



Department
for Education

Consultation Response Form
Consultation closing date: 29 August 2014
Your comments must reach us by that date

Child performance regulations: performance hours and breaks

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the Department's ['Contact Us'](#) page.

Please mark the box that best describes you as a respondent. If 'Other', please specify in the box below.

<input type="checkbox"/> Child/Young Person	<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Chaperone
<input type="checkbox"/> Local Authority	<input type="checkbox"/> Broadcasting/ Film Companies	<input type="checkbox"/> Professional Theatre
<input type="checkbox"/> Amateur Theatre	<input type="checkbox"/> Dance, Drama, Music or Performance Arts School	<input checked="" type="checkbox"/> Other

Please Specify:

About the BFI

In 2011 the BFI became the lead organisation for film in the UK. It is now a Government arm's-length body and distributor of Lottery funds for film.

Our mission is to ensure that film is central to our cultural life, in particular by supporting and nurturing the next generation of filmmakers and audiences. The BFI serves a public role which covers the cultural, creative and economic aspects of film in the UK.

It delivers this role:

- As the UK-wide organisation for film, a charity core funded by Government
- By providing Lottery and Government funds for film across the UK
- By working with partners to advance the position of film in the UK

In October 2012, the BFI published *'Film Forever, Supporting UK Film 2012-2017'*, which set out its strategy for the next five years, following an extensive industry consultation.¹ It described the activities underpinning the BFI's three strategic priorities:

- Expanding education and learning opportunities and boosting audience choice across the UK

¹ <http://www.bfi.org.uk/about-bfi/policy-strategy/film-forever>

- Supporting the future success of British film
- Unlocking film heritage for everyone in the UK to enjoy.

To that end, the BFI helps ensure that public policy supports film and, in particular, British film.

Founded in 1933, the BFI is a registered charity governed by Royal Charter. The BFI Board of Governors is chaired by Greg Dyke.

Hours a child can attend a place of performance.

Proposed maximum hours:

- A. 9.5 hours for children aged over 9
- B. 8 hours for children aged 5 – 8 (an increase of 30 minutes)
- C. 5 hours for children aged 2 – 4
- D. 3 hours for children aged 0 – 2

1 Do you agree with the proposed maximum attendance? If you disagree, please use the comments box to express your concerns.

<input type="checkbox"/>	Strongly agree	<input checked="" type="checkbox"/>	Agree	<input type="checkbox"/>	Neither agree nor disagree
<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Strongly disagree		

Comments:

We think that categories C and D should be merged with the maximum hours set at 5 for all, and some discretion given to the chaperones to determine if those maximum hours are too much for individual children on a case by case basis.

Hours a child can perform for.

Proposed maximum durations:

- A. 5 hours in total, 2.5 hours single duration, for children aged over 9
- B. 3 hours in total, 2.5 hours single duration, for children aged 5 – 8
- C. 2 hours in total, 30 minutes single duration, for children aged 2 – 4
- D. 1 hour in total, 20 minutes single duration, for children aged 0 – 2

2 Do you agree with the proposed maximum durations? If you disagree, please use the comments box to state, and give reasons for, what limits you think should apply.

<input checked="" type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

We think that the categories C and D should be merged with 2 hours in total with 30 minutes single duration for children aged 0-4.

This gives greater flexibility to both the children and productions and might allow the child to get their filming done in one day rather than having to come back which may be better for them.

We think the 2.5 hours single duration in section B might be a typo – it is currently 45mins which would make more sense.

Earliest time a child can be at the place of performance.

3 Do you agree that the earliest start time should be 7am for all age groups? If you disagree, what time(s) do you propose, and why?

<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<input type="checkbox"/> Not sure
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Comments:

Unifying call times on film sets makes it easier for filming to be organised without tiring the children. 7am is a sensible time that is suitable for all and balances the needs of the child with the needs of productions to achieve a full day's filming.

Latest time that a child can be at the place of performance.

Proposed latest times:

A. Children over the age of 5 not to be present after 11pm;

B. Children aged 2 – 4 not to be present after 10pm; and

C. Children aged under 2 not to be present after 4pm

4 Do you agree with the proposals for the latest times children can be at the place of performance? If you disagree, what times would you propose, and why? Please give your reasons in the comments box.

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Comments:

This is generally a much more simple system than previous regulations and is a welcome change. Film-makers and children working with them will benefit from the increases flexibility that this gives to both productions and children.

However we do not agree with part C. A more sensible time limit for children under the age of 2 is 8pm which, coupled with the maximum performance times, gives them adequate protection while also allowing greater flexibility to them and the productions.

Frequency of breaks.

Proposed minimum frequency requirements:

A. Children aged over 5 must have: a break every 2.5 hours; 3 breaks in 8 hours, 1 must be for a meal.

B. Children aged 2 – 4 must have a break every 30 minutes.

C. Children aged 0 – 2 must have a break every 20 minutes.

5 Do you think we need to specify a minimum frequency of breaks? If so, do you agree with the above framework? If you disagree, please give your reasons in the comments box.

Agree

Disagree

Not sure

Comments:

We think that the frequency of breaks should be at the discretion of the chaperones based on the needs of the children themselves.

If the frequencies are imposed we think that age categories B and C should be merged so that all children aged 2-4 must have a break every 30 minutes

Duration of breaks.

Currently children over 5 must have a break of 1.5 hours between live performances. If the performance is of short duration, say ten minutes, the requirement for a 1.5 hour break seems disproportionate. We are minded to reduce the minimum required break for performances that last for less than 1 hour to 45 minutes.

6 Do you agree that the minimum break required between performances of less than 1 hour should be reduced to 45 minutes? Please give your reasons for your answer.

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Comments:

We agree because the present rule is disproportionate for shorter performances.

For all age groups, we propose that no break should be for less than 15 minutes (as now), but are considering whether the minimum duration for meal breaks could be reduced from 1 hour (as it is now) to 45 minutes. This would be in line with the proposal above.

7 Do you think the minimum duration for a meal break should be reduced to 45 minutes? Please give reasons for your answer.

<input checked="" type="checkbox"/>	Strongly agree	<input type="checkbox"/>	Agree	<input type="checkbox"/>	Neither agree nor disagree
<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Strongly disagree		

Comments

We agree with this as long as the above breaks are adhered to because many sets work continuous days so this would help to keep the flow of performances.

Chaperone discretion.

8 a) Do you agree that, in exceptional circumstances, chaperones should have the discretion to agree an extension to the latest time a child can take part in all types of performance?

Agree

Disagree

8 b) If so, should it be:

A. For up to 30 minutes (as now)

B. For up to 1 hour

C. Other

Please give your reasons in the comments box.

A

B

C

Comments:

Allowing the chaperone discretion to increase from ½ hour to one hour enables the chaperone to determine whether or not the child needs rest. Often the child feels bad for disrupting filming if a scene is not complete and this can compromise their performance. As long as the needs of the child are paramount in making this decision we feel that chaperone's can benefit from increased flexibility.

Minimum duration of overnight breaks.

9 Do you agree that the minimum overnight break for children aged 2 to 12 should be 14 hours?

Agree

Disagree

Not sure

Comments:

It is important to protect the welfare of the child and so a proper overnight break will ensure that they can return to work rested. However this 14 hour period should incorporate travel time to cover the commute to and from the place of work.

10 Do you agree that the minimum overnight break for children aged 13 to 16 should be 12 hours?

Agree

Disagree

Not sure

Comments:

Agree as that is consistent with adult performers.

Night work.

11 Do you agree that the local authority should be able to allow night work in both staged and filmed performances?

Agree

Disagree

Comments:

It should be discretionary as all children are different.

12 Do you agree that the local authority should be able to allow night work in both indoor and outdoor performances?

Agree

Disagree

Comments:

Limit on consecutive days of performance.

13 Do you agree that the maximum number of consecutive days a child can take part in any type of performance and rehearsals should be 6?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Comments:

Increasing the number of consecutive days from 5 to 6 is beneficial as many schedules these days are 6 days weeks and this can ensure that the child completes their filming in a block rather than spread over a number of weeks.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply.

X

E-mail address for acknowledgement:

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, please confirm below if you would be willing to be contacted again from time to time either for research or to send through consultation documents?

X

Yes

No

All DfE public consultations are required to meet the Cabinet Office [Principles on Consultation](#)

The key Consultation Principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
- departments will need to give more thought to how they engage with and use real discussion with affected parties and experts as well as the expertise of civil service learning to make well informed decisions

- departments should explain what responses they have received and how these have been used in formulating policy
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

If you have any comments on how DfE consultations are conducted, please contact Aileen Shaw, DfE Consultation Coordinator, tel: 0370 000 2288 / email:

aileen.shaw@education.gsi.gov.uk

Thank you for taking time to respond to this consultation.

Completed responses should be sent to the address shown below by 29 August 2014

Send by post to: address, address, address, address, postcode

Send by e-mail to: aileen.shaw@education.gsi.gov.uk