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Ealing Council Protocol for processing and issuing a Chaperone Licence

Last reviewed August 2021

**Introduction**

This policy does not reproduce the Government and NNCEE legislation and Guidance, but it provides supplementary information on the process to approve, suspend and revoke the licence of a chaperone within Ealing Council.

**Legislation**

The following links offer detailed information about the legislation, regulations and

guidance around Chaperones and Children in Entertainment:

Children and Young Persons Act 1933 - Legislation.gov.uk

Children and Young Persons Act 1963 - Legislation.gov.uk

The Children (Performances and Activities) (England) Regulations 2014

DfE advice on Child Performance & activities licensing legislation Feb 2015

Examples of Best Practice - Child Performance and Activities Licensing by Local

Authorities in England

A Guide to Child Performance Licensing – NNCEE

[Hours for children performing](http://www.nncee.org.uk/attachments/article/222/Table%20perf%202014.pdf)

**The Role**

**The council will only grant chaperone licences to individuals who live within the London Borough of Ealing.**

The role of a chaperone is to safeguard, support and promote the wellbeing of a child(ren) as well as to have care and control of that child/children at all times during performance, rehearsal, activity or living away from home/staying in accommodation during the period of the performance licence. The chaperone is the point of safety a child can turn to and rely on should the need arise. They are the key person who protects, safeguards, and supports a child under the licensing system. Chaperones are required for licensed and other approved events unless the child is under the care of their parent or the teacher who would ordinarily provide the child’s education. As an approved chaperone, the council expects that such adults safeguard children, to prevent and report any neglect or abuse as well as to raise concerns about the safety or welfare of the child and to act where they can. The chaperone has a major part to play in ensuring that the child's experience is enjoyable and beneficial.

Chaperones must be approved by the local authority that has granted the relevant licence to the child as part of the application process as being suitable to exercise care and control of the child/ren in question.

*Where a performance is taking place under the auspices of a Body of Persons approvals (BOPA) There is no requirement, for a local authority approved chaperone’s to be appointed to supervise the children. The organisation may have its own staff and arrangements for supervising and protecting children. The important point is that suitable arrangements are made to ensure children are supervised at all times, and that the organisation has policies and procedures in place to ensure their safety and wellbeing.*

**The council reserves the right to refuse, withdraw (or revoke) or to amend a chaperone approval if it considers it appropriate to do so.**

**Chaperones**

The council recognises the important role that chaperones play in society and the council will process applications and carry out checks to confirm the suitability to grant an approval.

**Approval of a chaperone**

In considering if a person is suitable and competent to exercise proper control, the council will require the applicant to attend a meeting with the Designated Officer from the School Attendance Service, before he/she is approved, and to undertake relevant child protection training and safeguarding training for chaperones on their roles and responsibilities.

Once a licence has been approved, the chaperone must also attend Ealing training sessions ‘Data Protection’ and ‘Health and Safety’ and Safeguarding and Protecting Children before the licence is issued.

As part of the application, the council will check council records, including child’s safeguarding and social care teams to determine the suitability of a candidate.

**Period of approval**

An approved chaperone licence is for the duration of 3 years. An applicant can only get a chaperone licence if they have an enhanced DBS clearance (criminal checks) and enhanced vetting. Chaperone licence applicants need to complete the relevant DBS questions on the application form. If applicants do not already have enhanced DBS clearance and enhanced vetting, they can apply via an authorising body e.g., Ealing Council. There is currently a £56 charge for this, which applicants will be invoiced for soon after the enhanced DBS process is completed

DBS and enhanced vetting checks are valid for three years from the date of application. DBS dates and chaperone licences do not have the same dates. We advise candidates to subscribe to the DBS update service (at an annual cost of £13). This is an online subscription service that lets you keep your standard and enhanced DBS certificates up to date. It also allows employers to check a certificate online, with your consent.

You can use your certificate again when you apply for a position within the same workforce, where the same type and level of check is required.

Candidates who fail to renew their yearly update may need to complete a new DBS check, during this time, their licence will be suspended until a new DBS is received and Ealing is not responsible for any loss of earning whilst this is processed.

**Criminal record**

The council will consider an individual’s criminal record and other information gained by enquiry when deciding if a person is suitable to be approved or remain a chaperone.

Any person seeking to be approved as a chaperone is required to declare convictions, cautions and on-going Police or Court bail matters when they apply for an approval. Where these arise during the process of an approval, they need to declare to the Designated Officer within seven days after they occur.

**The council will seek advice if these have implications for the chaperone’s approval and where appropriate they will suspend or revoke a chaperone’s approval.**

**Should the council become aware of a criminal conviction, or an on-going Police investigation not declared, the designated member of staff would seek advice from the Ealing Safeguarding Children Partnership (ESCP) and our Human Resources advisor on the suspension or revoking of the chaperone approval.**

Where a chaperone has had their approval suspended, they are unable to work as a chaperone within the United Kingdom or abroad. If a chaperone does work whilst suspended, then the Designated Officer will revoke their licence immediately and they will not be allowed to reapply for a period of up to 12 months depending on circumstances. The chaperone will be informed in writing how long the suspension will be in force for and that they must not work as a chaperone whilst suspended. If a second offence occurs whilst they are suspended their licence will be revoked indefinitely.

When considering an individual’s application, the council will consider each case on its merits. We will take a particularly cautious view of any offence and or information involving violence against children or adults, sexual related matters against children or adults, substance misuse offences or inappropriate behaviour in relation to young people or health issues that could cause concern in respect of the role of the chaperone.

The Designated Officer will interview the candidate where information is received from the DBS certificate on criminal activity.

Where a candidate has failed to declare a criminal offence, but it is revealed on their DBS or enhanced vetting check, then the candidate will be re-interviewed by the Designated Officer to consider if their licence will be approved or revoked.

When considering the information on an application and or the DBS and enhanced vetting check, the Designated Officer will consider the nature and seriousness of the offence and for less serious offences, the length of time since the offence occurred. The council recognise that minor offences that occur when an individual was younger, may not necessarily disbar them from approval. However, the Designated Officer will seek advice from the Ealing Safeguarding Children Partnership (ESCP) and our Human Resources advisor.

etc. Ealing may seek additional advice from our Human resource advisors and the Ealing Safeguarding Children Partnership (ESCP) and/or may issue approval subject to certain conditions or even for a shorter period to monitor the impact on the chaperone’s ability to provide appropriate care. This will be discussed with the applicant, and they will receive a written explanation of any conditions imposed.

**Application Process**

An applicant is also expected to produce a range of documents prior to their initial interview with the Designated member of staff.

These are:

* A completed application form currently available online via Ealing website [www.ealing.gov.uk](http://www.ealing.gov.uk)

<https://www.ealing.gov.uk/downloads/download/122/application_form_for_a_chaperone_licence>

* Appropriate documentation from the DBS approved list of documents dated within the last three months.
* The names of two references; references should be from separate sources and not from the same employer e.g., a current or most recent employer and one other. Where there is no option for a work reference, applicants should provide character references; this should be a person/s who has knowledge of and can comment on the candidate’s work with children, someone who knows them in a professional capacity. References cannot be accepted from a spouse, partner, or family relation or from someone with whom they live. Where there are delays in a reference being completed, the candidate may need to supply additional referees. Ealing Council can also reserve the right to ask for additional references if those supplied are not satisfactory.
* Candidates will provide two passport size photographs electronically

A chaperone’s licence is not released until all checks have been completed, DBS certificate has been received and the council is notified of this, and all Ealing on-line training has been undertaken. The applicant will be invoiced from Ealing for the total cost of the DBS check once the licence has been agreed.

**Where an application is withdrawn or not approved, there is no refund of any charges paid to the council.**

**First meeting / interview**

The candidate will attend a meeting with the Designated Officer. Whilst distancing rules remain in place due to the Covid pandemic, these meetings will be held virtually, for example, via Teams.

Before the first meeting/interview, candidates are expected to have read and be able to demonstrate an adequate knowledge of the roles and responsibilities of a chaperone and the legislation governing child performance licences and an understanding of safeguarding issues. Information about the role of a chaperone is shown at the end of this document.

During the interview with the Designated Officer, the candidate will be asked questions about their role and responsibilities.

**Attendance at training**

Candidates are required to undertake approved chaperone training within 3 months of their approval or complete on-line training course verified and approved by the NSPCC – online learning – ‘training for chaperones -safeguarding in child performance’ and must provide proof of training to Ealing council. Candidates are welcome to attend training whilst their approval is being processed. Failure to undertake training will result in their approval being suspended until they complete the training.

**The Chaperone must not undertake paid chaperone work during this time and Ealing council is not responsible for any associated loss of earnings**.

Once a licence has been approved, and before the licence is issued, the chaperone must also attend Ealing on-line training sessions ‘Data Protection’ and ‘Health and Safety’ and ‘Safeguarding and Protecting Children’

A licenced chaperone should notify the local authority at the earliest opportunity if:

* There are any changes to their circumstances, which may affect the ability of the chaperone to perform duties safely, including health issues.
* There are any arrests, bail conditions and or safeguarding concerns relating to them or their immediate family members.
* They have been dismissed from a production because of concerns about their practice.

**Renewal of licences**

Applications are renewed every three years and applicants will be asked to give permission for enhanced vetting checks to be undertaken with council departments including safeguarding services as part of their renewal application. They are expected to attend chaperone training in the three months to the end of the current chaperone licence to ensure their licence is approved for another three years period. A meeting and discussion with the Designated Officer and/or on-line training is an option at the start of the renewal process.

Applicants are expected to ensure the renewal of the DBS certificate and their approval are received at least three months in advance of the expiry date to ensure that their DBS and enhanced vetting approval do not lapse. Responsibility for renewal rests with the individual chaperone.

**Renewal of an existing chaperone licence**

If an application is late or incomplete, or there are concerns from the council, there may be insufficient time to process the DBS and enhanced vetting or approval before the existing licence expires and there may be a period when the chaperone is unable to work.

**The Chaperone must not undertake voluntary or paid chaperone work during this time and Ealing council is not responsible for any associated loss of earnings**.

Chaperones who do work without an approval or a DBS with enhanced vetting will have their approval suspended for a period of up to three months.

All applications must be made on the appropriate application form, and this must be fully completed.

Applicants should allow at least up to three months for an approval and their DBS with enhanced vetting check to be processed.

Should concerns be raised because of the checks undertaken by Ealing council, the chaperone will be invited to discuss the issues and they will be informed in writing of any further action the council will take.

**Lapsed approvals**

Where an approval has lapsed by the person, the council will only consider reissue if it is made within three months of the expiry date. Requests after this time will be processed as a new application and will need to go through the new application process again.

**The Chaperone must not undertake voluntary or paid chaperone work during this time and Ealing council is not responsible for any associated loss of earnings**.

**Candidates who no longer live in Ealing**

Where a candidate moves, they will be expected to seek approval from the borough where they have moved. This should be sought as soon as possible. Ealing will continue to approve the person for three months following a move to another borough to enable chaperones to seek a new approval and not to miss work.

Should a chaperone not seek a new approval within the three months, Ealing will revoke their chaperone licence.

Copies of their application, references and any checks undertaken by Ealing council will be shared with the new borough with the applicant’s permission.

**Candidates who have moved into Ealing.**

Candidates are expected to seek approval from Ealing within three months of moving into the borough. Ealing council will seek information from the previous borough. Ealing council may consider exempting the new applicant from chaperone training if they have attended training in the last year from another borough or an online provider subject to agreement by Designated Officer.

Ealing will require chaperones to undergo enhanced vetting and attend training on ‘Data Protection’ and ‘Health and Safety’ and ‘Safeguarding and Protecting Children’.

Where it becomes clear that a chaperone has been living in Ealing, has not applied for approval from Ealing council, and continues to work under a previous approval from another borough, Ealing council will review if that person will be considered a suitable person to be approved by Ealing.

**Concerns about a chaperone**

Where there are concerns about a chaperone raised by the council, by a parent, a child, or a production company, the council will investigate.

During any investigation, the council may decide to suspend the chaperone’s approval whilst any investigation is undertaken. Chaperones are required to attend any meetings to discuss the concerns. A chaperone will be able to bring a friend/supporter to the meeting if they have given prior indication. It is not appropriate to bring along a legal representative.

Where it is felt that an approval will be revoked, the candidate will be invited to a formal meeting to explain why the council has taken this action.

Where it is felt that an approval should be suspended whilst the chaperone attends further training/re-training, the chaperone will be invited to a meeting to explain the associated deadlines.

**During the period of suspension, the Chaperone must not undertake voluntary or paid chaperone work during this time and Ealing council is not responsible for any associated loss of earnings**.

**Fees for chaperones**

As of September 2019, fees are:

Chaperone DBS check £56

**Agreement**

Designated Officer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ealing School Attendance Service

Date:

I confirm I have read and understood my responsibilities as a Chaperone.

I will notify the Designated Officer if there are any changes to my circumstances, including health issues, arrests, and bail conditions and or safeguarding concerns relating to my immediate family members or myself.

Chaperone’s signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chaperone’s name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: