

HERTFORDSHIRE  
**ACCIDENT  
PREVENTION**  
G R O U P

# CHILDREN & YOUNG PEOPLE AT WORK

*Safety in  
their Hands?*

A guide to the law  
and good practice  
when young people  
go to work



## SAFE AT WORK?

Environmental Health and the Road Safety Unit have produced this guide with advice from Trading Standards, Education, Career Advice, Hertfordshire Police and the Health and Safety Executive on behalf of Hertfordshire Accident Prevention Group.

It has been written for young people who work, their parents and the businesses that employ them.

The booklet is intended to look at some of the problems associated with working, to give a brief guidance on the legal requirements and offer sensible solutions to some of the practical problems that can arise.

Legally required items are marked 'LAW' and items of good working practice are marked 'ADVICE' throughout the booklet.

Although the information contained here will help you to understand responsibilities, particularly under the Health and Safety at Work Act 1974, and its regulations (Health and Safety Young Persons Regulations 1997), it is not an authoritative interpretation of the law. For specific advice you should contact your local enforcement agency, who will be pleased to help with any enquiries that you may have. All telephone numbers are on the back of this guide.

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## EMPLOYING YOUNG PEOPLE

Can school children be employed? ➤

Yes, but there are local by-laws that the hours and types of work undertaken at different ages. See page 15. **LAW**

How old must a child be before they can work? ➤

Children under 13 must not be employed. **LAW**

What kind of work can a child do? ➤

A child aged 13 may only be employed in 'light work'. As long as that work, its tasks or particular conditions are;  
> *not likely to be harmful to the safety, health or development of the child;*  
and  
They will not harm their;  
> *attendance at school,*  
> *participation in work experience,*  
> *capacity to benefit from the instruction received or the experience gained.*  
See page 17. **LAW**

Do employers need permission to employ a school child? ➤

Yes, employers of a child must provide written information on a form E12/50 to obtain a Work Permit (obtained from schools or your local Education Welfare Office). **LAW**

What details will they need to know? ➤

You must provide;

- (i) his/her name
  - (ii) home address
  - (iii) name and address of school attended
  - (iv) date of birth of the child
  - (v) occupation in which the child is employed
  - (vi) place of employment
  - (vii) times at which the employment begins and ends.
- LAW**

How many hours can they work? ➤

There are statutory maximum hours that a young person can work. On school days they can only work up to 2 hours a day and only for 1 hour between 7.00am - 8.30am. **LAW**

What about the risks associated with the job? ➤

You cannot employ a child unless you have carried out a risk assessment for the job to be undertaken and informed the parents or carers of those risks. **LAW**

## WORKING ALONE

Is it against the law to let children work alone? ➤

No, as long as they are over 13 and comply with the working hours on page 16. There is no law prohibiting employees from working alone.

LAW

What about identification? ➤

All employees, especially those under the age of 18, should carry suitable identification including a contact name and telephone number in case there is an accident.

ADVICE

What if they have an accident? ➤

All injuries to employed persons must be recorded in an accident book. All major injuries or an injury which makes them unable to work for 3 days must be reported to your local Environmental Health Department or the ICC (Incident Control Centre in Caerphilly, Tel. 0845 300 9923, e-mail: [riddor@natbrit.com](mailto:riddor@natbrit.com), or on-line at [www.riddor.gov.uk](http://www.riddor.gov.uk) If in doubt phone your local Environmental Health Department.

LAW

What about strangers children may meet while working alone? ➤

Give advice about not talking to strangers and that they should not enter houses, other premises or vehicles. Remind them to report anything suspicious to the police and their manager.

ADVICE

What about personal alarms? ➤

All employees especially those under the age of 18 should carry suitable 'Personal Emergency Alarms' e.g. 'Walkaway' (available from DIY stores) and recommended by Which Magazine.

ADVICE

Will these precautions really help? ➤

Yes, the children will be better equipped to be safe and you will have peace of mind.

ADVICE

What if a young person is using a vehicle e.g. on pizza delivery? ➤

ROAD SAFETY is an important factor and you should read the section devoted to this subject on pages 9 and 10.

LAW

## EMPLOYER'S RESPONSIBILITY HEALTH AND SAFETY AT WORK

What are the employer's responsibilities to young people they employ? ➔

How will a parent or carer know that an employer is considering all of the risks? ➔

What about bikes and other equipment? ➔

Who is responsible for providing equipment? ➔

Do the children need insurance? ➔

How do customers benefit? ➔

Should the employer train the child before they start work? ➔

An employer has a duty to ensure, as far, as is possible, the health, safety and welfare of all employees, even when they are not on the premises.

LAW

An employer cannot employ a child unless they have carried out a Risk Assessment for the job and informed the parents or carers of those risks. If you have not been informed, ask to see the Assessment.

LAW

An employer must ensure that equipment is safe, suitable, and can be used without risk to health.

LAW

An employer is responsible for providing protective clothing and equipment.

LAW

No, employers must have compulsory employers Liability Insurance, which has to be displayed, and it is a good idea to check. Nevertheless, if the employee is using their own motor vehicle they will need to have current vehicle insurance, which you should check is suitable for the job.

LAW

The law also covers the general public who may be affected by the work activity, such as an accident being caused by an employee who does not take care when riding or using work equipment or their own vehicle.

LAW

All employers should provide information, instruction and training when somebody starts work. But this does not necessarily mean it will be in a formal training session.

LAW

## CHILDREN'S RESPONSIBILITY HEALTH AND SAFETY AT WORK

Why do they have responsibilities? ➔

What are these health and safety responsibilities? ➔

Do they have to do anything specific? ➔

What if they refuse to wear safety equipment? ➔

Does the child have responsibilities? ➔

If they are at school, does their school have to know they work? ➔

What do they gain by following the advice in this booklet? ➔

The Health and Safety at Work Act applies to all persons at work, employers, self-employed and EMPLOYEES.

LAW

They must not do anything which may cause an accident to themselves or another person, as a result of their action or judgement, for example - using a mobile phone while cycling / riding.

LAW

They must take care of equipment provided and use it properly and report any defects to the employer.

LAW

They must co-operate to enable the employer to comply with the Law.

LAW

Where children under 16 are involved, the child's duty will be legally discharged onto their parents or guardians, so you must ensure the children are informed of their responsibilities.

LAW

Yes, and the Education Welfare Office must also have written information on Form E12/50 (See page 1).

LAW

They will clearly know what they are responsible for and will be better trained - they will be more attractive to future employers. Finally they will be complying with the Law and be safer.

ADVICE

## ROAD SAFETY

How can the risk of an accident be reduced? ➔

Is there any advice a child should be given? ➔

If they use their own vehicle, what should be checked? ➔

Do cyclists need a helmet? ➔

Do moped riders need a helmet? ➔

What else does the Highway Code say? ➔

What clothes should someone wear on a moped or motorbike? ➔

When deliveries are made in the dark or at twilight the best idea is to wear reflective or fluorescent clothing such as a Sam Browne belt. Light or white clothing can also help. A torch should be carried if walking at night.

ADVICE

They should cross the road at pedestrian crossings wherever possible, if not, when it is dark cross under a streetlight.

ADVICE

If a bicycle is used the following points should be ensured:-

- > lights and reflectors are kept clean and in good working order, (they must also be used in poor light and/or bad weather when visibility reduced);
- > tyres are in good condition and inflated to the pressure recommended by the cycle manufacturer;
- > brakes and gears are working correctly;
- > chain is properly adjusted and oiled;

If a moped or motorcycle is used the following points should be ensured:-

- > lights and reflectors are kept clean and in good working order, (they must also be used in poor light and/or bad weather when visibility is reduced);
- > tyres are in good condition and inflated to the pressure recommended by the manufacturer;
- > brakes and gears are working correctly;
- > they have the correct Insurance.

LAW

Yes, a cyclist should wear a helmet as it greatly reduces head injuries in an accident.

ADVICE

Yes, all moped riders are required to wear a helmet

LAW

A cyclist **MUST NOT** ride on the pavement unless there are special signs allowing you to do so.

LAW

You should not carry anything that will affect your balance or may get tangled up with your wheels or chain. It is better for someone making deliveries not to ride the bicycle because of the possible effects on stability and control.

ADVICE

If motorbikes are being used they too must not be overloaded.

LAW

At a minimum, riders must hold a provisional licence, CBT certificate and display an 'L' plate

LAW

Trousers should not be loose around the legs or ankles. Wear sturdy boots/shoes, not trainers, leather gloves with fingers (not mittens), and goggles/visor.

ADVICE

## LIFTING AND CARRYING AT WORK

Is this really a danger?

What should employers do?

How much can they carry?

What should be considered to improve the situation?

Lifting and carrying, if not done properly, can lead to ruptures, strains and back injuries that may cause problems lasting weeks, months or even years.

ADVICE

It is the employer's responsibility to ensure that employees are not required to carry excessive loads beyond their capabilities. However if anything can be lifted or carried by suitable equipment, e.g. sack barrow, trolleys or hoist then an employee **MUST NOT** do any lifting or carrying and should be trained in how to use such equipment and lift correctly.

LAW

The Royal Mail have assessed that the weight an average, fit, postman can carry, is 34lbs (15.5Kgs) on foot, or 50lbs (22.5Kgs) with a suitable bicycle. They have also calculated that a 16 year old trainee postman should only carry 20lbs (9Kgs) on foot, or 26lbs (11Kgs) with a suitable bicycle.

ADVICE

The National Back Society advise that a child should not lift or carry more than 10% of their body weight.

That all risks associated with manual handling must be assessed and avoided if possible. You need to consider the;

- Load - is it heavy, slippery, hot, large, sharp, etc.
- Task - what needs to be done, carried, stacked, taken up stairs, etc.
- Individual - what is their age, size, sex, ability, etc.

Once you have looked at these things then decide how to complete the job.

Do you need special equipment, extra people, to split the load/job into sections, or can manual handling be avoided completely?

If not, staff must be suitably trained in safe lifting techniques **BEFORE** starting the job.

LAW

## OTHER THINGS TO CONSIDER

What if the employer offers no training or advice? ➔

Who should I approach for advice on Health and Safety matters? ➔

Who can give me advice on road safety matters? ➔

Where can the Education Welfare Officer be found? ➔

Firstly, the employer should be approached about the issues of concern. If the response is not satisfactory you should obtain further advice (see below).

ADVICE

Your local Environmental Health Department at the District/Borough Council is the relevant authority. Their telephone number is on the back of this booklet.

ADVICE

Hertfordshire County Council - Road Safety Unit on 01992 556800.

ADVICE

You will find the telephone number of the nearest Area Education Centre below, or you could visit [www.herts.gov.uk/education](http://www.herts.gov.uk/education) tel: 01438 737500

ADVICE

## EMPLOYMENT OF CHILDREN OF COMPULSORY SCHOOL AGE (TABLE OF WORKING HOURS)

Under 13 Years



13 to 14 years



15 years and up to the end of compulsory school age \*



Children under 13 must not be employed  
No child is allowed to be employed in a factory or an industrial undertaking.

LAW

**SCHOOL DAYS:** Up to TWO hours a day; these hours to be between 7am and beginning of school hours (for ONE HOUR ONLY) and/or between end of school hours and 7pm

LAW

**SATURDAYS:** Up to FIVE hours a day; between 7am and 7pm, no more than FOUR hours at any time without a rest break of at least one hour.

LAW

**SUNDAYS:** Up to a maximum of TWO HOURS permitted between 7am and 7pm.

LAW

**WEEKDAYS OF SCHOOL HOLIDAYS:** Up to FIVE hours a day, but no more than TWENTY FOUR HOURS in any week, between 7am and 7pm only, no more than FOUR hours at any time without a rest break of at least one hour.

LAW

**SCHOOL DAYS:** Up to TWO hours a day, between 7am and the beginning of school hours (for ONE HOUR ONLY) and/or between the end of school hours and 7pm.

LAW

**SATURDAYS:** Up to EIGHT hours a day between 7am and 7pm, no more than FOUR hours at any time without a rest break of at least one hour.

LAW

**SUNDAYS:** Up to a maximum of TWO HOURS permitted between 7am and 7pm.

LAW

**WEEKDAYS OF SCHOOL HOLIDAYS:** Up to EIGHT hours a day, but no more than THIRTY FIVE HOURS in any week, between 7am and 7pm only, no more than FOUR hours at any time without a rest break of at least one hour.

LAW

## PERMITTED EMPLOYMENT

A child of 14 and over may only be employed in light work subject to the prohibitions listed here. ➤

A Child aged 13 may only be employed in light work in one or more of the following:-

- Agriculture or horticulture work.
- Delivery of newspapers, journals and printed materials.
- Shop work, including shelf stacking.
- Hairdressing salons.
- Office work.
- Car washing by hand in a private residential setting.
- In a café or restaurant, but not in the kitchen.
- In a riding establishment.
- Domestic work in hotels and other establishments offering accommodation.

## PROHIBITED EMPLOYMENT

No child of compulsory school age may be employed:-

- In a cinema, theatre, disco, dance hall or night club.
- To sell or deliver alcohol, except in sealed containers.
- To deliver milk.
- To deliver fuel oils.
- In a commercial kitchen.
- To collect or sort refuse.
- In any work three metres above the ground-inside or outside.
- In employment involving harmful exposure to physical, biological or chemical agents.
- In work involving exposure to adult material or in situations unsuitable for children.
- In telephone sales.
- In any slaughterhouse or butcher shop.
- As an attendant in a fairground or amusement arcade or any premises with automatic machines of chance or skill.
- In the personal care of residents of any care home or nursing home unless under the strict supervision of a responsible adult.

See below for the definition of 'school age'.

## HOLIDAYS

A child under compulsory school age is not entitled to be paid for holidays.

A child over compulsory school age is subject to normal adult employment legislation and is entitled to holidays and for these to be paid.

A child who is employed on non-school days must have a two-week holiday from work every calendar year (1st January to 31st December)

A child is of compulsory school age up to the last Friday in June of the academic year in which she/he reaches 16 years of age. The academic year is 1st September to 31st August.

## WHAT IS 'LIGHT WORK'?

The legal definition of 'light work' is work that involves tasks or particular conditions which are performed in a way that -

- are not likely to be harmful to the health, safety or development of children;

*and*

- will not be harmful to -
  - their attendance at school,
  - their participation in work experience,
  - their capacity to benefit from the instruction received or the experience gained.

No child may be employed unless the employer has carried out a Risk Assessment for the job to be undertaken, and parents or carer informed of those risks.

No child may be employed in any work out of doors unless they are wearing suitable clothes and shoes.

## BRITISH STANDARDS

1. Reflective and fluorescent clothing should conform to BSEN 471 and carry a label to indicate this.
2. A cycle helmet should conform to BSEN 1078 or the US standard ANSI Z 90.4, SNELL or the Australian standard A.S 2063 and be labelled accordingly. For helmets with a quick release mechanism, look for Product Approval Specification PAS 002.
3. Lights should be in accordance with B.S. 6102/3 and the reflectors B.S. 6102/2.
4. New bicycles must comply with B.S. 6102/1, and be labelled accordingly.
5. If you ride or drive a motor vehicle you must have a valid driving licence, certificate of insurance, road fund licence and a MoT certificate if the vehicle is over 3 years old.

## USEFUL CONTACTS

### Hertfordshire County Council -

Education Welfare Office Call Centre 01438 737500

### Hertfordshire Police (in an emergency dial 999 / 112)

Welwyn Garden City (Headquarters)	01707-638000
St Albans Division	01707-769000
Hertford (East Herts) Division	01992-533000
Hatfield (Welwyn) Division	01707-354100
Watford (Three Rivers) Division	01923-472000
Hemel Hempstead (Dacorum) Division	01442-271000
Stevenage Division	01438-757000
Hitchin (North Herts) Division	01462-425000
Borehamwood (Hertsmere) Division	020-8905-1212
Broxbourne Division	01992-631212

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The Hertfordshire Accident Prevention Group was established in April 1994. Its members comprise senior staff from all the District or Borough Councils in the County; the County Council, including the Road Safety Unit, Trading Standards, and Health and Safety; and staff from Hertfordshire Health PCT's, Trusts and their Health Promotion.

The group was established to provide an exchange of professional advice and information on accident prevention issues and programmes and to stimulate further co-operation and progress in Hertfordshire.

For advice/information on any accident prevention issue contact one of the **HERTFORDSHIRE ACCIDENT PREVENTION GROUP MEMBERS:-**

**ENVIRONMENTAL HEALTH AT:**

St Albans City and District Council	01727-819455
East Herts District Council	01279-655261 x588
Welwyn Hatfield District Council	01707-357202
Dacorum Borough Council	01442-228455
Hertsmere Borough Council	020-8207-2277
Watford Borough Council	01923-226400
Three Rivers District Council	01923-776611
Stevenage Borough Council	01438-242908
North Herts District Council	01462-474000
Broxbourne District Council	01992-631921

Hertfordshire County Council - Road Safety Unit	01992-556800
Hertfordshire County Council - Trading Standards	01438-737300

This document is also available on the Hertfordshire Accident Prevention Group's web site; [www.safetynet.org.uk](http://www.safetynet.org.uk)