

Risk Management Guidelines

Young Persons at Work

Introduction

A “young person” is defined as a person who has not reached the age of 18. Young persons are seen as particularly at risk whilst at work due to their lack of awareness of risks, their immaturity and inexperience. Due to the physical and biological development of their bodies and organs, certain hazards are seen as presenting greater risks to them.

Legislation

There are two main items of legislation controlling the employment and health and safety of children and young persons, namely

- The Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999 (MHSW).

The Health and Safety at Work Act 1974 imposes a general duty upon employers to ensure so far as is reasonably practicable the health, safety and welfare at work of all their employees. The degree of this duty varies in relation to each individual. There is a greater duty of care required towards a young person.

The Management of Health and Safety at Work Regulations 1999 (MHSW) require employers to:

- carry out a risk assessment of the risks to young persons
- ensure certain information is given to employees and to their parents/guardians
- protect young persons from any risks at work.

Exemptions are occasional or short-term work in a family undertaking where the work is not considered harmful, or domestic service within a private household.

Risk Assessment

Employers must protect young persons from any risks to their health and safety which are associated with their lack of experience, lack of awareness of existing risks, or immaturity.

If you employ young persons you must first do a risk assessment, or review an existing assessment, to ensure that any risks to those young persons are identified and addressed. Consider the following specific factors:

- the inexperience and immaturity of young persons
- their lack of awareness of risks to their health and safety
- the fitting out and layout of workstations and the workplace
- any exposure to biological, chemical or physical agents
- the form, range, use and handling of work equipment
- how processes and activities are organised
- any health and safety training given or proposed.

Risk Management Guidelines

Protection of Young Persons

Young people at work must be protected from the following health and safety risks and work:

- beyond their physical or psychological capacity;
- where the pace of the work is controlled by machinery and payment is based on result
- involves harmful exposure to radiation;
- involves a risk of accidents which they may not recognise due to their insufficient attention to safety or lack of experience or training;
- involves a risk to health from extreme temperatures (hot or cold), noise or vibration.
- in high pressure atmospheres;
- biological agents belonging to category groups 3 and 4;
- chemical agents which are classified as toxic, very toxic, corrosive or explosive, harmful, irritant or carcinogenic;
- lead and lead compounds;
- asbestos;
- manufacture and handling of fireworks and other explosive devices.

Special circumstances

These restrictions do not apply where young people are doing work necessary for their training, under supervision by a competent person and providing the risks are reduced to the lowest level reasonably practicable.

Information for parents

Tell all employees including those under 18 about the risks identified in the risk assessment and the measures to control them. You must also tell the parents or carers the key findings before you employ young people under the minimum school leaving age (MSLA).

For young persons under the MSLA you need to obtain parental consent and an employment permit from the local authority.

Training

Young people need most training when they first start work. It is not enough just to make training available, you must make sure it is given and understood.

Young people need more supervision than adults do and this will help to monitor the effectiveness of training received and the capacity and competency to do the job

Risk Management Guidelines

Further Information

The following are available from the Health and Safety Executive (HSE):

HSG 165 : Young People at Work

INDG 364 - The right start – work experience for young people

Check it out – Risk assessment for young people on work placement

CAIS21 – Health & safety of children and young people in catering

ASIO – Preventing accidents to children on farms

HSE priced and free publications are available by mail order from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA Tel: 01787 881165 Fax: 01787 313995.

HSE priced publications are also available from branches of the Stationery Office (formerly HMSO) and good booksellers.

The HSE have a specific webpage dedicated to vibration which is located at

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

The HSE home page is

<http://www.hse.gov.uk/>

and their enquiry service is available at HSE Infoline Tel: 0845 345 0055.



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These and other Risk Management Guidelines addressing a wide variety of risk control issues are freely available from:

<http://www.managerisk.rsagroup.co.uk>

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