end of the night work and the beginning of the next performance. No more than 2 consecutive days of night work will be allowed.

Generally you should not need to license children for the following types of filming:

- Documentary filming of children taking part in activities they would be doing in any event and that are not specifically arranged by the production
- An interview with a child as part of a documentary, magazine, current affairs or news programme.

If you think your filming of children does not constitute a performance or an activity that requires licensing, please take advice from ITV's Compliance legal team before filming, regarding the steps that you will be taking in risk assessment and to safeguard the child participant's welfare during filming.

Once a child has been selected to take part in a programme, the following process should take place:

A licence application form has to be completed – the application is made to the local authority in which the child resides.

Part 1 of the licence is completed by ITV with all details about the performance, dates, venues etc.

Part 1 and Part 2 of the licence application and a covering letter is sent to the parent or guardian requesting (where relevant) the following documents, which need to be provided to the LA:

England	Wales	Scotland
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<ul style="list-style-type: none"> • 2 x photos (taken within the preceding 6 months); 	<ul style="list-style-type: none"> • 2 x photos (taken within the preceding 6 months); 	<ul style="list-style-type: none"> • Certified copy of birth certificate or other proof of age;
<ul style="list-style-type: none"> • Certified copy of birth certificate or other proof of age; and 	<ul style="list-style-type: none"> • Certified copy of birth certificate; 	<ul style="list-style-type: none"> • A copy of the contract or other documents containing particulars of the agreement regulating the child's performance;
<ul style="list-style-type: none"> • A copy of the contract or other documents containing particulars of the agreement regulating the child's performance. 	<ul style="list-style-type: none"> • A copy of the contract or other documents containing particulars of the agreement regulating the child's performance; 	<ul style="list-style-type: none"> • A completed risk assessment detailing potential risks with the child's participation in the performance and information on how those risks will be mitigated; and
	<ul style="list-style-type: none"> • A letter of permission from the head teacher of the child's school (whether or not the child will be absent from school); and 	<ul style="list-style-type: none"> • If the child will be absent from school, the application should also be signed by the head teacher of child's the school.
	<ul style="list-style-type: none"> • The child protection policy or policies that ITV will apply. 	

NOTE - it is no longer necessary to provide a medical note from the child's GP (although the LA may request one)..

The parent completes Part 2, collects the information above (where relevant) and returns it to ITV or the LA (as agreed).

Then Part 1 and Part 2 and all the documents/photos etc are sent to the LA – often the parent will hand deliver the application to speed up the process, and make personal contact with the Education Welfare Officer.

Hopefully the LA will go ahead and issue the licence (or contact ITV if there are any difficulties/grey areas).

Once the licence has been received in the casting dept, a copy is taken and delivered to the production office for a member of the team – eg 1st Assistant Director – who will be responsible for holding the licence on set/location, and must be able to produce it if required to do so. Education Welfare Officers are

entitled to undertake 'spot checks' and arrive at filming without warning the production crew. The licence MUST always be kept at the place where filming is taking place by someone responsible who can immediately produce it when asked.

The production team should familiarise themselves with the age restrictions and provisions of the "working hours" table below.

The LA has the right to ask to view the child's attendance records for up to 6 months after filming has ended. The hours of attendance can be recovered from the daily call sheets. This right is sometimes referred to as the 'Schedule 3' right, which is the part of the legislation that refers to attendance records. Chaperones are also required to keep a record of breaks/meals/working hours.

Requirements for getting permission from the Child's school differs for England, Scotland and Wales:

England	Wales	Scotland
<p>If filming is to take place during the school term, it is good practice to specify the dates on which you want to film on the licence application, and if it is granted you are not obliged to seek separate permission from the school.</p> <p>If you do not specify the dates in the licence application, please note that for children at local authority maintained schools and special schools not maintained, filming will have to take place outside school hours because the Head teacher has no legal power to authorise the child's absence for this reason.</p> <p>For children at independent schools, including academies</p>	<p>A local authority cannot grant a licence unless they are given a letter from the head teacher of the child's school confirming that their education will not suffer (whether or not the child will miss any time at school).</p> <p>The only exception to this is where the local authority agreed that it is not possible to get such a letter (such as when an application is made during the school summer holidays and does not involve any time out of school).</p> <p>If the child is to miss school, the head teacher must always give their permission for each occasion that the child is out of school.</p>	<p>If the child will be absent from school as a consequence of their participation in the performance, the application to the LA must also be signed by the head teacher of the child's school.</p>

and free schools, provided the Head teacher gives permission, filming can take place during school hours.		
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NOTE - The rules can be modified by the Licensing Authority on a case-by-case basis having regard to the wellbeing of an individual child, and conditions included in the licence. Chaperones can request additional breaks at any time based on the wellbeing of the child.

The detailed rules relating to breaks and working hours are below. Please note that these are the maximum and minimum periods permitted – they are not intended to be the default working patterns for all children, or each day's performance.

All breaks must be used for meals, rest, education or recreation only (Note in Scotland they cannot however be used for education). This means the child cannot for example be in make up or discussing the performance or reading lines during a break.

The minimum period for a meal break is 45 minutes but the expectation is that the child will ordinarily have a 1 hour break, and this should only be shortened to 45 minutes with the consent of the chaperone.

The minimum overnight break for all age groups is 12 hours but 14 hours is optimal for younger children and should be the norm. Children over 5 must have a break of at least 1½ hours between live performances lasting more than one hour, and at least 45 minutes for performances lasting less than an hour.

Please see the NNCEE website for Best Practice examples.

PERMITTED WORKING HOURS FOR CHILDREN TAKING PART IN TELEVISION PERFORMANCES

AGE OF CHILD	Over 9 years	5-8 years	0-4 years
MAXIMUM NUMBER OF HOURS PERMITTED AT THE PLACE OF PERFORMANCE OR REHEARSAL	9 ½ hours	8 hours	5 hours
EARLIEST AND LATEST PERMITTED TIMES AT THE PLACE OF PERFORMANCE OR REHEARSAL	7:00am to 11:00pm	7:00am to 11:00pm	7:00am to 10:00pm
MAXIMUM CONTINUOUS TIME TO TAKE PART WITHOUT A REST	2 ½ hours	2 ½ hours	30 minutes
MAXIMUM PERFORMING TIME OR REHEARSAL	5 hours	3 hours	2 hours
MINIMUM INTERVALS FOR MEALS AND REST WHILST PRESENT AT THE PLACE OF PERFORMANCE OR REHEARSAL	<p>When performing, must have breaks at least every 2 ½ hours for at least 15 minutes</p> <p>If present for 4 -8 consecutive hours – 2, one of which must be at least 45 minute meal break and the other at least 15 minutes</p> <p>If present for 8+ consecutive hours – 3, one of which must be a meal break of at least 45 minutes, the others at least 15 minutes</p>	<p>When performing, must have breaks at least every 2 ½ hours for at least 15 minutes</p> <p>If present for 4 -8 consecutive hours – 2, one of which must be at least 45 min meal break and the other at least 15 minutes</p> <p>If present for 8+ consecutive hours – 3, one of which must be a meal break of at least 45 minutes, the others at least 15 minutes</p>	<p>When performing must have breaks every 30 minutes of at least 15 minutes</p> <p>If present for 4 consecutive hours – at least one 45 minute meal break must be given</p>
MINIMUM NUMBER OF HOURS EDUCATION ON SCHOOL DAYS IF BEING PRIVATELY TAUGHT	3 hours per day but hours may be banked over a 4 week period	3 hours per day but hours may be banked over a 4 week period	N/A
MAXIMUM NUMBER OF CONSECUTIVE DAYS PERFORMANCE	6 days	6days	6 days

ITV Guidelines for Chaperones

Introduction

All chaperones require to be licensed by the local education authority, and in Scotland must be members of the Protecting Vulnerable Groups Scheme.

The local authority must be satisfied that the chaperone can exercise proper care and control of the child or children, including their health, comfort, kind treatment and moral welfare. The chaperone is acting in loco parentis and should exercise “the care which a good parent might reasonably be expected to give that child”. The chaperone’s responsibility is to the child, not to the production.

Responsibilities

The Children (Performance and Activities) (England) Regulations 2014 and the Children (Performances and Activities) (Scotland) Regulations 2014 lay down regulations for chaperones, which include the following:

- The chaperone shall be in charge of the child at all times except when a child is in the charge of his parent or a tutor. For example, escorting the child from the performance area to the dressing room.
- A chaperone must not be prevented from carrying out their duties as chaperone by other duties.
- The maximum number of children in a chaperone’s care should not exceed 12 in England and 10 in Scotland. In some cases, 12 may be too high, for example with very young children, with a mixed sex group, or if the children are living away from home. Chaperones must consider these factors when deciding on the number of children to chaperone.
- If the Chaperone is also the child’s private teacher, they may take care of only 3 children at any one time.

Chaperones must:

- Consider health and safety issues on stage and on set. For example, be fully aware of evacuation procedures in case of emergencies such as fire and have a basic understanding of emergency first aid treatment.
- Take into account the child’s age and experience, concentration span, and exposure to adult conversation and expectations
- Take action whenever a child is tired, ill or upset.
- Be aware of and deal with any bullying.

At no time should a child perform when unwell. If a child falls ill or is injured while in the chaperone's charge, medical assistance must be obtained. In the event of a child being too ill to perform, the chaperone must make arrangements for the child to be sent home under proper escort. In case of serious injury/accident the child should be sent to hospital. **In all such cases the child's parents and LA should be informed immediately.**

The chaperone should have a basic understanding of the production's 'duty of care' in a workplace situation and be satisfied that suitable risk assessments have been carried out by those responsible for the rehearsal/performance. The chaperone should be satisfied that any risks that may affect the child in their care have been identified and that effective control measures are in place.

The chaperone must safeguard the child's welfare, and not do anything that could jeopardise their welfare or cause them any harm. The child must be guarded against exposure to both physical and psychological harm, including abuse or discrimination.

The chaperone must ensure that the child has suitable opportunities for recreation, and the right breaks for rest and meals. Children should be provided with nutritional food and not have take-away snacks. Any special diets required for medical reasons, or on moral or religious grounds, must be provided for. The arrangements for the journey from and the return to home must be satisfactory for the child's safety. The chaperone must be satisfied with the arrangements for the dressing rooms, toilets and any other facilities that the child makes use of.

All chaperones are to ensure that no child is discriminated against on grounds of race, gender, age, colour, ethnic or national origin, and will report any such issues to ITV's Head of Casting/Contracts.

Below is a list of typical hazards associated with theatrical and film performances. The list is not exhaustive but covers some of the more common areas that may give cause for concern:

- Fire procedures
- Safe place to stand in the wings or off set
- Movement of scenery
- Flying scenery
- Movement of any machinery
- Periods of temporary darkness (e.g. scene changes)
- Falls from a height
- Smoke effects and dry ice
- Noise (e.g. bomb tanks)
- Pyrotechnics
- Trapdoors
- Animals

- Electrical Cables
- Protection from inclement weather
- Movement of vehicles

By law, records should be made available to a visiting officer of the LA by the producers. Chaperones are often designated to keep these in respect of the child:

- Times child is at the place of performance
- Times child performs and/or rehearses
- Time child has breaks and meals
- Time child is waiting between performances (e.g. rescheduling)
- Dates and times of education provided
- Details of any injuries or accidents
- Dates of breaks between performances
- Financial records of money earned and paid
- Compliance with conditions imposed by the Licensing Authority.

In the event of any contravention of the licence, or any incident affecting the wellbeing of the children, inform the LA who issued the licence at the earliest opportunity.

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