

This leaflet explains the legal regulations of children who are employed whilst still of compulsory school age. This includes all those still in National Curriculum Year 11, even if they are already 16. The regulations **DO NOT** end on the young person's 16th birthday.

All part time employment of children of school age is subject to regulation by the Local Authority.

“Employment” is classed as **ANY** work done for a trade or occupation for profit or in any commercial enterprise.
E.g. **Shops, Businesses, Trades, Commerce.**

This **includes** work done in a parent's business and work for which the child is not paid. Such work is **ILLEGAL** unless the employer obtains a licence for each child employed.

APPLYING FOR A WORK PERMIT

In order for a child of compulsory school age to work lawfully, he/she **MUST** have a work permit.

It is the responsibility of THE EMPLOYER to send a completed application form with details of the work the child will do to the Local Authority within ONE WEEK of the child starting employment. This form should be countersigned by a parent. If the work falls within the regulations, a license will be issued.

Unlicensed children **MAY NOT** be recognised as employees for insurance purposes. The employer could also face prosecution.

Application forms can be found at <http://www.torbay.gov.uk/chilids-employment-application.doc> or by contacting School Admissions on 01803 208252.

PROHIBITED EMPLOYMENT

No child of any age may be employed:

- In a cinema, theatre, discotheque, dance hall or night club (**except** in connection with a performance given entirely by children **OR** under the terms and conditions of an entertainment licence)
- To sell or deliver alcohol except in sealed containers
- To deliver milk or fuel oils
- In a commercial kitchen
- To collect or sort refuse
- In any work more than three metres above ground or in the case of internal work three metres above floor level
- In employment involving harmful exposure to physical, biological or chemical agents
- To collect money or to sell/canvass door to door, except under the close supervision of an adult
- In work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children
- In telephone sales
- In a slaughter house, butcher's shop or other place connected with the killing/butchery of livestock or the preparation of meat for sale
- As an attendant or assistant in a fairground or amusement arcade or in any other place used for the purpose of public amusement by automatic machines, games or chance or skill etc.
- In the personal care of residents of any residential home or nursing home unless under the supervision of a responsible adult.

LEGAL REQUIREMENTS

The work children can do is tightly regulated i.e. age, hours and type of employment.

NO CHILDREN MAY BE EMPLOYED UNDER THE AGE OF 13.

NO CHILD MAY WORK BEFORE 7:00 A.M. OR AFTER 7:00 P.M. ON ANY DAY
(This includes Saturdays and holidays).

NO CHILD MAY WORK MORE THAN 2 HOURS ON A SCHOOL DAY.

NO CHILD UNDER THE AGE OF 15 MAY WORK MORE THAN 5 HOURS A DAY ON SATURDAYS AND HOLIDAYS
(Max 25 hours per week).

A CHILD AGED 15 AND OVER MAY WORK NO MORE THAN 8 HOURS A DAY ON SATURDAYS AND HOLIDAYS (Max 35 hours per week).

NO CHILD MAY WORK MORE THAN 2 HOURS ON ANY SUNDAY (Between 7:00 a.m. - 7:00 p.m.).

NO CHILD MAY WORK FOR MORE THAN 4 HOURS IN ANY DAY WITHOUT A REST BREAK OF ONE HOUR AND SHOULD HAVE AT LEAST TWO CONSECUTIVE WEEKS WITHOUT EMPLOYMENT DURING SCHOOL HOLIDAYS.

As part of our duties under the Children and Young Peoples Act 1933, the Attendance Improvement Service make enquiries as to whether permits have been applied for and have *power of entry* to make visits to places of work to establish whether regulations are being adhered to. This can involve an unannounced visit to any business/work place in Torbay.

If it is found that an employer commits an offence under the Children and Young Peoples Act 1933, the case will be heard in a Magistrates Court and the maximum fine is currently £1000.

If it is found that an employer contravenes Health and Safety regulations and the case is heard in a Magistrates Court, the maximum fine is £20,000.

For further information about work permits and a copy of the Torbay Byelaws please see the Attendance Improvement Service website: www.torbay.gov.uk/attendance and/or the Admissions/Student Services website: <http://www.torbay.gov.uk/index/yourbusiness/licensing/childemployment/childrensworkpermits.htm>

Attendance Improvement Service
Children Services
c/o Town hall
Torquay
TQ1 3DR



The Part Time Employment of School Aged Children

**A GUIDE FOR PARENTS AND
EMPLOYERS**