CHILD EMPLOYMENT

Children & Young Persons Act 1933 (as amended)
Oxfordshire County Council Bye-Laws 1998

Introduction

Definition of “Work” as applies to children below Minimum School Leaving Age (MSLA) is:

“Any work that is part of a business whether or not the person is paid”.

General

Many parents, employers and school employees do not know that children below the minimum school leaving age who have a job that is part of a business are working whether or not they are paid. If they are working without a work permit they will probably not be covered by the employer’s insurance policies. Babysitting is not considered “work” by the law.

Children below the MSLA cannot have a job in a business until they are 13 years old.

Additionally all compulsory school age employees:

- Need a Work Permit
- Can only ever work between 7am & 7pm
- Must have 2 weeks free from work each year
- Must not work more than 12 hours during any school week
- Can work a total of 2 hours on a school day between 7am & 8.30 am and after school until 7pm
- Can only work for 2 hours on a Sunday
- Must have a rest break of 1 hour after working 4 hours
• can only work for 5 hours on a Saturday
• can only work for 5 hours on weekdays during holidays
• can only work for 25 hours per week during school holidays

At age 15 & 16:
• can only work for 8 hours on a Saturday
• can only work for 8 hours on weekdays during holidays
• can only work for 35 hours per week during school holidays

The LEA schools in Oxfordshire issue work permits to their pupils which, once completed, should be returned to the school.

The LEA issues permits for independent schools which need to be returned to Children’s Services, Macclesfield House, New Road, Oxford OX1 1NA.

During school holidays all pupils may send their applications to Children’s Services and a permit will be issued. Blank application forms can be found on Annex 1.

Work permits MUST be issued in the Local Authority where the child works, regardless of where s/he lives or goes to school.

No child of any age may be employed:

- in a cinema, theatre, discotheque, dance hall or night club, (unless licensed to perform there)
- to sell or deliver alcohol: except in sealed containers
- to deliver milk
- to deliver fuel oils
- in a commercial kitchen
- to collect or sort refuse
- in any work which is more than three metres above ground level or, in the case of internal work, more than three metres above floor level
- in employment involving harmful exposure to physical, biological or chemical agents
- to collect money or to sell or canvass door to door, except under the 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 any slaughterhouse or in that part of any butcher’s shop or other premises connected with the killing of livestock, butchery, or the preparation of carcasses or meat for sale
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

For Further Information and Advice:

Specialist: Education Social Worker (Child Employment) Social Inclusion Co-ordinator - (SEO Support & Licences) – Children’s Services
Tel – 01491 833293
Tel - 01865 815134

General: Health & Safety Team
ESW Offices
Abingdon
Banbury
Oxford
Wallingford
Witney
Tel - 01865 816464
Tel – 01235 555542
Tel – 01295 272525
Tel – 01865 256600
Tel – 01491 833293
Tel – 01993 776703
Part Time Employment of School Children

Completion of this form does not necessarily mean that a work permit will be issued.

<table>
<thead>
<tr>
<th>Name of child</th>
<th>Date of Birth</th>
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<table>
<thead>
<tr>
<th>Address</th>
<th>Tel Number</th>
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<table>
<thead>
<tr>
<th>School</th>
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To be completed by the school

Current attendance rate .......................... %

[Note: work permits should not automatically be issued to pupils with attendance of less than 80%]

I approve this application for ................................................................. to be employed as detailed above.

Signature .................................................. Date .................................

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<th>To be completed by the employer</th>
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<td>Employer</td>
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<th>Address</th>
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<thead>
<tr>
<th>Work to be done</th>
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<table>
<thead>
<tr>
<th>Address of Workplace</th>
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<table>
<thead>
<tr>
<th>Exact times of working</th>
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<tr>
<td>Schooldays (list days)</td>
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<table>
<thead>
<tr>
<th>Saturdays and/or School holidays</th>
<th>Sundays</th>
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Please tick this box to confirm that a risk assessment has been completed and given to the prospective employee and parent.

I am confident that the child’s health will not be compromised by the type of work for which I am employing this child.

Signature of Employer .................................................. Date ..........................

<table>
<thead>
<tr>
<th>Contact name</th>
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To be completed by the Parent/Carer

Please delete as appropriate

1. Is your child frequently ill and away from school? YES/NO
2. Are you worried about your child’s progress at school? YES/NO
3. Will this job be harmful to your child’s health? YES/NO (if YES, you should discuss with your GP)
4. I have received a copy of the Risk Assessment YES/NO

I declare that the above statements are true to the best of my knowledge and belief and that I have not withheld any material information and hereby consent to the employment of my child as detailed above.

Signature of Parent/Carer .................................................. Print name ..........................

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To be completed by the school

I approve this application for ................................................................. to be employed as detailed above.

Signature .................................................. Date .................................

<table>
<thead>
<tr>
<th>Work Permit issued</th>
<th>Date</th>
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The information on this form will only be used in conjunction with child employment regulations and will be kept and processed in accordance with the Data Protection Act 1998.

Issue date: August 2004

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Issue 2

Child Employment Page 4 of 5 Review due 06/08
Children are of compulsory school age until the last Friday in June of the school year in which they reach the age of 16 (usually Year 11)

IT IS ILLEGAL TO EMPLOY CHILDREN UNDER 13 YEARS OF AGE

Work is “Any work that is part of a business whether or not the person is paid”

All children below minimum school leaving age:

- need a work permit;
- can only ever work between 7am and 7pm;
- must have 2 weeks free from work each year;
- must not work more than 12 hours during any school week;
- can work a total of 2 hours on school days between 7.00 am and 8.30 am and after school until 7pm;
- can only work for 2 hours on a Sunday;
- must have a break of one hour after working 4 hours;
- at age 13 and 14 can work for 5 hours on a Saturday or on weekdays during holidays, but can only work for 25 hours per week during school holidays;
- at age 15 and 16, can work for 8 hours on a Saturday or weekdays during holidays, but can only work for 35 hours per week during school holidays;

At age 13, children can only do light work in the following areas:

- agricultural or horticultural work;
- delivering newspapers;
- shop work, including stacking shelves;
- hairdressing salons;
- office work;
- car washing;
- cafés and restaurants;
- riding stables;
- domestic work in hotels and other establishments offering accommodation

No child of any age may be employed:

- in a cinema, theatre, discotheque, dance hall or night club, (unless licensed to perform there);
- to sell or deliver alcohol: except in sealed containers;
- to deliver milk;
- to deliver fuel oils;
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- to collect or sort refuse;
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- in employment involving harmful exposure to physical, biological or chemical agents;
- to collect money or to sell or canvass door to door, except under the 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 any slaughterhouse or in that part of any butcher's shop or other premises connected with the killing of livestock, butchery, or the preparation of carcasses or meat for sale;
- 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.