

Young Persons in the Workplace Guidance

Introduction:

When you offer a work experience placement to students you have the same responsibilities for their health, safety and welfare as for all your workforce. Under health and safety law, these students will be regarded as your employees.

As an employer, you will already have to carry out a risk assessment. This means looking at what in your work could cause harm to people, so that you can weigh up whether you have taken enough precautions or should do more to prevent harm.

This leaflet tells you what you need to do when assessing the health and safety risks to all the young people in your workforce below the age of 18, including work experience students. It will also give you some idea of the sort of questions work experience organisers (and this may include schools) are likely to ask you about your health and safety arrangements.

Definitions of young people and children by age:

It is helpful to know how people are defined by age in health and safety law, especially when working out what the young person is allowed to do:

- **a young person** is anyone under 18 years old (referred to in this booklet as 'young people');
- **a child** is anyone who has not yet reached the official age at which they may leave school, just before or just after their 16th birthday (this is often referred to as the minimum school leaving age (MSLA)).

All students and trainees including children on work experience are regarded in health and safety law as employees. Restrictions may apply to the types of work which young people may be allowed to be involved in.

The Health and Safety (Young Persons) Regulations 1997 require specific risk assessment and provision of information to be given to parents of young people under 18 years of age.

Risk assessments must be made or amended to take into account the risks to young persons **before** they start work. In doing this you must take into account the young persons:

- inexperience
- possible lack of awareness of existing or potential risks including the range and use of work equipment
- immaturity
- the layout and fitting out of the workplace and the young person's workstation
- exposure to physical, chemical or biological agents. This includes extremes of heat and cold, excessive noise or vibration.

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If you have already carried out risk assessments and they take into account the risks to young persons then additional risk assessments will not be required.

Parents of children under the minimum school leaving age are entitled to information on the outcome of risk assessments and on the necessary control measures applicable to the risks. This information need not necessarily be in writing and in the case of work experience the main responsibility for passing on information to parents lies with the organisers e.g. Local Authority, School.

The Health and Safety (Training for Employment) Regulations 1990 state that students and trainees including children on work experience be regarded in health and safety law as employees. Students on work experience placements must be provided with the same health, safety and welfare protection that is given to all other employees.

In practice young persons will be provided with additional supervision and ensure that they are not involved in any high risk activities except as observers. The supervisor of the young person must also be aware of any restriction or prohibited activities.

Further guidance and information can be accessed from:

<http://www.hse.gov.uk/youngpeople/index.htm>

<http://www.healthyworkinglives.com/advice/employee-issues/young-people.aspx>

http://www.staffnet.ggc.scot.nhs.uk/Info%20Centre/Health%20and%20Safety/Documents/Work_Experience1.pdf