

Employment of Children

Child or Young Adult?

The law treats these two groups differently:

- Children are those who have not yet reached their statutory school leaving date - even if they have stopped attending school. Employment of Children
- Young adults are those who have passed their statutory school leaving date - even if they have chosen to remain in education after that date. Employment of Young Adults

A child may not legally leave school until the last Friday in June of the school year during which they reach the age 16, or if his or her birthday falls after that date, but before the start of the next school year. This means that if a child's 16th birthday falls on or before the last Friday in June, they can leave school on that day. They can also leave school on that day if their 16th birthday falls during the summer holidays.

The law permits children to work:

- For a maximum of 2 hours on schooldays, only one of which may be before the start of school
- For a maximum of 2 hours on Sundays
- subject to a maximum of 12 hours per week, in term time
- For a maximum of 5 hours (if aged under 15) or 8 hours (if 15 or over) on Saturdays and weekdays during the school holidays, subject to an overall limit of 25 hours (under 15) or 35 hours (15 and over) a week in the school holidays

But they may not work:

- Before they are 13 years of age
- For more than one hour before the start of school
- during school hours
- Before 7.00 am or after 7.00 pm
- For more than four hours without a break of at least one hour
- Throughout the year. They then must have at least two weeks free from work during the school holidays
- Without an employment permit issued by the local authority
- In any industrial undertaking, e.g. factory, building site etc.
- In occupations prohibited by local bye-laws or in other legislation (e.g. in pubs or betting shops), or in any work which is likely to be harmful to their health, well being or education
- In television, theatre or other similar activities, including modelling, without a performance licence issued by the local authority

Children cannot start full-time work before the statutory school leaving date, even if they are sixteen. No child under the age of 13 may be legally employed.

The Management of Health and Safety at Work Regulations require employers to assess the risks to all employees. Under these regulations employers must let the parents/guardians of any child know the key findings of the assessment and any control measures introduced before the child starts work or work experience.

Further information

- Further details of child employment law can be found at <http://www.doh.gov.uk/employ.htm>
- HSE Infoline on 08701 545500 and booklet Young People at Work – A Guide for Employers (HSG165) from HSE Books on 01787 881165 www.hsebooks.co.uk

Those employing children before their statutory school leaving date must apply to their Local Education Authority. <http://www.dfes.gov.uk/leagateway/index.cfm?action=address.default> for a work permit.