

## LFS Safeguarding Policy

### 1. Introduction

The London Film School has a responsibility to promote the welfare of all children, young people and vulnerable adults and to keep them safe. We are committed to practise in a way that protects them.

The purpose of this policy is to protect children, young people and vulnerable adults involved in activities at the London Film School, including, but not limited to workshops and shoots. Further, the policy aims to provide students and staff with the principles that guide LFS' approach to safeguarding and child protection.

### 2. Scope

This policy applies to both the MA Filmmaking and MA Screenwriting programme, all students, staff and anyone working on behalf of the London Film School.

### 3. Legal Framework

- Children and Young Persons Act 1963
- Children Act 1989
- United Convention of the Right of the Child 1991
- Data Protection Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Children and Families Act 2014
- Special educational needs and disability (SEND) code of practice: 0 to 25 years – Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities; HM Government 2014
- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers; HM Government 2015
- Working together to safeguarding children; a guide to inter-agency working to safeguard and promote the welfare of children; HM Government 2015

#### 4. Related Policies and Procedures

- LFS General Regulations
- LFS Disciplinary Code
- LFS Complaints Procedure
- Student Charter
- Health and Safety

#### 5. Safeguarding and Promoting Welfare of Children and Young People

5.1. LFS recognises and commits to the following:

- a) The welfare of children is paramount as enshrined in the Children Act 1989;
- b) All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse;
- c) Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues;
- d) Working in partnership with children, young people, vulnerable adults, their parents, carers and other agencies is essential in promoting young people's welfare.

5.2. LFS seeks to keep children, young people and vulnerable adults safe by:

- 5.2.1. Valuing them, listening to and respecting them;
- 5.2.2. Assigning oversight over safeguarding and welfare of children and young people to dedicated members of staff;
- 5.2.3. Adopting child protection and safeguarding practices through procedures for students and staff;
- 5.2.4. Recording and storing information professionally and securely, and sharing information about safeguarding and good practice with children, their families, students and staff;
- 5.2.5. Using safeguarding procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carer appropriately;
- 5.2.6. Using procedures to manage allegations against students and staff appropriately;
- 5.2.7. Creating and maintaining an anti-bullying environment and ensuring any bullying that does arise is dealt with effectively and in a timely manner;
- 5.2.8. Ensuring effective complaints measures are in place;
- 5.2.9. Ensuring to provide a safe physical environment for children, young people, students and staff, by applying health and safety measures in accordance with the law and regulatory guidance.

## Guidance on Working with Children, Young People and Vulnerable Adults

### 1. General Stipulations

- 1.1. This guidance should be read in conjunction with the LFS Safeguarding Policy.
- 1.2. Students and staff should also familiarise themselves with relevant local legislation. The guidance for England can be found [here](#).
- 1.3. Oversight over safeguarding and welfare of children, young people and vulnerable adults rests with the Term Tutors.
- 1.4. The UK has ratified the UN Convention on the Right of the Child. In England, Wales, Northern Ireland and Scotland, a child is anyone under the age of 18.
- 1.5. The school leaving age means age at which a person ceases to be of compulsory school age in accordance with [section 8\(3\) of the Education Act 1996\(a\)](#). The school leaving date is normally the last Friday of June of the school year in which they are 16.
  - 1.5.1. Specific guidance and advice on working with vulnerable adults will be provided by Term Tutors upon request.
- 1.6. This guidance applies to England only. Students wishing to shoot in Scotland, Wales or Northern Ireland must speak to their Term Tutor about the relevant local requirements.
- 1.7. Where the work with children, young people and/or vulnerable adults takes place outside the United Kingdom, the LFS Safeguarding Policy and Guidance still applies unless the regulations, legislation and/or rules of the relevant country are stricter than those outlined in this document.

### 2. Licensing

- 2.1. Under section 37(4) of the Children and Young Persons Act 1963, a licence must only be granted by the local authority to which the application is submitted once it is assured that:
  - a) the child's education, health and wellbeing will not suffer; and
  - b) the conditions of the licence will be observed.
- 2.2. A child can work for 6 consecutive days for a period of 8 weeks. After this the child must have a break of at least 14 days following the last performance where the child has been performing on the maximum number of consecutive days over a period of 8 weeks, unless the period for which the licence applies is less than 60 days.
- 2.3. A child may take part in more than one activity in a day, e.g. rehearsal and filming.
- 2.4. The more complex the performance, the more important it is to have an early discussion with the child's local authority.
- 2.5. Information on 'Performance licences and supervision for children' can be found here: <https://www.gov.uk/child-employment/performance-licences-for-children>

2.6. The licensing authority is the Local Authority. Details of the relevant authority can be found here: <https://www.gov.uk/apply-for-child-performance-licence>

2.7. LFS must be provided with a copy of the licence for its records.

### 3. The 'Four Day' Rule

3.1. Exemption to the licensing requirements are outlined in section 37(3) of the Children and Young Persons Act 1963. These only apply where no payment in respect of the child taking part in the performance is made to the child or another person, other than expenses.

3.2. If a child has not performed on more than 3 days in the last 6 months, no licence is required for performance on a fourth day.

3.3. Once a child has performed on 4 days in a 6-month period (in any performance, regardless of whether a licence was in place on any of those days or the child was taking part in a performance arranged under a body of persons approval) then a licence is required for any further performances.

3.4. If a producer is relying on the four-day rule as a basis for not applying for a licence, they should have reasonable grounds for believing the child has not performed on more than 3 days in the previous 6 months.

3.5. Producers relying on the four-day rule are required to obtain written confirmation from the parent that their child has not performed on more than 3 days in the last 6 months. The written confirmation must be presented to the Term Tutor and a copy will be kept for the School's records.

3.6. Producers relying on the four-day rule are still required use a parental permission form to obtain consent for a child to be filmed.

3.7. If a child is to be absent from school this exemption cannot be relied upon and a licence will be required.

3.8. It is a legal requirement to seek a licence when one is required and any person who causes or procures any child to do anything in contravention of the licensing legislation can be prosecuted.

3.9. Whether a child is performing under license or not, the same duty of care applies.

### 4. Risk Assessment

4.1. The person in control of the filming must document a full risk assessment specifically relating to the child or young person. This should take into account their exposure to an unfamiliar environment, throughout their time at the production site and not just their role within the film. The risk assessment must pay particular attention to:

- a) The age, immaturity and inexperience of the child or young person and the consequential lack of risk awareness;
- b) The extent of exposure to any chemical, biological or physical hazard on set or in the general area;
- c) The nature and layout of the film set and supporting facilities;

- d) The type of tools and equipment that may be in use in filming or as part of the set, which the child is likely to come into contact with;
  - e) The control measures for general hazards already identified and their appropriateness to ensure the safety of the child.
- 4.2. Children and young persons must not under any circumstances be exposed to the following:
- a) Activities beyond their physical and psychological capabilities;
  - b) Noise, vibration or extremes of temperature that pose a risk to their health;
  - c) Chemical agents which will affect their health.
- 4.3. Although the following areas would have been considered as part of your normal planning, you should ensure that full consideration is also given to the fact that there will be a child or young person on set:
- a) First aid arrangements
  - b) Rest areas, toilet facilities, washing facilities, refreshment supplies
  - c) Emergency telephone numbers for children and young persons to be retained by the person in charge
  - d) Any specific terms and conditions set out in the child's licence
  - e) For children, up to and including 16 the need to be chaperoned by a parent or guardian or professional chaperone at all times.
  - f) Travel arrangements for the child or young person to and from the filming location.
  - g) The need to provide the School with a signed copy of the Artist Release Form for each child, signed by the parent of that child.
  - h) Protection against inclement weather
- 4.4. Where a child is to be employed on set, the risk assessment should be undertaken well in advance. The details of the risk assessment must be communicated to the child's parents or legal guardian before the filming takes place and should set out the key findings of the assessment and any particular protective or preventative measures that have been put in place.
- 4.5. Where a young person is employed on set, the finding of the risk assessment and the specific controls that you have put in place to protect that person should be communicated to them. In most cases where young people are employed, it is recommended that you allocate them a buddy, or person to supervise and monitor them throughout their time on site.

## 5. Supervision

- 5.1. The supervision of a child or young person throughout their time involved in the production (from leaving their home to arriving back at home) should be considered as part of the production planning.
- 5.2. No child must be left unsupervised at any time.
- 5.3. It is recommended that the child is supervised at all times by their parent or guardian. Where this is not possible the Producer of the film will have to arrange with the parent or guardian the provision of a professional chaperone. (Note: a fee is normally payable to professional chaperones.)
- 5.4. Chaperones are licensed by Local Education Authorities and checks are made on their background and competencies to ensure the child's safety at all times.
- 5.5. You should only use a chaperone from a professional agency or after taking advice from your Term Tutor.
- 5.6. Producers must obtain copies of the professional chaperone's licence for their own as well as the School's records.

## 6. Working Hours

- 6.1. The rules for working hours, rest breaks and meal breaks vary depending on the area where the child has been licensed.
- 6.2. It should be noted that time spent in wardrobe or make-up prior to going on set counts as work.
- 6.3. Working hours are counted from the moment a child arrives at the place of performance.
- 6.4. A child taking part in a performance must not be employed in any other employment on the day of that performance or the following day.

### 6.4.1. Earliest and Latest Times at Place of Performance or Rehearsal

Age of Child	Earliest Time	Latest Time
Birth until child reaches 5	07:00	22:00
5 to school leaving age	07:00	23:00

#### 6.4.2. Attendance at Place of Performance or Rehearsal and Hours of Performance

Age of Child	Maximum number of hours in one day at place of performance or rehearsal	Maximum total number of hours of performance or rehearsal in one day	Maximum continuous number of hours of performance or rehearsal in one day
Birth until child reaches 5	5	2	0.5
5 until child reaches 9	8	3	2.5
9 to school leaving age	9.5	5	2.5

### 7. Rest Breaks, Meal Breaks and Education Hours

7.1. The following minimum requirements for rest break and meal breaks apply:

Age of Child	
<b>Birth until child reaches 5</b>	Any breaks must be for a minimum of 15 minutes. If at the place of performance or rehearsal for more than 4 hours, breaks must include at least one 45-minute meal break.
<b>5 to school leaving age</b>	<p>If present at the place of performance or rehearsal for more than 4 hours but less than 8 hours, they must have one meal break of 45 minutes and at least one break of 15 minutes.</p> <p>If present at the place of performance or rehearsal for 8 hours or more, they must have the breaks stated above plus another break of 15 minutes.</p>

7.2. The following minimum requirements for education hours apply:

<b>Age of Child</b>	
<b>Birth until child reaches 5</b>	NIL
<b>5 to school leaving age</b>	3 hours per day (maximum of 5 hours per day). 15 hours per week, taught only on school days. Minimum of 6 hours in a week if aggregating over 4-week period or less.  Tutoring time can be broken down but can be no less than 30 minutes.

7.3. A child must have an overnight break of a minimum duration of twelve hours between attendance at a place of performance or rehearsal.

## **8. Record Keeping**

8.1. Producers are responsible for keeping a detailed log of the hours they are on site and what they are doing, what breaks they have taken, a record of the amount of time in tutoring (if applicable), time they were on set, time in rehearsals etc. using the form provided by LFS.

8.2. The daily working hours log, accident book etc. must be kept for 6 months after the child has finished on the production. LFS must be provided with a copy of the log by the end of each day of rehearsal and/or production.

8.3. The authorities have a right to see this document and can ask for a copy of the child's working hours up to six months after the child has finished on the production.

## **9. Using Images and Production Stills of Children and Young People**

9.1. Producers are required to use a parental permission form to obtain consent for a child to be photographed and for the photographs to be used for promotional purposes. The form must clearly state the purpose(s) for which the photograph(s) will be used.

9.2. Producers should also obtain the child's permission to use their image.

9.3. Children's names must not be used in photograph captions. If a child is named, avoid using the photograph.

9.4. Only use images of children in suitable clothing to reduce the risk of inappropriate use. Some activities, for example swimming and drama, present a much greater risk of potential misuse.

9.5. Images or video recordings of children must be kept securely. Hard copies of images should be kept in a locked drawer and electronic images should be in a protected folder with restricted access.



- 9.6. Avoid using any personal equipment to take photos and recordings of children and use only cameras or devices belonging to LFS.

## 10. Version Control

Version Number	Changes	Author, Title	Date
1.0	-	LFS Library	25/04/2008
2.0	Updates to reflect latest legislation, regulations, and guidance	Philip Range, Academic Registrar	23/02/2017
2.1	Comments from Quality Management and Enhancement Committee added	Philip Range Academic Registrar	02/03/2017
2.1	Approved by Academic Board	-	13/03/2017