

Working with children

This chapter provides guidance in relation to working with children on a production.

This chapter is primarily based on guidance issued by the following:

- SPADA;
- Actors' Equity New Zealand;
- WorkSafe New Zealand; and
- Ontario Ministry of Labour, Safety Guidelines for the Film and Television Industry.





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Who needs to read this?

Anyone involved in the engagement of, or working on a production involving, children should read this chapter; this includes production company representatives, producers, directors, production managers, heads of departments, assistant directors, health and safety officers and location managers.

What you need to know



**A child is anyone
under 16 years old.**

There will often be children and young persons involved in a screen production – particularly during filming.

When dealing with health and safety regulations, a child is defined as being under 16 years old during any of the pre-production or principal photography dates. If the child turns 16 during pre-production or principal photography, they will be treated as a child until and including their birthday. From the day after their birthday, they will be treated as an adult engaged on the production.

The involvement of children brings with it a range of additional health and safety concerns that everyone involved in the production process must bear in mind. Generally, a child will have been engaged by the production company to appear in an onscreen role and will have the same responsibilities in keeping themselves and others safe.

However, the production company and other PCBU's on set that may direct or influence a child's work have additional obligations to ensure the child is kept safe.

There are a range of regulations that provide further guidance as to the types of work that children can be engaged in, and some of the practical things those working in the screen sector need to think about when working with children.



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Most notably, regulations require that children:

- do not work in any area where construction work is being carried out, or in any area where work is being carried out that is likely to cause harm to the child's health and safety;
- do not lift weights or perform any task that is likely to be injurious to their health; and
- do not operate machinery, including tractors and other self-propelled plant.

Additionally, children under the age of 16 years should not work between the hours of 10pm and 6am. However, if required, work may be undertaken during these hours in consultation with, and if agreed to, by the child's parent or guardian.

**A child's safety must always
be provided for.**





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Planning and guidance considerations and responsibilities

Everyone who has responsibilities, or influence over, an activity or task in relation to working with children on a production should read and understand this section, as well as the minimum responsibilities for everybody.

The engagement of children on a production involves certain legal requirements, including police checks for chaperones/house parents to assure the safety and wellbeing of the children.

Engagement / contracting

Before employing or contracting for the services of a child, a producer or line producer must meet with the child's parent or guardian. This meeting may also include the child's agent and / or legal representative, if deemed necessary by the child's parent or guardian, and could be held in person, by telephone, or by electronic conferencing. The child is also entitled to be present.

The information to be disclosed by the producer at the meeting includes:

- any health or safety hazards, as well as the precautions that will be taken to prevent injury;
- any special skills the child will be expected to perform;
- any special effects to which the child may be exposed;
- what off-set facilities will be provided for the child and how they will be cared for on the production, such as a green room area and meals; and
- confirming that a quiet space will be made available for doing schoolwork if this is a longer production.

Following this meeting, the producer must disclose any subsequent proposed changes to the matters discussed, and may not implement any of the proposed changes without the written agreement of the child's parent or guardian.

At the meeting or during contracting stages, a parent or guardian of the child should provide the producer with current contact and emergency telephone numbers, the name and number of the family doctor and pertinent medical information that would be useful in an emergency.



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Police vetting

The Children's Act 2014 sets a legal minimum standard for safety-checks for state services and those individuals and organisations funded by them – anyone employed or engaged in work that involves regular or overnight contact with children must be safety checked; this is also known as police vetting.

If the production is funded, wholly or partly and whether directly or indirectly, by a state service, it must comply with Children's Act 2014. However, all PCBUs have a duty of care to ensure the safety of children on set.

Irrespective of whether an organisation involved with or in contact with children is covered by the Children's Act 2014, it is strongly recommended that they demonstrate a high duty of care and ensure that clear practices and child safe policies are in place. This should include ensuring all staff, contractors and volunteers that come into contact with children undergo police vetting.

ScreenSafe recommends that all productions working with children, or filming at schools or events that involve a significant number of children, undertake police vetting of all production crew and employ a safety officer to monitor the productions interaction with the children. This should be in addition, not instead of, any chaperone and/or house parent contracted to care for a child/children.

A police vetting request costs \$8.50 and is usually processed within 20 days; however, check the website for updates. The process needs to be undertaken by an Approved Agency, as it is not for personal or individual use. Approved agencies include an agencies that have functions which involve community safety and security – for example, the care, protection, education or training of vulnerable members of society such as children, young persons, elderly and the disabled.

More information about the Police process can be found at <https://www.police.govt.nz/advice-services/businesses-and-organisations/vetting>.



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Scheduling

When scheduling a production (including travel time), the producer needs to consider the age and maturity of the child, and under no circumstances will travel time exceed the restrictions as stated below.

Maximum hours of work per day are set out below (if the child changes from one of these age categories to another during the period of pre-production or production, they will be treated differently from the day after their birthday).

AGE OF CHILD	MAXIMUM HOURS PER DAY
Up to and including 8-year-olds	6 hours door to door (includes travel time)
9 to 11-year-olds	8 hours door to door (includes travel time)
12 to 16-year-olds	10 hours working time plus travel time

When scheduling a production, producers and representatives for the child will take practicable steps to reduce call times and travel times for the child taking into account the scheduling requirements of the production.

Children are not to work more than five consecutive days, and no more than five days in a calendar week. A 12-hour overnight break (i.e. turnaround), exclusive of travel time is required.

Age-appropriate rest and meal breaks, food and offset facilities, including for recreation and rest, should be provided by the production, and approved by the child's representatives prior to their arrival on set.

Welfare

The safety and welfare of a child is paramount at all times. At no time should the producer expose a child under the age of 16 years to any situation that could be deemed detrimental to the child's mental, physical or moral wellbeing.

Filming should be scheduled, and filmed shots constructed, in such a way so that the child is not exposed to scenes that are harmful or likely to cause distress, taking into account the nature of the material, the child's age and the requirements of the performance.

It is recommended the producer disclose information about proposed scenes that include nudity or coarse language, or any scenes that could cause psychological or emotional distress. The parent should also be informed about changes to scenes that include exposure to nudity or coarse language, or to scenes that may cause psychological or emotional distress. The producer and parent or guardian should agree to any such changes before the child is required to rehearse or perform the changed scene.

If the producer is responsible for travel for the child to and from the production base, the child should be accompanied by the chaperone, or an approved alternative.





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Infants

If the child is an infant (under 2-years), they must be cared for by a parent or parent's approved alternative. The following guidelines must also apply:

- Infant must not be exposed to irritants (including non-infant specific lotions, soaps, shampoos, or creams), infections or excessive handling and stimulation.
- Professional care will be present at all times and parental access guaranteed at all times.
- Infants must not be exposed to unacceptably bright direct lighting.
- Unless otherwise agreed with the agent or parent/guardian and required specifically in respect of the performance of the role, infants will not be required to wear make-up.
- No more than four people will handle an infant during any single period of engagement.
- No person with respiratory or skin infection is to come into contact with the infant.
- Infants must be attended **at all times** and appropriate facilities, in consultation with the caregiver, should be provided.



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Chaperones and house parents

If the producer contracts a chaperone and/or house parent to care for the child, the person/s will have teaching, or childcare qualifications or appropriate experience and/or nursing qualifications, a clean driver's license and have undergone a police background check. They will also have knowledge of the New Zealand production industry and be familiar with:

- The ScreenSafe New Zealand Screen Sector Health and Safety Guidelines (available to download at www.screensafe.co.nz);
- the Health and Safety at Work Act 2015; and
- any statutory re-enactment or modification.

The producer must engage a suitably experienced, primary-duty chaperone for each child. This chaperone may be shared with other children, but only on the understanding that no children are left unsupervised when taking other children to set.

According to contractual guidelines, if five or more children are working at any one time, the producer will engage two chaperones, and at any one time the ratio of chaperones to children shall not be less than 1:4.

However, it is recommended that each child has their own chaperone on a production to reduce the risk of any child being left unsupervised.



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In addition to task relating to the engagement of a child on a production, a chaperone will also be required to:

- supervise rest periods and meal breaks, and be available to do so as and when required notwithstanding such chaperone and/or house parent being engaged in any other production related activities;
- be responsible for the child's general wellbeing during the working day;
- be present at all times when the child is on set, during pre-production or production, and ensure no other children in the chaperone's care are left unsupervised at any time; and
- drive or travel with the child to and from set – if arrangements are made for a parent/guardian to drop the child off on set, the chaperone must be waiting to receive them; under no circumstances should the chaperone arrive later than the child they should be looking after.

A house parent(s) (where the child is 'out of town' and being accommodated by the producer) will be required to:

- provide for the support and general wellbeing of the child (and other children) including meals;
- supervise after hours and weekend recreation;
- act as liaison between the child/parent and producer if necessary; and
- be available day or night and able to care for the child during an emergency (such as illness).

It is required that no more than three children are assigned to a house parent but recommended that each child has a chaperone to avoid them being left unsupervised.

The parent/guardian of the 'out of town' child will be entitled to approve the chaperone/house parent.

The producer will provide the house parent(s) with emergency contact numbers for production personnel for emergency situations (such as illness).

The producer will liaise frequently with the parents and the chaperone/house parent to monitor and report on the safety and welfare of the child.

In addition to a parent, guardian, or chaperone being present and accessible, it is recommended that productions designate a child performers' coordinator, responsible for coordinating matters related to the welfare, safety and comfort of child performers.



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Training / induction

The producer must provide information and instruction to a child and the parent, guardian, or chaperone of the child on the following matters with respect to each location where he or she works:

- emergency procedures, including health and safety precautions specific to the location;
- restricted areas;
- safe waiting areas;
- a quiet space for the child to do school work if they are on a long production;
- restroom locations, make-up areas, and anywhere else relevant to the child's work; and
- the procedure for identifying and reporting unsafe working conditions.

Training and induction for the child must be appropriate to his or her developmental stage.

Healthy food / dietary requirements

The producer must:

- provide healthy snacks and meals as close to the child's regular snack and meal times as possible – these should be agreed during the initial meeting/contracting stages; and
- ensure that the food provided meets the child's needs in respect of any food allergies or special dietary requirements.

It is recommended that productions post menus detailing the snacks and meals provided, to inform children (and their parents, guardians and chaperones) of the food available including information about any allergies or special dietary requirements that may apply.

A parent or guardian should provide the producer with information on any food sensitivities, allergies or dietary requirements.





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Reporting and resolving concerns

There are circumstances where a child will not have the knowledge, confidence, awareness or verbal skills to recognise unsafe work. All adults involved on a production are responsible for looking out for and protecting the wellbeing and health and safety of children on a production.

The producer should encourage child performers and all adults in contact with children on a production to identify any health or safety concerns, and to bring them to the attention of the child's supervisor. Adults should also be sensitive to the distress or discomfort expressed by infant or child performers, which could be an indication of a health and safety issue.

The infant or child's supervisor should respond immediately to concerns by stopping the work, discussing it with the child and the adults charged with the care of the infant or child, attempting to resolve the issue and, if necessary, taking corrective action. The producer or production representative is required under the Health and Safety at Work Act 2015 to consult, cooperate and coordinate to resolve health and safety concerns on a production when raised.

If there is no resolution to the concern, the supervisor should refer the concern to the next level of escalation or raise it with the producer.

Traumatic content

For any scenes of a sensitive nature being performed, a closed set is always recommended. On productions dealing with sensitive subject matter and scenes of a traumatic nature, especially if they involve a child with experience relevant to the subject matter, it is recommended that a psychologist or therapist who is properly qualified be hired by the producer guide and assist the child with this.

Inclusive culture

In the case of lesbian, gay, bisexual, or transgender children or young people playing roles that could be traumatic for them to perform, it is recommended that special care and attention be given to ensure their safety and wellbeing before, during and after their time performing on set. If relevant, this may include providing appropriate briefing, training and awareness for other cast and crew involved with a production where gender identity and / or sexuality is relevant. For example, educating cast and crew on the appropriate use of the correct pro-nouns and how to provide a safe and supportive environment in which the young performers can safely be vulnerable and offer their best work.

Similar further consideration should also be given to child workers where the subject matter may contain triggers in relation to disabilities, eating disorders and mental illnesses.



All adults involved on a production are responsible for looking out for and protecting the wellbeing and health and safety of children on a production.



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Changing facilities and restrooms

Male and female children should have separate dressing rooms. Where feasible, the dressing rooms should be separate from those provided to adult performers.

It is recommended that gender neutral restrooms be made available wherever possible as an alternative changing space.

At no time should a child be left alone in a closed room with only one person (with the exception of the parent, guardian or authorised chaperone).

Special activities / stunts

No child should undertake a special activity unless they are qualified or have the appropriate training to perform the activity safely. Any special activity should include walk-through time to confirm the child performer is comfortable carrying out the activity.

If the special activity heightens the risk of harm, a risk assessment must be carried out and measures developed to protect the child taking into account age and skill level.

The above guidance does not include stunt work. All activities deemed to be a stunt should be performed by a suitably qualified stunt double or performer unless previously discussed and agreed to by all parties directly responsible for the child performer's health and wellbeing. Any such activity should be appropriately planned, arranged and rehearsed under the strict guidance of the stunt coordinator prior to the day of filming.



No child should undertake a special activity unless they are qualified or have the appropriate training to perform the activity safely.

Props, costumes, make-up and hair products

Hand props for children under the age of three, or those likely to put small objects into their mouths, should adhere to the Toy Safety Standards provided by the NZ Commerce Commission

A child's age and size should be considered at all stages of design, purchase, construction and use of hand props, wigs, and costumes. Costumes should be designed to adequately fit and avoid tripping hazards, or hazardous accessories such as belts.

Information on a child's skin sensitivities should be collected before the child is provided with or exposed to costumes, accessories, make-up, wigs, or hair products. Products should be chosen with regard to the age and skin sensitivity of the child.

It is recommended the person responsible for providing a child performer with costumes, accessories, make-up, wigs, or hair products check for negative skin reactions, as appropriate.



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Travel safety

Everyone on a screen production who does, or could, work with motor vehicles, or drives to work, should read and understand the chapter on motor vehicles which can be found here.

The producer must ensure:

- drivers hold the appropriate license/s for the vehicle/s they drive; and
- suitable child seats / restraints are provided when requiring children to travel by vehicle.

Special effects

Exposing children to special atmospheric effects should be avoided. If effects, such as smoke or fog, are used exposure should be minimised by limiting the amount of time of their exposure. A discussion with the child's caregiver should also occur before any special effects are used. Any child performers with asthma or other airway disorders should not be exposed to smoke or fog at any time.

Working with animals

Extra care should be taken to protect children when animals are used on a production. A risk assessment should be carried out and a plan made around the protection of children.

A child must be acquainted with hazards associated with the animals and instructed on the procedures required to work safely. It is also recommended the parent, guardian or chaperone be acquainted with any of the hazards and procedures for working safely around the animals the child will be working with on a production.

Outdoor work

Children should be protected from heat and humidity. Precautions include providing cool areas for rest periods, water and costumes that take into consideration the weather conditions.

Avoid exposure to sunlight for long periods by using shaded areas for rest periods, sun hats and sunscreen formulated for children with a sun protection factor (SPF) of 30 or higher.

Children should also be protected from the cold. Precautions include providing warm areas for rest periods, costumes and outerwear such as jackets and blankets made available for use when possible.





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Water safety

Children should be adequately instructed in safety precautions to be taken when working on, in or by water. It is recommended that the parent, guardian or chaperone be acquainted with the hazards and procedures for working safely around water.

All children involved in filming around deeper water should be strong swimmers or wear the appropriate water safety devices. Qualified life-saving personnel and equipment (such as safety boats) should be present for the duration of the production activity. Costume weight should be considered when choosing personal flotation devices as well as water temperature and length of exposure. Washing facilities should be available for use after completion of filming.

Additional considerations

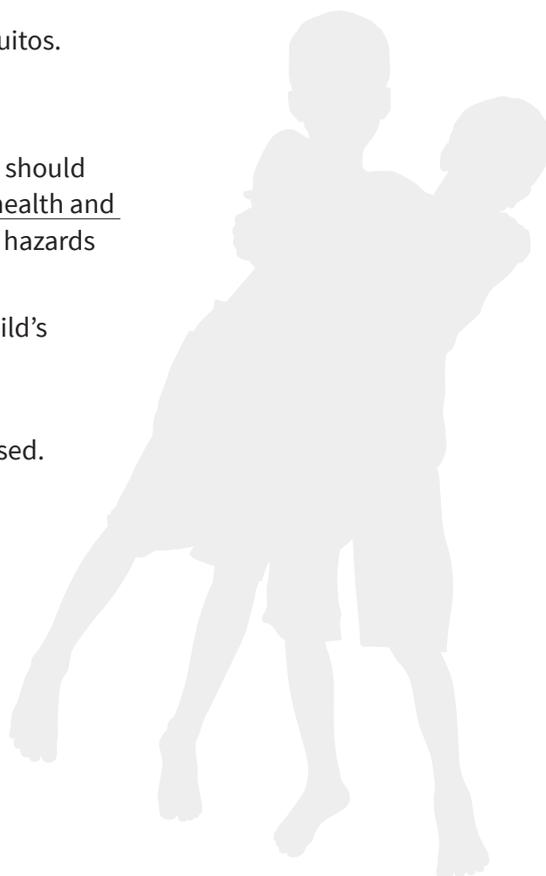
If a child works directly or indirectly with the equipment or in situations such as those listed below, it is recommended a risk assessment be carried out to protect or minimise the risk of potential harm to child performers.

- Stage combat, firearms and weaponry.
- Electrical devices or scenery that are mobile or automated.
- High levels of noise exposure.
- Working at heights.
- Exposure to contagious illnesses, such as those carried by mosquitos.

Hazards and associated risks

The following potential hazards in relation to working with children should be considered, and the level of risk assessed. Refer to '[Appendix 2: health and safety risk assessment process](#)' for more information on identifying hazards and assessing risk.

- Harm or injury from lack of supervision or lack of attention to child's wellbeing.
- Abuse from chaperone if they haven't been police checked.
- Abuse from others on cast or crew if child is left alone unsupervised.





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Roles and responsibilities

Funders

Funders should:

- be assured, through the provision of the production's health and safety plan, that the funding provided is adequate for the proposed length of the production and that all needs of all children directly involved with the production have been addressed in consultation with their parents or guardians; and
- incorporate usual and appropriate child health and safety clause/s in the funding agreement.

Production company

In pre-production, production companies (likely to have primary responsibility over health and safety on the production) should:

- ensure police checks are completed on all chaperones; and
- ensure appropriate planning, budget and resources are provided to support their minimum requirements under the law and recommendations contained in these guidelines where possible.

Producer / line producer / production manager

The producer / line producer / production manager should consider appropriate support and ensure budget and/or personnel are available to provide the minimum requirements for the number of children involved in the production; this includes:

- hiring competent people with an appropriate or necessary level of training, experience and/or qualifications;
- ensuring police and safety checks¹ are carried out where required for chaperones or tutors, with respect to the requirements of the production;
- ensuring the appropriate number of people hired in relation to the size of the project and children engaged on the production; and
- ensuring sufficient resources, including budget, are allocated to enable appropriate and safe practices and satisfy the minimum requirements under law.

As producers and production managers have oversight across the production, they should:

- meet with the child and parent or guardian to confirm vital information such as emergency contact information, costume measurements, allergies, educational needs such as tutors, dietary requirements and any other considerations relating to the subject matter of the film or requirements of the role; and
- ensure appropriate planning, budget and resources are provided to support their minimum requirements under the law and recommendations contained in these guidelines where possible.



1. WorkSafe
New Zealand
<https://worksafe.govt.nz/managing-health-and-safety/businesses/young-people-in-the-workplace/>



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Producer

Producers have oversight of the production process and should ensure a production schedule is developed that provides adequate time for work to be undertaken safely.

Director / heads of department

The director and heads of departments are equally responsible for ensuring the welfare and safety of children working on a production. This may include but is not limited to:

- appropriate behavior and language used around minors;
- working within the legal restrictions on working hours;
- providing appropriate rest breaks; and
- liaising with chaperones or guardians on set.

Directors on a production are in a position to influence all of the above and the conduct of the other heads of departments and crew and should expect to be responsible for doing so.

Assistant director/s

The assistant director/s should:

- ensure potential risks are discussed with all cast and crew during health and safety inductions and / or as required if circumstances on the set change;
- create a production schedule that provides adequate time for work to be undertaken safely; and
- remind the cast and crew about the expectations and standards of behaviour when children are working on set.

Cast and crew

All cast and crew should be mindful of working around children on a production and be briefed about the expectations of doing so. This may include, but is not limited to:

- appropriate behavior and language used around minors;
- working within the legal restrictions on working hours;
- appropriate rest breaks; and
- liaising with chaperones or guardians on set.





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Health and safety officer

The health and safety officer should:

- work with the producer, production manager and heads of department to help them identify potential risks with working with children; and
- ensure potential risks stated are discussed with all cast and crew during health and safety inductions and / or as required if circumstances on the set change.



References

The following resources were used as reference in the research and development of these guidelines:

Appendix 1, SPADA & New Zealand Actors' Equity Individual Performance Agreement 2014

The Children's Act 2014

<http://www.legislation.govt.nz/act/public/2014/0040/latest/DLM5501618.html>

Ontario Ministry of Labour, Safety Guidelines for the Film and Television Industry

https://www.labour.gov.on.ca/english/hs/pubs/filmguide/gl_24.php

Consumer Protection Information, The Commerce Commission of New Zealand

<https://www.consumerprotection.govt.nz/tradingstandards/product-safety/keeping-kids-safe/toy-safety/>



VISIT [ScreenSafe.co.nz](https://www.screensafe.co.nz)

