

## APPLICATION FOR A BODY OF PERSONS EXEMPTION

### Taking place within the Derbyshire County Council Boundary

**Children and Young Persons Act 1963 S.37(3)(b)**

#### Section 1 – Organisation Details

|  |  |
|--|--|
| <b>Name of Organisation</b>                                |  |
| Registered Address of organisation<br><i>inc. postcode</i> |  |
| Tel. No(s)   |  |
| Email address  |  |

|  |  |
|--|--|
| <b>Name of Applicant*</b>                    |  |
| Position in Organisation                     |  |
| Address if different<br><i>Inc. postcode</i> |  |
| Tel. No(s)                                   |  |
| Email address                                |  |

*\*N.B. The Applicant must have the authority to agree, on behalf of the organisation, to any terms and conditions set out by the Local Authority. **You must inform the Local Authority should the named Applicant change during the period of authorisation***

#### Section 2 - Details of Performance

If your application is for a **yearly term** and you have not arranged any performances, please continue to section 3

|   |  |
|---|--|
| Performance Title   |  |
| Address of Venue<br><i>inc. postcode</i>  |  |
| Date(s) and Times of Rehearsal(s)   |  |
| Date(s) and Time(s) of performance(s)   |  |
| Description of the performance in respect of which the approval is requested.   |  |
| <b>Please provide details of the Children, Responsible Adults and Lead Person etc. for each performance on the Individual Performance Notification Form</b> |  |

**Section 3 – Safeguarding Arrangements**

|  |  |
|--|--|
| Name of Person responsible for Child Protection and Safeguarding |  |
| Position in Organisation   |  |
| Address<br>inc. postcode   |  |
| Tel. No(s)   |  |
| Email address  |  |

|  |  |
|--|--|
| What steps do you take to ensure suitability of the responsible adults?<br>i.e. DBS checks                   |  |
| 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 into contact with children? |  |
| What arrangements do you have in place for the supervision of the children at rehearsals and performances?   |  |

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

**Declaration of compliance with *The Children (Performances and Activities) (England) Regulations 2014***

|   |  |      |  |
|---|--|------|--|
| <ol style="list-style-type: none"> <li>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/agent.</li> <li>2. I confirm that the child protection policy for the Organisation is attached.</li> <li>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).</li> <li>4. I confirm that the Organisation agrees to the terms as set out in the “Contract of Agreement” and “Guidance” attached.</li> <li>5. I confirm that no child of compulsory school age requires any absence from school to take part in the production(s).</li> </ol> |  |      |  |
| Applicant signature   |  | Date |  |
| Print name  |  |      |  |

# CONTRACT OF AGREEMENT

Controlled on completion

## EXEMPTION FROM CHILDREN'S LICENSING

### BODY OF PERSONS APPROVAL

#### S.37(3)(b) Children & Young Persons Act 1963

|   |  |
|---|--|
| <b>Name of Organisation</b>   |  |
| <b>Address of Organisation<br/>(inc. postcode)</b>                          |  |
| <b>Telephone No.</b>  |  |
| <b>Email Address</b>  |  |
| <b>Name and Address of<br/>person responsible for<br/>the production(s)</b> |  |
| <b>Position in Organisation</b>   |  |

The above Organisation has applied to **Derbyshire County Council** to be approved as a Body of Persons under s.37 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 Derbyshire County 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 for 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 with details of each performance/rehearsal including the dates, times and location, together with the details (i.e. total number performing, ages, gender, special needs and role) of all children taking part, at least 21 days in advance of the first performance unless the Child Employment Team has agreed to a shorter notice period. Notifications of changes to the performance schedule must be sent to the Child Employment Team in advance. The Organisation will also provide the name and contact details of the lead person responsible for each performance.
4. The Organisation will ensure the lead person responsible for each performance will have available at the place of performance a full register of all children performing and their emergency contact details including any medical issues or additional needs
5. The Organisation agrees to comply with Regulation 11 and Regulations 15 to 29 of The Children (Performances and Activities) (England) Regulations 2014
6. To ensure a risk assessment is carried out in respect of each place of performance and provided to a member of the Local Authority upon request.
7. A First Aider is present at each place of performance.
8. The Organisation will ensure that an appropriate number of responsible adults are employed to care for the children, having specific regard to their gender and age, ensuring that each child is supervised at all times at each performance and appropriate rehearsals.

9. The Organisation provides details of the number of responsible adults appointed.
10. The Organisation agrees to any authorised officer of the Local Authority 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 provides a written Child Protection Policy to the Child Employment Team when the application is made. A statement of the Organisation's commitment to protecting children must be displayed prominently at each venue.
12. The Organisation will obtain an up to date confirmation of fitness from the parent of each child.
13. The Organisation ensures that a list of emergency contact details in respect of each child including any medical issues or additional needs is securely held and is available at the place of performance.
14. The Organisation will ensure signing in and out sheets and daily record sheets are completed for each performance.

**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 s.37 and The Children (Performances and Activities) (England) 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 |  |
| Date                     |  |
| Telephone                |  |
| Email                    |  |

**Please send the completed Application Form, the signed Contract and the Individual Performance Notification Form(s) to:**

**Education Welfare Central Team**

Room 295  
County Hall  
Smedley Street  
Matlock  
Derbyshire  
DE4 3AG

Telephone: 01629 538139

Email: [cs.ewscee@derbyshire.gov.uk](mailto:cs.ewscee@derbyshire.gov.uk)

**INDIVIDUAL PERFORMANCE NOTIFICATION FORM**

To be completed and submitted for each performance

|  |  |
|--|--|
| <b>Name of Performance</b>                         |  |
| <b>Date of Performance(s)</b>                      |  |
| <b>Time(s) of Performance(s)</b>                   |  |
| <b>Nature of the Performance</b>                   |  |
| <b>Address of Venue</b>                            |  |
| <b>Lead person responsible for the performance</b> |  |

**Details of children participating below Compulsory School Leaving Age**

|                         | Male                                      | Female | Special Educational Needs | Role |
|-------------------------|---|--------|---------------------------|------|
|                         | Please enter total numbers in each column |        |                           |      |
| <b>Age 0 - 4 years</b>  |   |        |                           |      |
| <b>Age 5 - 8 years</b>  |   |        |                           |      |
| <b>Age 9 - 16 years</b> |   |        |                           |      |

A full register of all children and their emergency contact details including any medical issues or additional needs must be held securely and be available at the place of performance at all times.

**Details of responsible adults looking after the participating children:**

|                         | Responsible Adults<br><i>(Please enter total numbers in each column)</i> |        | Role |
|-------------------------|--|--------|------|
|                         | Male   | Female |      |
| <b>Age 0 - 4 years</b>  |  |        |      |
| <b>Age 5 - 8 years</b>  |  |        |      |
| <b>Age 9 - 16 years</b> |  |        |      |

**Number of Approved Chaperone present per Performance:**
**Applicant Signature:**
**Date:**
**Print Name:**
**Once completed, please return this form to the Education Welfare Central Team**