

CHILD EMPLOYMENT

**A guide for
employers on
the law for
employing
school aged
children**



This leaflet explains the legal responsibilities of employers towards school aged employees. The Regulations apply to all children aged 13 and above and apply until they can legally leave school on the last Friday of June in Year 11 of their secondary education. They CONTINUE to apply after the young person's 16th birthday if this falls before the school leaving date.

A child is employed if she/he assists in a trade or occupation which is carried out on a for profit basis whether or not the child receives pay or reward for that employment.

Employing school age children is regulated by law:

- Children and Young Persons Act 1933& 1963
- Education Acts 1944/1996
- Children Act 1989
- Children (Protection at Work) Regulations 1998.
- Tower Hamlets Council Byelaws

Important Information

- Children must be at least 13 years old to work.
- 13 year olds may only do certain types of light work.
- There are jobs they are not allowed to do.
- They must have a work permit issued by the Council in the area the child is working.
- Children remain of compulsory school age until the last Friday in June of the school year in which their 16th birthday falls.
- Having a National Insurance number does not mean that the young person can leave school or work full-time.
- The employer must ensure that a child employee's health and safety are protected.
- If a child works in a family business, or receives no payment, they must still have a work permit.

A work permit can be refused or cancelled if the employment is considered to be harmful to the health, safety, education and/or development of the child.

Prohibited Forms of Employment

No child of any age may be employed:

- In a cinema, theatre, discotheque, dance hall or night club, except if the child is performing and is licensed to do so.
- In a factory or industrial undertaking.
- To sell or deliver alcohol (except in sealed containers and under the supervision of a responsible adult).
- Delivering milk.
- Delivering fuel oils
- In any commercial kitchen such as a café, pub, hotel or fish and chip shop.
- Collecting or sorting refuse
- In any work that is more than three metres above ground or floor level.
- In employment involving harmful exposure to physical, biological or chemical agents.
- Collecting money or selling or canvassing 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 slaughterhouse or in that part of a butcher's shop or any other premises connected with the killing of livestock, butchery or the preparation of carcasses or meat for sale.
- As an attendant or assistant in a fairground or amusement arcade (where gambling takes place).
- In the personal care of residents in any residential care home or nursing home.

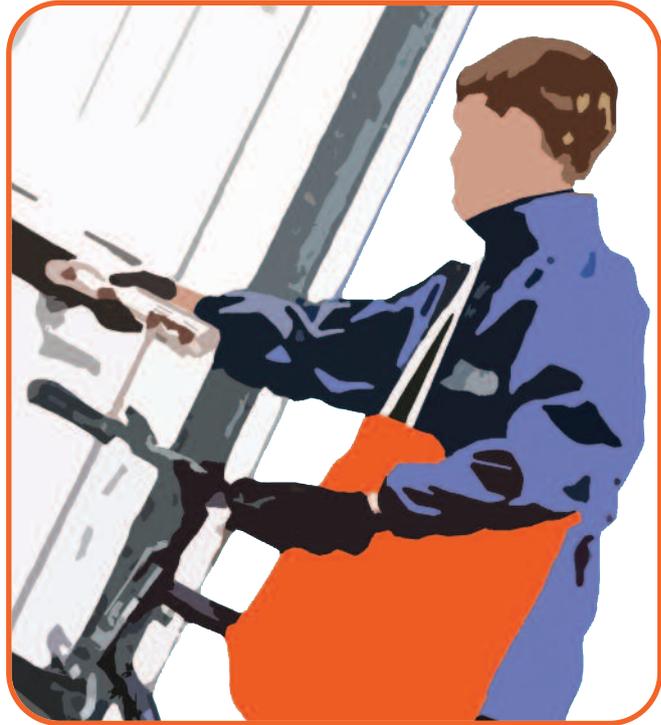
Jobs children aged 13 and above can do:

- Light agricultural and horticultural work.
- Shop work including shelf stacking.
- Delivery of newspapers, journals and other printed materials (but not collecting money).
- Shampooing and sweeping up in hairdressers.
- Serving tables in a café/restaurant (but not working in the commercial kitchen).
- Office work.
- Car washing by hand in a private residential setting.
- Working in riding stables.
- Domestic work in hotels.

Employers can be prosecuted if they:

- Do not get a work permit for their school age employees
- Employ school age children in a job they are not allowed to do
- Allow school age children to work outside the hours permitted by law.

WORK PERMITS ARE FREE



Street Trading

In Tower Hamlets young people aged 14 and above can work with their parents in a market if they have a work permit.

The Association of British Insurers has stated that unless a child has a valid work permit, they may not be included under the EMPLOYERS LIABILITY INSURANCE.

Hours children are allowed to work

Children may work for maximum of 12 hours in any week during term time

At age 13 and 14

School days

- Up to a maximum of 2 hours in 1 day.
- Only 1 hour may be worked between 7am and the start of school.
- No work may be undertaken during the school day.
- Work can be undertaken in the evenings between the close of school and 7pm.
- No work may be undertaken after 7pm.

Saturdays

- A maximum of 5 Hours between 7am and 7pm.

- They must have a rest break of one hour every 4 hours.

Sundays

- A maximum of 2 hours between 7am and 7pm.

School holidays

- Maximum of 5 hours per day Monday to Saturday between 7am and 7pm (only 2 hours on Sunday).
- Maximum 25 hours a week.
- They must have a break from work of 2 consecutive weeks during the year taken during school holidays.
- They must have a rest break of one hour every 4 hours.

At age 15 and 16

School days

- Up to a maximum of 2 hours in 1 day.
- Only 1 hour may be worked between 7am and the start of school.
- No work may be undertaken during the school day.
- Work can be undertaken in the evenings between the close of school and 7pm.
- No work may be undertaken after 7pm.

Saturdays

- A maximum of 8 Hours between 7am and 7pm.
- 2 hours between 7am and 7pm.

Sundays

- 2 hours between 7am and 7pm.

School holidays

- Maximum of 8 hours on any day between 7am and 7pm (only 2 hours on Sunday).
- Maximum 35 hours a week.
- They must have a break from work of 2 consecutive weeks during the year taken during school holidays.
- They must have a rest break of one hour every 4 hours.

Important things to remember

- The employer must apply for an employment permit within one week of the child starting employment.
- The child must have an employment permit and carry it with them whilst at work.

- The employer is responsible for the Health and Safety of the child. A risk assessment must be completed and the results shared with the parents.

5 steps to assessing risk in the workplace

- 1 Look for hazards.
- 2 Decide who might be harmed and how.
- 3 Evaluate the risks deciding whether the existing precautions are adequate or should be amended.
- 4 Record the findings of the risk assessment, keep on file and give a copy to the parents.
- 5 Review the assessment periodically and revise when necessary.

Particular attention should be paid to the young person's lack of experience in the workplace (contact Environmental Health or the Health & Safety Executive for more detailed information - www.hse.gov.uk)

For further information and for a permit application form please contact:

Child Employment Officer
Pupil Services
Second Floor
Mulberry Place
Clove Crescent
London E14 2BG

Tel: 020 7364 4306
Fax: 020 7364 4311

Website: www.towerhamlets@gov.uk
(Go to A-Z, choose C for child employment)



