



26.0 Young Persons

A young person is defined as 'a person who has not attained 18 years of age'. There are additional duties if the young person is a 'child', i.e. below minimum school leaving age, (generally around the child's 16th birthday).

Students and schoolchildren under 18 years, including those undergoing work experience, are covered by the regulations because persons undertaking 'relevant training' are considered as employees for the purposes of health and safety law.

26.1 Risk Assessment

Before employing any young person, the company shall ensure that a risk assessment has been carried out, taking account of the particular risks to the young person.

The risk assessment shall take into account the inexperience and immaturity of the young person and also their possible lack of awareness of existing or potential risks. There may be situations where these factors are of sufficient importance that the young persons should be prohibited from doing the work even though the risks involved would be considered acceptable for adults. In other cases the provision of additional supervision and information may be necessary.

26.2 Physiological Factors

The following factors which should be considered in relation to young persons;

- Stature or strength of young persons in relation to their ability to carry out tasks.
- Availability of personal protective equipment which is suitable for young persons.

26.3 Information

Where the company employs a 'child', i.e. on work experience from a school, information shall be provided to the child's parents or legal guardian on the risks identified in the risk assessment and on the control measures. This is additional to requirements under other legislation to provide information to employees. The information provided to parents shall include the findings of the risk assessment and the preventive and protective measures, and shall be 'comprehensible and relevant'.

26.4 Restrictions

The company shall ensure that young persons are not exposed to significant risks and prohibit them from certain types of work, e.g. visits to construction sites. Prohibition is most likely to arise in situations where the experience, maturity and awareness of a young person would be insufficient to allow the work to be carried out without significant risk.

A young person must not;

- Do anything other than light work.
- Work before 7.00 a.m. or after 7.00 p.m.
- Work for more than 4 hours without a break of at least 1 hour.



- Work on a construction site.
- Children below the minimum school leaving age may not do work involving the stated risks under any circumstances, including for training or work experience.

26.5 Vocational Training

The requirement to prohibit young persons from certain types of work does not apply to those who are over the minimum school leaving age and who are doing work;

- Necessary for their training.
- Under the supervision of a competent person.
- Where any risk is reduced to the lowest level that is reasonably practicable.

This is likely to be the case in many vocational training situations, e.g. government funded training, modern apprenticeships, in-house training, and work qualifying for vocational assessment.

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