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| **Children and Families Directorate**  Children’s Rights, Protection and Justice Division    E: Paul.Gorman@gov.scot |  |
| Siobhan Casey  Safeguarding Operations Manager  Girlguiding  17-19 Buckingham Palace Road  London  SW1W 0PT |  |

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29 June 2023

Dear Siobhan

Thank you for your e-mail of 17 May 2023 enquiring about a renewal for a Body of Persons Approval (BOPA) for Girlguiding. I am responding as an official with responsibility for licensing arrangements linked to child performances.

Having reviewed your request and noting that procedures followed by the Girlguiding Association are in line with those previously awarded a BOPA, I am pleased to confirm Body of Persons Approval for your organisation on the following terms:

The Scottish Ministers in exercise of their powers under section 37(3)(b) of the Children and Young Persons Act 1963 hereby confirm Body of Persons Approval for Girlguiding from today’s date until 29 June 2025, subject to the following conditions:

* The Body of Persons Approval applies only to gang shows, pantomimes and other amateur productions as outlined in your correspondence of 17 May 2023.
* All appropriate risk assessment processes have been followed, including any travel arrangements. We would suggest a risk assessment is carried out for each individual performance.
* Any absence from school by the children participating has been properly authorised and consent has been given beforehand.
* Relevant child protection policies be fully applied in relation to all activity involving children and young people, both in preparation for, and delivery of any performance by children under the terms of this Body of Persons Approval.
* Girlguiding report all and any cases of suspected abuse or malpractice relating to anyone involved in Girlguiding to the police and any other relevant authorities immediately, and any safeguarding incidents must be dealt with in line with the Girlguiding procedures. In any such case, the Girlguiding must also notify the Scottish Ministers that a report has been made and Scottish Ministers may request such other information as they may reasonably require to assure them that all child protection policies, procedures and processes have been adhered to in relation to the incident.
* With reference to all the above points, local groups must provide information to the Child Protection Officer of Girlguiding on each occasion that a performance is planned (e.g. an annual gang show). This information should be recorded and maintained by the Child Protection Officer of Girlguiding for the duration of the period of time that the BOPA is granted to Girlguiding.

You will be aware, the child performance licensing system in Scotland was revised in 2014 and that [The Children (Performances and Activities) (Scotland) Regulations 2014](https://www.legislation.gov.uk/ssi/2014/372/made) came into effect on 20 February 2015.

While these provisions do not directly affect the Body of Persons Approval, the non-statutory [Guidance](https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2014/01/young-performers-licensing-guide-for-local-authorities/documents/young-performers-licensing-guide/young-performers-licensing-guide/govscot%3Adocument/Young%2Bperformers%2B-%2Blocal%2Bauthority%2Bguidance.pdf) may be of assistance to you in highlighting current good practice, for example in relation to breaks/’working’ hours as well as information about BOPAs for those applying and those granting them.

You may wish to note that the Scottish Government’s National Child Protection Guidance was revised in 2021 to ensure consistency with the legislative and policy framework and current practice developments. You can access the revised Guidance here: [National guidance for child protection in Scotland 2021 - gov.scot (www.gov.scot)](https://www.gov.scot/publications/national-guidance-child-protection-scotland-2021/pages/1/)

I hope this response is helpful and would like to take this opportunity to wish you and the children and young people involved every success with the events you have planned.

Yours sincerely

**Paul Gorman**

Child Rights Unit