

Policy Statement on the employment of “Young Persons” in accordance with:

The Health and Safety (Young Persons) Regulations 1997

We will carry out a suitable and sufficient risk assessment for all work involving young persons (16 to 18 years old) prior to their employment and will communicate the result of this to them on their commencement of work.

Risk assessments for work involving young persons will be modified with the following considerations relating to their:

- physical and psychological capacity to carry out the work effectively
- potential exposure to toxic or harmful substances or agents (including radiation)
- inexperience in the recognition of potentially hazardous situations, or lack of training
- potential exposure to extremes of heat or cold, noise or vibration.

Where young persons or school age children (on work or other experience schemes) may be exposed to risk, their parent or guardian will be advised of the identified risks.



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Introduction

A young person is defined under health and safety legislation as someone who has reached the legal school leaving age (usually 16 years old) but is not yet 18 years old. Under health and safety law, children are people who are younger than the legal school leaving age.

When the company employs young people, or has children on work experience at the premises, there are a number of safety considerations which must be addressed. Young people tend to be less experienced and responsible than adults, and there is certain legislation governing their safety.

Summary

When children or young persons are employed, the chief issues likely to be of concern to the responsible person are listed below:

- Relevant legislation
- Risk assessment
- Prohibited activities
- Notifying parents and guardians
- Supervision
- Training.

Role of the Safety Supervisor

In a nutshell, to fulfil legal requirements, the Safety Supervisor must:

1. Make sure they are notified before a young person starts work
2. Carry out a risk assessment, taking into account the work activity and the particular risks associated with young people in the workplace
3. Notify the young person's parent or guardian of the risks of the work and the control measures in place
4. Make sure that no young person is employed in a prohibited work activity (see below)
5. Ensure that young persons are given suitable training; understand how to do the work safely, what they are not allowed to do and how important it is for their safety that they follow the rules
6. Make sure the child's or young person's supervisor keeps a close eye on them and is aware of the company procedures, the risks associated with young people on site, and any restrictions on where they can go and what they can do.

Guide to key aspects of young persons

Below we cover and explain the topics listed in our key point summary at the beginning of this section. The information is targeted at the person to whom the Company has given day to day responsibility for health and safety.

Relevant legislation

The Management of Health and Safety at Work Regulations came into force in 1993, but have been amended several times. One of the amendments occurred as a result of the Health and Safety (Young Persons) Regulations 1997. Consequently, the Management of Health and Safety at Work Regulations 1999 now contain regulation 19 which relates to the protection of young persons while at work and the requirement to conduct a risk assessment. Additional and relevant legislation is outlined below.

The Health and Safety (Young Persons) Regulations 1997 require employers to carry out an assessment of risk for young people at work. If certain risks are identified, young people must not be involved in that work activity. Details are given under separate headings below.

In general, the duty of care to employees under the Health and Safety at Work Act 1974 and regulations made under it, such as the Manual Handling Operations Regulations 1992, put most of the responsibility on employers for anyone with whom they have a contract of employment. However, the Health and Safety (Training for Employment) Regulations 1990 give employers the same responsibility for people on training or work experience, e.g. school children, as they have for their regular employees.

Under the Children and Young Persons Acts 1933 and 1969, it is illegal for employers to employ anyone who is younger than 13. Children over 13 may be employed, but only if they work outside school hours, do not work for more than two hours on a school day or Sunday and do not work after 7pm or before 7am.

Risk assessment

The Management of Health and Safety at Work Regulations 1999 require that a risk assessment be conducted in respect of young people employed. This is specifically to protect the health and safety of those under the age of 18 years. Lack of experience and physical and emotional immaturity are some of the factors which should be considered.

Prohibited activities

A young person should not be exposed to the following risks:

- Toxic materials
- Carcinogenic materials
- Teratogenic materials
- Ionising radiation
- Extreme heat, cold or vibration
- Any work beyond their physical or psychological capacity
- Any work where the young person is unlikely to recognise the risks.

A young worker who is above the minimum school leaving age can be employed to do this work if:

- It is necessary for training purposes
- There is supervision by a competent person
- The risks are reduced to the lowest level reasonably practicable.

Notifying parents and guardians

If the young worker is below the minimum school leaving age then information regarding the risk assessment and the control measures taken must be supplied to the parents or guardians. This can be done in any convenient form, verbal, written or via an organisation such as the school (this requirement is described in regulation 10).

Supervision

Young people usually require a higher level of supervision than adult employees. They are likely to be new to the experience of working, unfamiliar with procedures, unsure of what is expected of them and may act less responsibly than adults owing to their immaturity. They may be curious and unaware of or unconcerned by the dangers of the workplace.

Supervisors of young persons should keep a very close eye on them, especially during the first few weeks. They should make sure they understand how to carry out their work safely and that they are adequately disciplined if they do not follow procedures.

Training

Young people will require extensive training. Not only are they unlikely to be familiar with the work they are carrying out, but they are also likely to be inexperienced in the work ethos.

Information for staff

Young people should be trained and instructed in the following:

- What is expected of them
- How to do the work safely
- The risks of their work
- The measures put into place to protect them
- What they are not allowed to do
- The importance of following the rules and procedures
- The consequences of not following procedures, both in terms of disciplinary action and injuries they could receive.

Supervisors of young people should receive the following information:

- The results of the risk assessment for young persons
- Instruction to keep a close eye on them
- Company procedures and control measures for young persons
- The risks associated with young people on site
- Any restrictions on where young people can go and what they can do.