



A Guide to Child Employment



Children Missing Education Service





CHILD EMPLOYMENT

INFORMATION FOR EMPLOYERS, PARENTS AND CHILDREN

(IT ALSO APPLIES IF THE PARENT/CARER IS THE EMPLOYER)

The employer is responsible for ensuring that children of compulsory school age are registered with the local authority within 7 days of employment commencing.

A child or young person is employed if he/she assists in any trade or occupation whether or not the child receives pay or reward.

Employers must be aware of the following:

The employer is responsible for the health, safety and welfare of children they employ.

- The hours that can be worked by a child of compulsory school age and the type of work they can do, is governed by national legislation and local bye-laws.
- The employer is responsible for the health, safety and welfare of children they employ. They must ensure, for example, that they have appropriate clothing and shoes for the job they are undertaking.
- A child is of compulsory school age until the last Friday in June of the school year that they reach their 16th birthday.
- The child must have two consecutive weeks free from work during their school holiday each year.
- The legislation applies to **every day** of the year and there are different restrictions for school days, weekends and school holidays.
- Bath and North East Somerset Council has the right to withdraw a work permit at any time if the child's school attendance, health or school work appears to be affected.



Employers can be prosecuted and fined by the local authority if they:

- Fail to register school age employees
- Employ school age children in a prohibited occupation; or
- Allow school age children to work outside the permitted hours set out in local byelaws.

FAILURE TO COMPLY WITH THE LEGISLATION CAN LEAD TO AN EMPLOYER BEING PROSECUTED AND, ON CONVICTION, BE FINED UP TO £1,000.

TO EMPLOY A CHILD WITHOUT NOTIFYING THE COUNCIL IS AN OFFENCE.





THE LAW SAYS

NO CHILD UNDER THE AGE OF 13 CAN WORK

**NO CHILD OF ANY AGE CAN WORK BEFORE 7.00 AM
OR AFTER 7.00 PM**

MAXIMUM PERMITTED HOURS OF WORK:

	AGE	
	13 - 14 YEARS	15 - 16 YEARS
SCHOOL DAYS	2 HOURS PER DAY	2 HOURS PER DAY
SATURDAYS	5 HOURS	8 HOURS
SUNDAYS	2 HOURS	2 HOURS
MAXIMUM NUMBER OF HOURS DURING TERM TIME	12 HOURS PER WEEK	12 HOURS PER WEEK
SCHOOL HOLIDAYS	5 HOURS PER DAY (EXCLUDING SUNDAY)	8 HOURS PER DAY (EXCLUDING SUNDAY)
MAXIMUM PER 7 DAY WEEK	25 HOURS (MAXIMUM 5 HOURS IN ANY ONE DAY)	35 HOURS (MAXIMUM 8 HOURS IN ANY ONE DAY)

No child of any age may work more than 4 hours in any day without a rest break of 1 hour





PERMITTED EMPLOYMENT

- Delivery of newspapers/magazines etc.
- Shop work
- In a hairdressing salon
- In a café or restaurant **but not in the kitchen**
- In a riding stable
- Light agricultural or horticultural (farming or gardening)
- Domestic work in a hotel
- Office work



PROHIBITED EMPLOYMENT



- Work in a cinema, theatre, disco, dance hall or night club
- Sell or deliver alcohol
- Deliver milk
- Deliver fuel oils
- Work in a commercial kitchen
- Work with, or sort, refuse
- Work above ground or on a floor which is more than 3 metres high
- To canvas, sell things from door to door or collect money
- Work in a slaughterhouse or any butchers shop
- Work in telephone sales
- Work with harmful chemicals
- Work in a fairground/amusement arcade or with any gaming machine
- Provide personal care for residents in any residential care or nursing home
- Work involving exposure to adult material or in a situation which are, for this reason, otherwise unsuitable for children
- Work with dangerous machinery





RISK ASSESSMENT

As an employer, you must assess and reduce the risks, so far as reasonably practicable, for all your employees (whatever their age).

This means looking at the work you are asking children to do and whether this could cause harm. Have you taken precautions and preventative measures and spoken to the individual?



Health & Safety law recognises that young persons in the workplace are particularly vulnerable.

Extra precautions may be needed due to their experience, their possible lack of physical abilities and their poor awareness of risks.



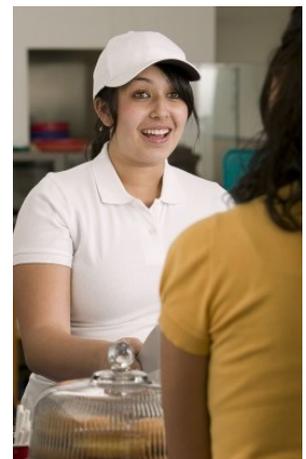
Before a child is employed, the employer must complete a risk assessment under Regulation 3 *Management of Health and Safety at work Regulations 1999*. This should be a suitable and sufficient assessment of the risks to the health and safety of the young person to which he or she is exposed whilst at work.

The result of the risk assessment must be conveyed to the parent/carer.

Confirmation that a risk assessment has been carried out is required on the application for a work permit. The *Management of Health and Safety at work Regulations 1999* may not be sufficient to protect children.

IN MAKING A RISK ASSESSMENT, PARTICULAR ACCOUNT SHOULD BE TAKEN OF:

- The inexperience, lack of awareness and immaturity of young people.
- The fitting and layout of the workplace and the work station.
- The nature, degree and duration of exposure to physical, biological and chemical agents.
- The form, range and use of work equipment and the way in which it is handled.
- The organisation of processes and activities.
- The extent of the health and safety training provided, or to be provided, to the young people.
- Risks from agents, processes and work listed in the *Annex to Council Directive 94/33/EC on the protection of young people at work*.





RISK ASSESSMENT.....

What does a risk assessment involve?

A risk assessment in the newspaper delivery trade might include:

- ❑ **Weight of the delivery bag** - is a trolley necessary? Is the load safe for carrying on a bike? Can the round be split? Pick up points?
- ❑ **Training** - Cycling proficiency. Lifting and Carrying. Personal Safety. Are staff aware of what to do in an emergency?
- ❑ **Round Design** - Does the round cross the road at safe places? Does it avoid 'zigzagging' across main roads?
- ❑ **Bicycle** - Is a bike necessary? Foot rounds are safest unless distance makes a bike essential. Is the bike road worthy and checked regularly? Are lights working? Are helmets supplied/worn?
- ❑ **Personal Safety**
 - Are safety aids necessary?
 - Reflective clothing and equipment should be worn.
 - No door to door canvassing.
 - No money collection.
 - Sign off arrangements at the end of the round. - How do you know if the deliverer is at school, at home or lying in a ditch injured?

The key findings of the risk assessment and the control measures introduced must be reported to parents. There is no requirement, however, for this information to be provided in writing. The information must be provided before the young person starts work, however, it must be "comprehensive and relevant".

If you have any questions not answered in this booklet, please ask your school for further information or contact the:

**Children Missing Education Service
on 01225 394228/4241 or email CMES@bathnes.gov.uk.**

Children Missing Education Service
Bath & North East Somerset
PO Box 25
Riverside
Temple Street
Keynsham
Bristol BS31 1DN
www.bathnes.gov.uk





Bath & North East Somerset Council

EMPLOYMENT OF CHILDREN - APPLICATION FOR WORK PERMIT

Children and Young Persons Acts 1933 (as amended by the Children and Young Persons Act 1998) and the children (Protection at Work) Regulations 1988

Please return completed form to:

CHILDREN MISSING EDUCATION SERVICE,
Lewis House, Manvers Street, Bath BA1 1JG
Tel: 01225 394228

Email: CMES@bathnes.gov.uk

THIS SECTION TO BE COMPLETED BY THE CHILD'S PARENT OR GUARDIAN IN BLOCK CAPITALS

CHILD'S NAME		For office use only
ADDRESS		
DATE OF BIRTH		
SCHOOL		

1. Is the child (applicant) working somewhere else? YES NO

if YES Where?

2. Does your child suffer from, or previously suffered any illness or ailment that may be prejudiced by this employment? YES NO

3. Has your child's school expressed any concern regarding absence or punctuality? (this will be checked with school). YES NO

I hereby consent to the child named above being employed and certify that he/she is fit and healthy and the above date of birth is correct.

Signed Date

THIS SECTION TO BE COMPLETED BY THE EMPLOYER IN BLOCK CAPITALS

Please read the bye-laws before completion.

NAME OF EMPLOYER		
COMPANY NAME	If different from above	
ADDRESS & TEL NUMBER		
NATURE OF BUSINESS		
NATURE OF EMPLOYMENT OF CHILD		
PLACE OF EMPLOYMENT		

Please continue overleaf

OFFICE USE ONLY

Employment Card No:

Date Issued:

Valid Until:





TO BE COMPLETED BY EMPLOYER continued.

Please answer the following questions

1. *Have you checked the child's age?* Please tick YES NO
2. *Has a risk assessment of this young person's employment been completed? and relevant information passed to parents/carers?* Please tick YES NO

DETAILS OF HOURS TO BE WORKED DURING TERM TIME - Please refer to Page 2

	MON	TUES	WED	THURS	FRI	SAT	SUN
Times From/To							
No. of Hours							

DETAILS OF HOURS TO BE WORKED DURING SCHOOL HOLIDAYS

	MON	TUES	WED	THURS	FRI	SAT	SUN
Times From/To							
No. of Hours							

OFFICIAL SCHOOL LEAVING DATE: LAST FRIDAY IN JUNE OF SCHOOL YEAR IN WHICH CHILD IS 16

PLEASE RETURN EMPLOYMENT CARDS OF CHILDREN WHO HAVE LEFT YOUR EMPLOYMENT

Signature

Date

PROHIBITED EMPLOYMENTS FOR ALL CHILDREN OF COMPULSORY SCHOOL AGE

NO CHILD OF ANY AGE MAY BE EMPLOYED:

- In a cinema, theatre, discotheque, dance hall or nightclub, except in connection with a performance given entirely by children.
- To sell or deliver alcohol
- To deliver milk
- To deliver fuels oils
- In a commercial kitchen
- To collect or sort refuse
- In any work, which is more than 3 metres above ground level, or in the case of internal work, more than 3 metres above floor level.
- In employment involving harmful exposure to physical, biological or chemical agents.
- To collect money or to sell or canvas door to door.
- In work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children.
- In telephone sales.
- In any slaughter house, or in that part of any butcher shop or other premises connected with the killing of livestock, butchery, or in the preparations of carcasses or meat sale.
- As an attendant or assistant in a fairground or amusement arcade or in any other premises used for the purpose of public amusement by means of automatic machines, games of chance or skill or similar devices.
- In the personal care of residents of any residential care home or nursing home.

CHILD EMPLOYMENT PERMIT CARDS WILL BE ISSUED TO THE EMPLOYER FOR RETENTION

OFFICIAL USE only

School Attendance		
CMEO/School Comments		

Application Approved: **YES** **NO**

Date: LA Officer:

