

Child employment in entertainment: summary for parents



Victoria has laws, including the *Mandatory Code of Practice for the Employment of Children in Entertainment* (the Code), to protect children working in the fast-paced environment of the entertainment industry.

To help you understand these laws, employers must ensure parents and guardians are provided with this summary of the Code.

The Guide to the Employment of Children in the Victorian Entertainment Industry, which includes the Code, provides more detailed information and is available free of charge.

Children at work

The entertainment and advertising industries are a large employer of children. Children ranging from newborns to teens do paid and unpaid work in television, film, live theatre, circus, ballet, choirs and photographic modelling. Because they can be employed from a very young age, and the work may expose them to situations and content beyond their years, the Code was developed in consultation with industry representatives to safeguard children working in entertainment.

How does the permit system work?

Employers need a permit to employ children and must comply with the Code's requirements on things like work hours, supervision, appropriate roles, workplace facilities and education.

Child Employment Officers assess applications. They must be satisfied that a child's health, safety, education, moral and material welfare will be looked after. The employer must lodge the permit application, but you must give consent before your child can commence. When you are satisfied, you provide written consent by completing a Parental Consent Form. You can raise anything you are unsure of with the employer.

At a glance

Employment is defined in the *Child Employment Act 2003* and includes children performing work for an employer under a contract (written or unwritten). It also includes performing work for a for profit employer under any other arrangement, whether or not payment or rewards are provided. Speak to a Child Employment Officer if you are unsure.

What the Code says about...

Supervision

Your child must be directly and adequately supervised at all times. The employer may ask you to supervise your own child. It is your choice if you want to do this; alternatively a chaperone will be provided by the employer. The supervisor must have a current Working with Children Check. They must focus on the child, not other jobs, and must be properly trained to look out for health and safety hazards, including bullying, teasing and harassment.

Education

If your child attends school in Victoria, and the proposed employment is during school hours, you must apply to the school principal for an exemption to cover your child's absence.

Tutoring

If employment would mean your child missing nine days of school in a term the employer must engage a tutor to provide at least 10 hours of tutoring per week (unless a different amount is stipulated as a condition of the exemption by the school principal).

Workplaces

Your child must be provided with water and other suitable drinks; access to substantial, nutritious, child-friendly food; rest and recreation facilities; private dressing facilities and clean and accessible toilets and hand washing facilities. When working outdoors protection from hazards like sun, wind, rain and dust are required.

Working hours

The Code sets out the maximum hours of work per day and number of days per week that children can work, according to their age. The Code also limits consecutive work days, late night and early morning starts and regulates meal breaks.

Some of the rules are summarised in Table A and Table B of the Code to the right. Full details are in The Guide.

Duties and role

The employer must tell you about the role and production, including everything your child will do, see and hear. Your child must not be cast in a role which is inappropriate to their age, maturity and development and must not be exposed to situations likely to cause distress or embarrassment. The employer must not deliberately cause distress to your child in order to capture a particular response, and must not allow any nudity unless the child is under 12 months. You should be provided with a script (where relevant), with plenty of time for you to consider it. If you have concerns, speak to the employer or company representative named on your child's permit, or your child's supervisor. You can also speak to a Child Employment Officer.

Child Employment Officers can help

Victorian Government Child Employment Officers provide information about child employment and assess permit applications.

Child Employment Officers assist employers in complying with their obligation to ensure that children are not harmed by their employment. They have significant legal powers to enter workplaces to check compliance, investigate alleged breaches and cancel permits where children's health and safety is in danger. Offences such as permit breaches, failure to obtain a Child Employment Permit or hindering a Child Employment Officer attract a significant penalty.

TABLE A – Film, Television, Radio, Advertising, Photography, Modelling etc.

Age	Maximum number of days of employment in any week	Spread of hours	Maximum employment hours per day	Maximum number of consecutive days of employment
Under 3 years	3	6am–6pm	4 hours	3
3 years and under 8 years	4	6am–11pm*	6 hours**	4
8 years and under 15 years	5	6am–11pm*	8 hours**	5

*A child cannot work beyond 9pm if they are required to attend school on the morning of the following day.

**A child cannot work for more than 4 hours on any day on which they attend school for 3 hours or more.

TABLE B – Live Entertainment, including Musical Theatre, Plays, Operas, Circus etc.

Age	Maximum number of days of employment in any week	Spread of hours	Maximum employment hours per day	Maximum number of consecutive days of employment
Under 2 years	1	9am–6pm	4 hours	1
2 years and under 6 years	3	9am–6pm	4 hours	3
6 years and under 10 years	4	9am–10pm*	4 hours	4
10 years and under 12 years	4	9am–11pm*	6 hours**	4
12 years and under 15 years	4	9am–11pm*	8 hours**	4

*A child cannot work beyond 9pm if they are required to attend school on the morning of the following day.

**A child cannot work for more than 4 hours on any day on which they attend school for 3 hours or more.

Contact details

 www.business.vic.gov.au/childemployment

 childemployment@dssdbi.vic.gov.au

 1800 287 287

 03 9651 9831
(after hours emergency contact)

 03 9651 9703

**Child Employment Officer
Employment Information and Compliance Unit
Department of State Development
Business and Innovation**
GPO Box 4509
Melbourne Vic 3001

**Department of State Development,
Business and Innovation**
Level 33/121 Exhibition Street
Melbourne Vic 3000

Access The Guide for free!

The Victorian Government has published *The Guide to the Employment of Children in the Victorian Entertainment Industry* to make it easy for employers, entertainment industry workers, parents and children to understand the rules and what they need to do.

Download The Guide from
www.business.vic.gov.au/childemployment
or call 1800 287 287 for a free copy.