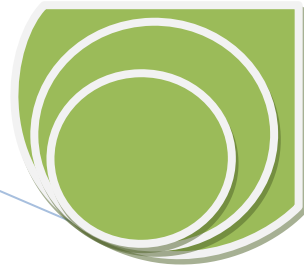


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NO 26 YOUNG PERSONS AND CHILDREN AT WORK

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INTRODUCTION

This fact sheet relates to the health and safety of young persons, including children, who are employed to work.

Under the Management of Health and Safety at Work Regulations:

a young person is defined as anyone under 18 years old (referred to as 'young people') and

a child is defined as anyone who has not yet reached the official age at which they may leave school, just before or just after their 16th birthday (this is often referred to as the minimum school leaving age (MSLA)).

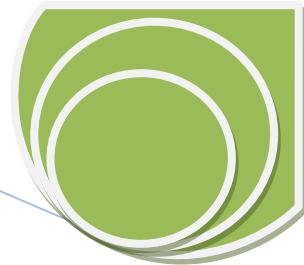
In general, the law prohibits employment of children under the age of 14, although children under 14 are permitted to work as an employee of a parent, guardian or special guardian on light agricultural or horticultural work on an occasional basis.

In addition, children age 13 years may be employed in certain categories of "light work", as specified in local authority bylaws.

Young persons are more likely to be injured in the workplace than more experienced workers. They face unfamiliar risks from the work they will be doing and from their workplace environment and are seen to be particularly at risk due to their inexperience, immaturity and possible lack of awareness of existing or potential risks. They are also likely to lack confidence and be eager to impress or please other people around them.

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Young people must not be employed in work which: -

- Is beyond their physical or psychological capacity.
- Exposes them to substances chronically harmful to human health, e.g. toxic or carcinogenic.
- Exposes them to radiation.
- Involves a risk to their health from extreme heat, noise or vibration
- Involves a risk of accidents, which they are unlikely to recognize due to, for example, their lack of experience, training or attention to safety.

The above restrictions do not apply to young persons over the MSLA where the work is deemed a necessary part of their training*, is carried out under the proper supervision of a competent person and providing that the risks are reduced to the lowest level reasonably practicable.

A child is not permitted to undertake work at all if any of the above risks remain.

* Training includes modern apprenticeships, in-house training programmes, Government funded training schemes for school leavers, or work qualifying for Scottish and National Vocational Qualifications S/NVQ.

There are also industry-specific prohibitions or limitations. A summary of certain restrictions is described in Appendix 1.

RISK ASSESSMENT

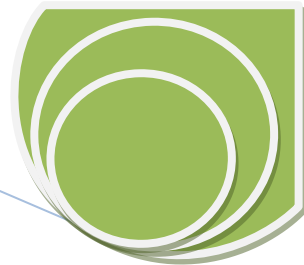
Before **any** young person starts work, or work experience, employers must carry out a risk assessment in accordance with the Management of Health and Safety at Work Regulations, paying particular attention to: -

- Specific workplace or work activity hazards.
- How the workplace is fitted and laid out.
- The work equipment to be used and how it is to be handled.
- Physical, biological and chemical hazards.
- How the work and rest breaks are organised.

A 'Young Persons Risk Assessment' template can be found within the SHREC Ltd Health and Safety stationery or on the SHREC Ltd OwnCloud web site under 'Example Risk Assessments'.

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Each young person must be advised of the tasks they are to perform and of the hazards and risks associated with that work and the workplace itself. In addition they must be informed of the control measures that have been put in place to eliminate or reduce the risk of harm and understand how those control procedures work.

An example of a specific control measure for young persons includes Personal Protective Equipment (PPE) which must be suitable and sufficient for them, e.g. correct size.

Where the young person is below the MSLA, the parents or guardians must be notified of the key findings of the risk assessment and any control measures that have been taken to protect the person's health and safety.

This notification must be given prior to the young person commencing work and it is advisable to provide a copy of the risk assessment to the parents or guardians.

There is no need to carry out a new risk assessment each time a young person is employed as long as the current young person's risk assessment is correct for the individual concerned.

The risk assessment will need to be reviewed on a regular basis and kept up to date.

TRAINING AND SUPERVISION

Training is essential for young persons at the start of their employment. Employers must be able to demonstrate that adequate training is provided and that key messages are understood. Training should include: -

- Information on hazards and associated risks.
- Procedures in place to control those risks.
- Health and safety induction including where first aid facilities are located and fire/emergency evacuation procedures.

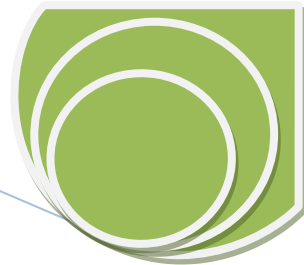
Appropriate supervision must be provided.

CONSENT FROM PARENTS/CARERS/LOCAL AUTHORITIES FOR EMPLOYMENT OF CHILDREN

Employers require written approval from parents/guardian/carers before employing children of compulsory school age. This approval, together with confirmation of completed risk assessments and relevant information about the child, must be submitted to the local authority prior to employment. The authority will then decide whether to issue an employment permit to the child. It is important to note that each authority is likely to have their own local rules on employing children.

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WORK EXPERIENCE FOR YOUNG PERSONS

Children in their final year of compulsory schooling can attend Local Education Authority (LEA) or Education Authority (Scotland) approved work experience schemes in industry and non-industry environments. This excludes work on ships.

Young people involved in work experience schemes are to be classed as employees for the purposes of health and safety legislation. Therefore, employers who offer work experience placements to young people must provide them with at least the same health, safety and welfare protection and care as they would give to their 'regular' employees and carry out a risk Assessment. See Risk Assess mentioned on the previous page.

Young persons below the MSLA must not be employed in industrial organisations, e.g. factories, construction sites, etc. unless that work is part of a work experience scheme approved by the LEA or the governing body of an independent school.

LEA's will have their own rules for work experience schemes and will need to be consulted. Work experience schemes need to be properly managed and there must be good cooperation between all parties concerned, e.g. employers, students, schools, education authorities and parents or guardians, etc.

EMPLOYER'S LIABILITY INSURANCE

Employers should notify their liability insurers of any young person they are proposing to employ, even if the employment is temporary, or comprises work experience. Employers should also check with their insurers for any exclusions to this 'rule' that might apply.

APPENDIX 1: PROHIBITIONS AND LIMITATIONS

Power presses, woodworking machinery, mechanical lifting operations

Young people must not use a power press, high-risk woodworking machinery, or carry out mechanical lifting operations unless they have the necessary maturity and competence and have successfully completed appropriate training. However, during training those young persons above the MSLA may operate this equipment providing they are adequately supervised.

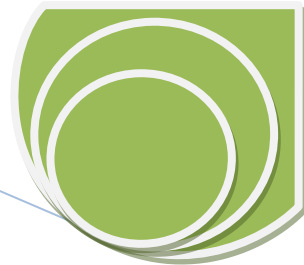
Adequate supervision should also be provided after training if a young person is not deemed sufficiently mature or competent.

High-risk woodworking machinery that should not be operated by young people includes any woodworking machine which is hand-fed, including: -

- Any sawing machine fitted with a circular blade or saw band.
- A planing machine when used for surfacing.

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- A vertical spindle moulding machine.

High-risk lifting equipment which should not normally be operated by young people includes: -

- Cranes.
- Construction site hoists.
- Forklift trucks.
- Operators of lift trucks on dock premises must be aged at least 18 years.
- Young persons under the MSLA should never operate lift trucks.

Agriculture

A young person aged 13 or over should not be permitted to drive a tractor or self-propelled machine unless: -

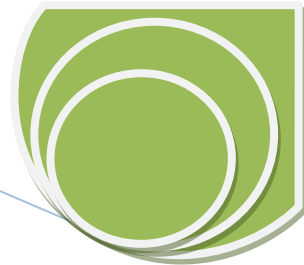
- They have the strength to operate the controls with ease.
- All the controls are accessible for safe operation by the young person when seated in the driving seat.
- The controls which operate the power take off (PTO), hydraulic devices and engine cut-off are clearly marked.
- The tractor is maintained so it is safe for them to operate.
- The ground over which the tractor is driven is free from hazards such as steep slopes, excavations, deep ditches, etc.
- They have received adequate instruction in the safe operation of the particular tractor they are driving and fully understand the purpose of all the controls and the effect of their improper use.
- They are closely supervised by a responsible adult.

A young person aged 13 or over should not be permitted to ride an all terrain vehicle (ATV) unless: -

- The ATV is of an appropriate speed and size.
- They have received formal training.

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Young people of compulsory school age should be prohibited from driving, or operating the following: -

- Towed/self-propelled harvesters and processing machines (except those machines designed for operation by people in addition to the driver, and the young person is on the operating platform and under the supervision of an adult).
- Trailers and towed machinery with built in conveying, loading or spreading mechanisms.
- Power-driven machines incorporating cutting, splitting, grinding or crushing mechanisms (including chainsaws).
- Chemical applicators of any sort, including hand-held equipment.
- Machines incorporating power-driven soil engaging parts.
- Ditching and drainage machinery.
- Material handlers including skid steer loaders, lift trucks and track-laying vehicles;
- Powered grain and slurry - carrying machinery.
- Powered feed - preparation equipment.

This list is not exhaustive.

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