

**APPLICATION FOR A BODY OF PERSONS EXEMPTION**

**Taking Place within the Angus Council Boundary**

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

**Section 1 – Organisation Details**

|  |  |
| --- | --- |
| Name of Organisation |  |
| Registered Address of Organisation  *inc postcode* |  |
| Telephone Number(s) |  |
| Email |  |

|  |  |
| --- | --- |
| Name of Applicant\* |  |
| Position in Organisation |  |
| Address if different  *inc postcode* |  |
| Telephone Number(s) |  |
| Email |  |

*\*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)**

|  |  |
| --- | --- |
| Performance Title |  |
| Address of Venue  *inc postcode* |  |
| 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**

|  |  |
| --- | --- |
| Number of Children and Age Range  (indicate for each performance, including rehearsals) |  |
| Details of Children who require to be absent from school (if applicable)  Child’s Name, Date of Birth, School Attended |  |

**Section 4– Safeguarding Arrangements**

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

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| --- | --- |
| 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 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? |  |

|  |  |
| --- | --- |
| Have BOPA applications been made to other local authorities?  *If yes, which authorities and dates?* |  |
| Has your organisation ever had a BOPA refused?  *If yes, which authorities?* |  |

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| --- |
| **Declaration of Compliance with *The Children (Performances and Activities) (Scotland) Regulations 2014***   1. I confirm that no payment in respect of taking part in the performance(s), other than for offsetting expenses, will be made to any young persons or to anyone on their behalf such as a parent/carer. 2. I confirm that the child protection policy for the organisation is attached. 3. I confirm that all the young people’s parents/carers have confirmed that they are fit and that their health will not suffer by taking part in the performance(s). 4. I confirm that the Organisation agrees to the terms as set out in the “Contract of Agreement” and “Guidance” attached. 5. I confirm that no child of compulsory school age requires any absence from school to take part in the production or attach hereto permission from the Head Teacher in respect of any child taking part who requires to be absent from school.   Applicant Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |



**CONTRACT OF AGREEMENT**

**EXEMPTION FROM CHILDREN’S LICENSING**

**BODY OF PERSONS APPROVAL**

**S37(3)(b) Children & Young Persons Act 1963**

|  |  |
| --- | --- |
| **Name of Organisation** |  |
| **Address of Organisation**  **(inc postcode)** |  |
| **Telephone Number** |  |
| **Email** |  |
| **Name and Address of person responsible for the production** |  |
| **Position in Organisation** |  |

The above organisation has applied to **Angus Council (the Local Authority)** to be approved as a Body of Persons 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 the Angus Council boundary.

If approved, the organisation 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.
2. No child will be absent from school to take part in a performance given under the Body of Persons approval.
3. The organisation will provide the Local Authority (LA) with details of each performance/rehearsal 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 first performance unless the LA has agreed to a shorter notice period. Any changes to the performance schedule must be advised to the LA 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. The organisation will ensure that the place of performance has been approved by the LA.
6. A risk assessment must be carried out in respect of each place of performance.
7. Appropriate first aid provision is in place for each performance.
8. The organisation will ensure that an appropriate number of Local Authority approved chaperones are engaged to care for the children employed, having specific regard to their sex and age, ensuring that each child is supervised at all times. *(delete as appropriate)*
9. The organisation will ensure that an appropriate number of suitable adults are engaged to care for the children employed, having specific regard to their sex and age, ensuring that each child is supervised at all times. *(delete as appropriate)*
10. The organisation agrees to any authorised officer of the LA having unrestricted access whilst any dress or technical rehearsal or performance is taking place at any venue that the organisation uses for such purposes.
11. The organisation will provide a written Child Protection Policy to the LA.
12. The organisation will obtain a signed statement of fitness from the parent of each child.
13. 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.
14. The organisation will notify the LA of any injury or illness sustained during a child’s participation in a performance.
15. The organisation will ensure signing in and out sheets and daily record sheets are completed for each performance.

**CONTRACT OF AGREEMENT**

**Name of Organisation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Failure to comply with any of the above agreements or conditions is likely to result in the LA 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.

In signing this declaration you agree to the terms and conditions above.

Signed:

Print Name:

Position in Organisation:

Tel Number:

Date:



**BODY OF PERSONS APPROVAL**

**LIST OF CHILDREN PARTICIPATING IN PRODUCTION**

|  |  |  |
| --- | --- | --- |
| **Name** | **Address** | **Date of Birth** |
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**BODY OF PERSONS APPROVAL**

**LIST OF CHILDREN CHAPERONES**

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| --- | --- | --- | --- |
| **Parent/Guardian or Chaperone (please indicate)** | **Name** | **Address** | **Current PVG**  **Yes/No**  **(if applicable)** |
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**A registered chaperone can chaperone up to 10 children (maximum) involved in a performance or activity, depending on age, maturity and wellbeing needs**

**Parents/guardian may act as a chaperone in respect of their own child, they may not act as a chaperone to any other child at the same time**

### Your privacy and the council

###### What we need and why

The council is the ‘Data Controller’ of the personal data you provide to us. The information you have provided on this form about you / the child is used in assessing the application for a licence to allow the child to participate in a performance. The licence details will be shared with relevant staff within the education department and the production company. No other third parties have access to your personal data unless permitted by law.

We will retain this information until the end of the academic year plus one, following the final date of the performance.

For further information please refer to the Council’s Full Privacy Statement  - <https://www.angus.gov.uk/council_and_democracy/council_information/information_governance/angus_council_full_privacy>

To be sent to

Angus Council

Education and Lifelong Learning

Angus House

Sylvie Way

Orchardbank Business Park

Forfar

DD8 1AN

or Email

[ACCESSSchoolsLearnEnrolment@angus.gov.uk](mailto:ACCESSSchoolsLearnEnrolment@angus.gov.uk)