

G21 EMPLOYMENT OF YOUNG PERSONS (UNDER 18)

SUMMARY

Young persons may be at increased risk because of their lack of experience and because of their immaturity. When employing a young person under the age of 18, whether for work, work experience, or as an apprentice, LCC has the same duties for their health, safety and welfare as they do for any other employee.

When the County Council employs young people or provides work experience placements to students, risk assessments must identify what could cause harm to these young people and what additional precautions are required to reduce the risks of harm occurring.

Young people are defined by age in health and safety law:

- A 'Young Person' is anyone under 18 years old,
- A 'Child' is anyone who has not yet reached the official minimum school leaving age (MSLA). Pupils will reach the MSLA in the school year in which they turn 16.

APPLICATION

All employees (including work placements) who are under 18 years of age

RESPONSIBILITIES

Directors and Assistant Directors

- Ensure the policy is adhered to within their Directorate
- When appropriate, ensure sufficient funds are available to support the employment of young persons and/or work experience placements or apprenticeships

Service area managers/Team leaders

- Assessing the risks prior to appointment and making arrangements to eliminate or control those risks.
- Giving the information on the findings of risk assessments and the measures to eliminate or control the risks to a child's parent or guardian if they are below school leaving age.
- Nominating an experienced employee to supervise each young person

Corporate Health and Safety Team

- Review and Revision of the Policy

THE DUTY TO UNDERTAKE RISK ASSESSMENT

The risks to young people under 18 years old must be assessed before they start work/work experience and you must tell them what the risks are. These risks can be

included in your standard risk assessment for the given task/activity. You do not have to complete a separate risk assessment for a young person

The risk assessment should take account of:

- young people's lack of experience and awareness of health and safety risks
- young people's physical or mental maturity
- the nature and layout of the work area
- the extent of exposure to physical, biological and chemical agents
- the types of work equipment, methods of use and activities undertaken
- the extent of the health and safety training provided

The risk assessment must:

- identify the measures necessary to eliminate or control the risks
- have the significant findings recorded
- be monitored and reviewed:-
 - as the young person's knowledge and experience grows
 - if there is any significant changes to the job role/tasks
 - after an accident or near miss
 - if there is a change to the law/ legislation

A generic risk assessment for young people doing the same job or work experience is acceptable, providing in all cases it is relevant and covers all the activities involved and takes account of any information about the young person's needs which may be passed on by the work experience organiser, the school or the parents.

In certain cases, the generic risk assessment may need additional control measures due to the individual young person's specific needs or ability.

NB. Any risk assessment needs to consider the risk of exposure to the Covid-19 virus, and have sufficient controls recorded to reduce that risk to an acceptable level. While [COVID-19 in children](#) is reported much less frequently than in adults, some individuals may have specific health conditions and these **MUST** be considered in the risk assessment process.

The risk assessment template can be found in the Health and Safety Policy [G1.2 Significant findings of risk assessments](#). (Or copy and paste the URL below into your web browser):

<https://professionals.lincolnshire.gov.uk/downloads/download/145/health-and-safety-policy?downloadID=145>

RESTRICTIONS ON THE WORK OF YOUNG PEOPLE

Except in the special circumstances described below, young people must not be employed to do work which:

- is beyond their physical or psychological capacity
- exposes them to substances chronically harmful to human health, e.g. toxic or carcinogenic, or has effects likely to be passed on genetically or likely to harm an unborn child

- exposes them to radiation
- involves a risk of accidents which they are unlikely to recognise because of, for example, their lack of experience or training or sufficient attention to safety
- involves a risk to their health from extreme heat, noise or vibration

These restrictions will not apply where young people over the MSLA are doing work necessary for their training under proper supervision by a competent person and provided the risks are reduced to the lowest level, so far as is reasonably practicable.

Under no circumstances can children of compulsory school age do work involving these risks, whether they are employed or under training such as work experience.

INFORMATION FOR YOUNG PEOPLE AND FOR THEIR PARENTS/ GUARDIANS

All employees, including those less than 18 years of age, must be informed about the risks to their health, safety and welfare identified by the assessment, and the measures put in place to control them. In addition, all must be told about the procedures to be followed in the event of serious and imminent danger.

Before children below the MSLA are employed or offered a work experience placement, their parents or guardians must be informed of the key findings of the risk assessment and the control measures to be taken. This need not be in writing, and in the case of work experience, the work experience organiser may help in getting the information to parents or guardians of any child seeking a placement.

FURTHER INFORMATION

Lincolnshire County Council - [G1 Health and Safety Policy](#) (or copy and paste the URL below into your web browser):

<https://professionals.lincolnshire.gov.uk/downloads/download/145/health-and-safety-policy?downloadID=145>

HSE Leaflet: [Young people and work experience \(INDG 364\)](#)

Further information is also available from the Health and Safety Executive on www.hse.gov.uk

ADVICE AND SUPPORT

Please contact the Corporate Health and Safety Team [Here](#)

LEGISLATION

The Health and Safety at Work, etc Act 1974

The Management of Health and Safety at Work Regulations 1999