Employing school aged children* (aged 13 – 16) in Hertfordshire who require a work permit

Information for children, parents, employers and schools on the law; the type of work children can do; their permitted hours of employment and how to apply for a work permit

Work Permits are not required in Hertfordshire for babysitting or “Volunteering” carried out as part of the Duke of Edinburgh’s Award scheme

Please also see the factsheet on “Children’s Performance Licences”.

The information in this factsheet applies to children who are being educated at school (this also includes academies and independent schools) or at home and who wish to work part-time in Hertfordshire.

A work permit is required where the child will assist in a trade or occupation in Hertfordshire carried on for profit, irrespective of whether the child receives a payment or not.

The Law

The information in this factsheet is based on Children and Young Persons Act 1933 [as amended by The Children (Protection at Work) Regs 1998] and Hertfordshire County Council Employment of Children Byelaws. The county council’s Byelaws are available from the council’s website - http://www.hertsdirect.org/infobase/docs/pdfstore/byelawsleaflet.pdf

It is illegal to employ any child *:

- under 13 years of age
- without a work permit
- in any factory, industrial undertaking or in prohibited employment
- outside the hours permitted on the work permit
- other than in “light work” **

* A child is a person who is not yet over the statutory school leaving age (the last Friday of June in the school year, which starts on 1st September, in which they are 16). The child will still need a work permit if they have not reached their statutory school leaving date, even if they are aged 16 and have a National Insurance number.

Hertfordshire County Council
Children’s Services

Telephone: 0300 123 4043
www.hertsdirect.org
**“Light work”** is work that involves tasks that the child undertakes which are not harmful to their safety; health or development; their attendance at school; their participation on work experience; their capacity to benefit from the experience/ instruction received. The definition of “light work” may be different for each child bearing in mind their maturity; physique; ability to understand and apply instruction.

Permitted employment open to children aged 13

A child aged 13 may only be employed, subject to a work permit being issued, in light work in one or more of the following:

- agricultural or horticultural work, under the supervision of their parent or guardian
- delivery of newspapers, journals and other printed materials
- shop work, including shelf-stacking
- hairdressing salons
- office work
- car washing by hand in a private residential setting
- in a cafe or restaurant as a waiter / waitress and / or serving at a counter
- in riding stables
- domestic work in hotels and other establishments offering accommodation

No child may be employed in any work out of doors unless they are wearing suitable clothes and shoes.

For permitted hours of employment for a children aged 13, please see chart on page 3.

Employment open to children aged 14, 15 and 16 (below statutory school leaving age)

Only “Light work” is permitted.

It is illegal to employ a child:

- in a cinema, theatre, disco, dance hall or night club
- to sell or deliver alcohol, except in sealed containers
- to deliver milk
- to deliver fuel oils
- in a commercial kitchen, but washing up in a separate area or waiting duties away from the kitchen area is permitted
- to collect or sort refuse
- in any work three metres above the ground inside or outside
- in employment involving harmful exposure to physical, biological or chemical agents
- in work involving exposure to adult material or in situations unsuitable for children
- in telephone sales
- in any slaughterhouse or butchers shop
- as an attendant or assistant in a fairground or amusement arcade or any premises with automatic machines of chance or skill

This information can be made available on request in other formats, including large print, Braille, audio and other languages.
in the personal care of residents of any residential care home or nursing home
in any working factory or industrial setting or undertaking, including any
construction / building work; car breakers / motor vehicle repair workshop; or a
tyre / exhaust workshop

No child may be employed in any work out of doors unless they are wearing suitable
clothes and shoes.

Permitted hours of employment (only between 7.00am to 7.00pm on any
day)

<table>
<thead>
<tr>
<th>Age</th>
<th>Daily limit</th>
<th>Weekly limit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>On a school day/term time</td>
<td>Non school day (Mon –)</td>
</tr>
<tr>
<td>13 &amp; 14</td>
<td>2 hours</td>
<td>5 hours</td>
</tr>
<tr>
<td>15 &amp; 16</td>
<td>2 hours</td>
<td>8 hours</td>
</tr>
</tbody>
</table>

Additional notes for children aged 13 - 16
1’ After 4 hours work each child should have a rest period of 1 hour
1’ All children must have a break from work of 2 consecutive weeks each year
1’ Only 1 hour employment is allowed between 7.00am and the start of school hours on a school day

Health and Safety considerations for each child

The employer should undertake an assessment of the risks involved in the workplace
and the tasks they are considering for the child before the child starts work. (Health and Safety (Young Persons) Regulations 1997).

This should take into account the details of the individual child and that some children
may not recognise or avoid risks because of their lack of attention to safety or lack of experience or training. The employer should then inform the parents of the measures introduced to protect their child.

Application process

The application form WP1/2012 can be downloaded from: http://www.hertsdirect.org/services/edlearn/sclife/employ/application/ or requested from the Hertfordshire County Council, Children’s Services (contact details are at the end of this factsheet).

If the work will take place in Hertfordshire the application for the work permit is made to Hertfordshire County Council by the employer and should be made within one week of the child starting employment.

This information can be made available on request in other formats, including large print, Braille, audio and other languages.
If the employment is outside of Hertfordshire, an application form must be obtained from the local authority where the child will be working and returned to that authority for consideration.

The parent / carer of the child will need to sign a declaration, as part of the application form, confirming that:
- they consent to the employment
- the child’s details are correct and they are medically fit
- this employment would not be harmful to their child’s education
- they have received details from the employer regarding the risk assessment.

The completed application form should be sent to:

<table>
<thead>
<tr>
<th>Employment in the following local authority areas</th>
<th>Hertfordshire County Council Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>St.Albans &amp; Dacorum</td>
<td>ISL Attendance Team, Apsley Two, AP2216, Brindley Way, Hemel Hempstead HP3 9BF</td>
</tr>
<tr>
<td>Welwyn /Hatfield &amp; Hertsmere (except Bushey and Radlett)</td>
<td>ISL Attendance Team, Mundells, MU204, 2nd Floor, Mundells, Welwyn Garden City AL&amp; 1FT</td>
</tr>
<tr>
<td>N. Herts &amp; Stevenage</td>
<td>ISL Attendance Team, SFAR117 First Floor, Farnham House, Six Hills Way, Stevenage SG1 2FQ</td>
</tr>
<tr>
<td>East Herts &amp; Broxbourne</td>
<td>ISL Attendance Team, East Herts &amp; Broxbourne CHN002, County Hall, Pegs Lane, Hertford SG13 8DF</td>
</tr>
<tr>
<td>Watford, Three Rivers, Bushey and Radlett</td>
<td>ISL Attendance Team, Apsley Two, AP1102, Brindley Way, Hemel Hempstead HP3 9BF</td>
</tr>
</tbody>
</table>

The work permit will be considered with the individual child in mind. Staff from the local authority may contact or visit the employer if there is a need to obtain further details of the employment.

The work permit will be sent to the employer, who should give the work permit to the child as the child may be asked to show the work permit at any time during their employment.

Additional information for employers
Employers must keep a register of all school age children working for them. This should be presented for inspection when requested by an officer from the local authority.

Twice each year, in January and July, employers will be requested to send the information of each school age child they employ to the local authority for their area.

If you have any queries – please contact
Hertfordshire County Council, Children’s Services, PO Box 153, Stevenage SG1 2GH
Tel: 0300 123 4043

This information can be made available on request in other formats, including large print, Braille, audio and other languages.