

Young Persons at Work

Children are not permitted to be employed in industrial environments such as factories, construction sites etc unless they are on an approved work experience scheme. In general, those under thirteen years of age are prohibited from any type of work, and Local Authorities are able to make bylaws on the types of work, and hours of work that children aged between thirteen and the minimum school leaving age can do (you may need to contact them for further details). However, children below these age limits may still be licensed to take part in performances.

There are certain other restrictions on the employment of young people:

- Children under thirteen years old cannot ride on agricultural vehicles and machines (including tractors and trailers);
- Anyone under the age of eighteen is prohibited from driving or attending any vehicle for the carriage of explosives. Also, they cannot be responsible for the security of the explosives, or enter the vehicle unless under supervision;
- Young people (those under eighteen) should not operate power presses unless they have the necessary maturity and competence and have completed adequate training. They may need supervision even after training is completed;
- Young people should not use high-risk woodworking machinery unless they have the necessary maturity and competence and have completed adequate training;
- Anyone under eighteen years old cannot operate a lift truck on docks premises. They should not be allowed to use them on other premises unless they have the necessary maturity, competence and training. Children under the minimum school leaving age should never operate lift trucks.

As well as these specific tasks listed above, no young person should be employed for work which:

- is beyond their physical or mental capacity;
- involves harmful exposure to substances which are toxic, cancer causing, harmful to the unborn child, or has effects that can be passed on genetically;
- involves harmful exposure to radiation;
- involves the risk of accidents which they are unlikely to recognise or avoid because of their insufficient attention to safety, lack of experience or training; or
- poses a risk to health from extreme cold or heat, noise or vibration.

Under no circumstances can anyone below the minimum school leaving age be allowed to carry out work that involves these risks, whether they are in employment or under training such as work experience.

Risk Assessment

In addition to the special circumstances already described, you must also carry out a risk assessment to decide whether you need to take steps to control the risks to young persons (for detailed information you can see our guidance note on risk assessment).

A risk assessment for young people will be done in the same way as any other risk assessment, but will focus on the additional risks they will be exposed to. Together with all the factors listed above it will need to consider the:

- layout of the workplace and the particular site where they will work;
- nature of any physical, biological and chemical agents they will be exposed to, for how long and to what extent;
- types of work equipment they will be using;
- need to assess and provide health and safety training;
- inexperience, lack of awareness of risks and immaturity of young persons;
- organisation of processes and activities. Safe procedures must be explained in an understandable manner.

You may wish to have a general risk assessment for all people in order to avoid the need to do an assessment every time you employ a young person. This assessment will need to be kept under review to ensure it remains current.

Employees need to be made aware of the findings of risk assessments, but before children below the minimum school leaving age are employed you must let their parents/guardians know of the key findings of the assessment. This does not have to be done in writing, and in the case of work experience, you can ask the organiser to assist in doing this.

Consent

Parental consent to employ young people above the minimum school leaving age is not required, however, the local authority does require you to obtain it if they are below that age. The local authority must be given the relevant information so the child can be issued with an employment permit.

Supervision and Training

Training will be needed most when the young person first starts the job. Training should not just be made available to them, it should be ensured that it is undertaken and understood. Training and instruction for young people will also be needed for the hazards and risks present in the workplace (as identified in your assessment) and on the preventive and control measures that have been put in place. This should include a basic introduction to health and safety, covering first aid, fire and evacuation procedures.

As well as training, you will need to consider that young people are also more likely to need more supervision than adults. You can use this supervision to help you decide whether the training has been effective.

Working Time

As well as controls on the type of work they can do, young people are also restricted as to the amount of time they can work. If they are below the minimum school leaving age you may wish to speak to your local authority to check what their requirements would be, but ordinarily young workers may not work more than eight hours a day or forty hours a week (although there are certain permitted special exceptions) which they cannot opt-out of.

They are also entitled to twelve uninterrupted hours between each working day, which can only be reduced in exceptional circumstances, and two days off every week. If a young worker is required to work for more than four and a half hours at a stretch, he or she is entitled to a rest break of 30 minutes.

Work Experience

Students taking part in work experience are regarded as your employees for health and safety purposes. Therefore, the requirements relating to risk assessment, the control of risks and the provision of training and supervision (as above) will still apply.

Before the placement begins, the organiser (usually the school) may wish to check that you have sufficient health and safety measures in place. Amongst other things, they may ask you about your:

- risk assessment;
- control measures;
- training/supervision;
- first aid measures and emergency procedures;
- health and safety policy; and
- insurance.

They may also request you to sign a declaration confirming you agree to take on the student for a period of work experience.