

CHILD EMPLOYMENT GUIDELINES

CHILDREN AND YOUNG PERSONS ACT 1933 Sections 18(2) and 20(2)

The Law governing child employment exists to ensure that children are protected and not exploited if they have a part-time job while still of compulsory school age*.

Employment of children is governed by Law and local byelaws and it is the responsibility of employers to ensure that children are employed in accordance with the regulations.

- A child of 13 may be employed in one of the permitted types of employment listed in the byelaws – see overleaf
- no child is employed in a prohibited occupation
- children are employed for the correct number of hours;
- children are dressed and equipped suitably for the job indoors and out
- children are employed only in light work

The Employer must notify the authority within one week of employing a child.

Children are considered to be employed if they assist in a business which operates for profit and if they are paid or unpaid. This also applies to an employer's own children.

It is the sole responsibility of the employer to ensure a child has an Employment Permit and that the child is employed only in accordance with the details shown on the Employment Permit.

An employer must produce details of any child in their employment when required to do so by an authorised officer or a police officer.

If a child does not hold an Employment Permit they will not be covered by Employers' Liability Insurance.

Employers can be prosecuted for employing children illegally. (See penalties overleaf.)

The local authority may at any time revoke a child's employment permit if it has reasonable grounds to believe:

- (a) that the child is being unlawfully employed, or
- (b) that his health, welfare or ability to take advantage of his education are suffering or likely to suffer as a result of the employment.

Risk Assessments

Employers, before employing a young person, must have carried out a risk assessment:

The Management of Health & Safety at Work Regulations 1999 state that:

Every employer shall, before employing a child, provide a parent of the child with comprehensive and relevant information on:

- a) risk to his/her health and safety
- b) the preventative and protective measures; and
- c) the risk notified to him/her in accordance with regulations 11(1)(c)

For further information please contact the Environmental Health Department at your local District Council.

Hours and Days of Work

- Maximum of 2 hours on a school day comprising:

- (1) One hour beginning not earlier than 7.00am before the commencement of school hours, and a further period not exceeding one hour between the end of school and 7.00pm.

OR

- (2) a period not exceeding two hours between the end of school and 7.00 p.m.

- Not before 7.00am or after 7.00pm
- Not before the close of school hours on any day on which he is required to attend school.
- No more than 12 hours in any week in which he/she is requested to attend school.
- On Saturdays 5 hours if under 15 years old and 8 hours over 15 years old.
- School holidays (Monday to Friday) 25 hours maximum per week if under 15 years old and 35 hours per week over 15 years old.
- Sundays – 2 hours maximum between 7.00am and 7.00pm.
- Every child must have at least two consecutive weeks without employment per year and these must fall within a period in a calendar year in which a child is not required to attend school.
- The child must have a minimum of 1 hour break after a 4 hour period of working on one day.
- A child must produce his employment permit for inspection when required to do so by an authorised officer of the authority or a police officer.

Permitted employment of children aged 13

A child of 13 may not be employed except in light work in one or more of the following specified categories:

- a) agricultural or horticultural work
- b) delivery of newspapers, journals and other printed material
- c) shop work, including shelf stacking
- d) hairdressing salons
- e) office work
- f) in a café or restaurant
- g) in riding stables, kennels and catteries
- h) domestic work in hotels and other establishments offering accommodation

Prohibited Employment

No child of any age may be employed:

- a) in a cinema, theatre, discotheque, dance hall or night club, except in connection with a performance given entirely by children†
- b) to sell or deliver alcohol, except in sealed containers
- c) to deliver fuel oils
- d) in a commercial kitchen
- e) to collect or sort refuse

- f) in any work which is more than three metres above ground level or, in the case of internal work, more than three metres above floor level
- g) in employment having harmful exposure to physical, biological or chemical agent
- h) to collect money or to sell or canvass door to door
- i) in work involving exposure to adult material or in a situation which for this reason otherwise unsuitable for children
- j) in telephone sales and canvassing
- k) in any slaughter house or in that part of any butcher's shop or other premises connected with the killing of livestock, butchery, or in the preparation of carcasses or meat for sale
- l) 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
- m) in the personal care of residents of any residential care home or nursing home.

† This does not prevent children taking part in performances under the provisions of a licence granted in accordance with the Children and Young Persons Act 1963, and the associated Regulation.

Penalties

Where a child is employed contrary to any of the provision of the Byelaws or Laws governing child employment, the employer and any person (other than the child) to whose act or default the contravention is attributable shall be liable on summary conviction to a fine not exceeding Level 3 on the Standard Scale (currently £1000).

Permits are available free of charge.

For more information please contact your local Education Office.

*COMPLULSORY SCHOOL AGE

A child whose 16th birthday occurs between 1st September and 31st August (both dates inclusive) is of compulsory school age until the last Friday in June.