

CHILD EMPLOYMENT

EMPLOYERS GUIDE

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The Law and Child Employment

The employment of children is subject to a number of regulations, in particular the

Children & Young Persons Act 1933 to 1963
Education Acts 1944 to 1996
Children Act 1989
Children (Protection at Work) Regulations 1998
East Sussex County Council Bye Laws

Child employment is also subject to a number of other Acts including the Health and Safety (Young Persons) Regulations 1997.

A child is employed if they assist in any trade or occupation carried on for profit whether or not the child receives payment or reward.

What type of work can a child do?

A child aged 13 may be employed in light work in one or more of the following categories:

- 1) agricultural or horticultural work, not involving the use of machinery
- 2) the delivery of newspapers, journals and other printed material
- 3) shopwork, including shelf stacking
- 4) work in hairdressing salons
- 5) office work

- 6) car washing by hand in a private residential setting
- 7) in café or restaurant
- 8) in riding stables
- 9) domestic work in hotels and other establishments offering accommodation

A child aged 14 or over may only be employed in light work.

A child aged 10 or over may be employed on an occasional basis by and under the direct supervision of his parent in light agricultural or horticultural work, not involving the use of machinery.

PROHIBITED EMPLOYMENT FOR CHILDREN OF COMPULSORY SCHOOL AGE

A child of any age may not be employed:

- 1) in a cinema, theatre, discotheque, dance hall or night club, except in connection with a performance given by children
- 2) to sell or deliver alcohol, except in sealed containers
- 3) to deliver milk
- 4) to deliver fuel oils
- 5) in a commercial kitchen
- 6) to collect or sort refuse
- 7) in any work which is more than one metre above ground level or, in the case of internal work, more than one metre above floor level
- 8) in employment involving harmful exposure to physical, biological or chemical agents
- 9) to collect money or to sell or canvas door to door
- 10) in work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children
- 11) in telephone sales

- 12) in any slaughterhouse, or in that part of any butchers shop or other premises connected with the killing or livestock, butchery, or the preparation of carcasses or meat for sale
- 13) as an attendant or assistant in a fairground or amusement arcade or in any other premises used for the purpose of public amusement by means of automatic machines, games of chance or skill or similar devices
- 14) in the personal care of residents in any residential care home or nursing home

Additional Conditions

No child may be employed in any work out of doors unless wearing suitable clothes and shoes. In the case of a child who makes use of a bicycle for the purpose of his employment (i.e. Newspaper Rounds) lights, helmets, and reflective clothing should be used and the general roadworthiness of the bicycle should be checked by the employer.

Employment Cards

It is the employer's legal responsibility to apply for an Employment Card within 4 days of the start of employment.

Notification by Employer forms are available from: **Education Welfare, Child Employment, County Hall, St. Anne's Crescent, Lewes, BN7 1SG (01273 481000)**

NB: the Association of British Insurers have stated that unless a child is registered with their Local Authority they may not be included under the employers liability insurance.

Hours of Work

Children may not work before 7am or after 7pm on any day.

SCHOOL DAYS

Children may only work a maximum of 2 hours on a school day between either 7am & 8am or the close of school and 7pm.

SUNDAYS

Children may work a maximum of 2 hours on a Sunday between 7am & 7pm

SATURDAYS & SCHOOL HOLIDAYS

AGE 13 & 14

may work a maximum of 5 hours between 7am & 7pm

AGE 15 until the end of year 11

may work a maximum of 8 hours between 7am & 7pm

Breaks and Holidays

No child may work continually for more than 4 hours without a rest break of one hour. It is recommended that children have more frequent breaks.

A child must have two consecutive weeks without employment each year during a school holiday.

PENALTIES

Section 21 of the Children and Young Persons Act 1933, as amended provides that if a person is employed in contravention of Section 18 of the Act, or the provisions of the Bye Laws made thereunder, the employer and any other person (other than the person employed) to whose act or default the contravention is attributable shall be liable on summary conviction to a fine not exceeding level 3 of the Standard Scale (£1,000).

Section 559 of the Education Act empowers a Local Education Authority to prohibit or restrict the employment of children, and any person found guilty of an offence under this section shall be liable to a fine (as above) and/or up to one month in prison.

Please note that the information in this leaflet is a guide only.

All other legislation relating to the employment of children must be adhered to.