

CARDIFF COUNCIL

CODE OF GUIDANCE

EMPLOYMENT OF YOUNG PERSONS (INCLUDING UNPAID WORK EXPERIENCE AND VOLUNTEERS)

This Code of Guidance gives guidance on the need to protect young persons employed by, or gaining work experience in, the Council.

1.0 Introduction

2.0 Factors to be considered

Appendix A: Hazards, Risks and Ways of Avoiding Them

1.0 Introduction

There have been incidents where young people (i.e. any person who has not attained the age of 18) have been injured at work. Failure to ensure the safety of a young person is taken very seriously by the Courts and penalties any compensation that may have to be paid are high.

Young persons may be at risk due to their lack of experience; absence of awareness of existing or potential risks; or the fact that they have not yet fully matured physically. For example, a young person's bones, muscles and joints may not have fully developed, and manual handling of heavy loads could permanently damage bone structure or joints.

The law requires that, before the commencement of employment, or a period of work experience, by a young person, a risk assessment of the proposed work shall be carried out. If the person is under the age of 16, the results of the risk assessment shall be given to the young person's parents or adults with parental responsibilities, prior to the commencement of the employment or work experience.

Work placements in Cardiff Council are arranged via HR People Services (HRPS). Risk Assessments should be given to HRPS who will forward them to the placement provider (e.g. Careers Wales.)

Parents, or those adults with parental responsibilities, have the right, and must have the opportunity, to question the Council on the risk assessment prior to the commencement of the young person's employment or period of work experience.

2.0 Factors to be considered

The Management of Health and Safety at Work Regulations 1999 state that "every employer shall ensure that young persons employed are protected from any risks to their health and safety which are a consequence of their lack of experience or

absence of awareness of existing or potential risks or the fact that young persons have not yet fully matured”.

No employer shall employ a young person for work:

- (a) which is beyond the person’s physical or psychological capacity;
- (b) involving harmful exposure to agents which are toxic or carcinogenic, cause heritable genetic damage or harm to the unborn child, or which in any other way chronically affect human health;
- (c) involving harmful exposure to radiation
- (d) involving the risks of accidents which it may reasonably be assumed cannot be recognised or avoided by the young persons owing to their insufficient attention to safety or lack of experience or training, or
- (e) in which there is a risk to health from extreme heat or cold; noise or vibration.

However, nothing above shall prevent the employment of a young person who is no longer a child (i.e. over the age of 16) where it is necessary for:

- (a) training;
- (b) where the young person will be supervised by a competent person; and
- (c) where any risks will be reduced to the lowest level that is reasonably practicable

When making a risk assessment in respect of a young person the following must be taken into account:

- (a) the inexperience, lack of awareness of existing or potential risks, and immaturity of young persons;
- (b) the fitting out and layout of the workplace and the workstations;
- (c) the nature, degree and duration of exposure to physical, biological and chemical agents;
- (d) the form, range, and use of work equipment and the way in which it is handled;
- (e) the organisation of processes and activities;
- (f) the extent of the health and safety training provided or to be provided to young persons.

Appendix A: Hazards, Risks and Ways of Avoiding Them

This was previously included in the Health and Safety Executive Guidance 'Young People at Work: A Guide for Employers. It details specific hazards and ways of reducing risks to young persons

Further Information

The Health and Safety at Work etc. Act 1974

The Management of Health and Safety at Work Regulations 1999 and Approved Code of Practice and Guidance HSE Publication L21

Code of Guidance on the Working Time Regulations 1998

The Right Start. Work experience for young people: Health and safety basics for Employers INDG364 HSE Books 2002

Five Steps to Risk Assessment INDG163 (rev3) 2011 HSE Books

Corporate Health and Safety Advisers, telephone 02920 8 **72635**

Cardiff Council Health and Safety Policy, within the Service Area Section on Work Experience.

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APPENDIX A – HAZARDS, RISKS AND WAYS OF AVOIDING THEM

HAZARDS	RISKS	AVOIDING RISK	OTHER LEGISLATION
Physical capacity	Accidents, injuries and/or musculoskeletal disorders which can occur in jobs that require repetitive or forceful movements, particularly in association with awkward posture or insufficient recovery time	<p>The risk assessment should take account of physique and general health, age and experience.</p> <p>Training and effective supervision documented monitoring should be undertaken</p>	The Manual Handling Operations Regulations 1992
Psychological capacity	<p>Although there will be large individual differences in the psychological capacity of young people, based on differences in training, experience, skills, personality and attitudes, in the vast majority of jobs there is no difference in the kind of mental and social skills used by young people and adults.</p> <p>However, there are some areas of work that could be beyond a young person's mental and emotional coping ability, such as dealing with</p>	The risk assessment should focus on critical tasks, which rely on skill, experience and an understanding of the task requirements. Training and effective supervision should be provided, particularly where the young person might be using machinery with exposed dangerous parts, e.g. food processing machinery.	

	violent and aggressive behaviour and decision making in stressful situations.		
Biological agents	Despite physical and physiological immaturity, young workers are not intrinsically more susceptible to infections from biological agents than adults. Like any other workers they may be at greater risk if they suffer from any disease or from the effects of medication or pregnancy	Precautions against risk of infection at work and of acquiring an allergy to certain microbes are applicable to all employees regardless of their age or state of health. Control measures, which are often as simple as maintaining high standards of hygiene like hand-washing or use of gloves, are derived from the risk assessment that employers are required to make under the COSHH Regulations. Vaccination may have to be offered as a supplement to procedural or physical controls.	The Control of Substances Hazardous to Health Regulations 1999 (COSHH)
Chemical agents classified as Very Toxic; Toxic; Harmful; Corrosive and Irritant substances	Young people are not physiologically at any greater risk from exposure to such substances than anyone else is. The actual risk can only be determined following a risk assessment of the particular substance at the place of work. However, young people may not appreciate the dangers to their health or they may not understand or follow instructions properly because of their immaturity.	These substances fall within the scope of COSHH. Employers should assess the health risks to young people, arising from work with any of the substances, and where appropriate prevent or control the risk. Particular attention should be paid to COSHH requirements on the provision of information, instruction and training, and to the provision of adequate supervision within a safe system of work.	The Control of Substances Hazardous to Health Regulations 1999 (COSHH).

Hand-arm vibration	There is no evidence that young workers face a greater risk of developing hand-arm vibration syndrome (vibration white finger) following exposure to hand arm vibration than other workers. However, there is an increased risk in the onset on non-occupational Raynaud's disease during adolescence which can give rise to similar symptoms to vibration white finger.	The Health and Safety Executive has published guidance on hand-arm vibration. Employers will need to consider a programme to control the significant risks identified in the risk assessment including: identification of hazardous equipment/tasks; limiting exposure by reducing either the time and/or level; providing competent supervision, and health surveillance.	
Whole-body vibration	Regular exposure to shocks, low frequency whole-body vibration, e.g. driving or riding in off-road vehicles on uneven surfaces, or excessive movement may be associated with back pain, and other spinal disorders. Younger workers may be at greater risk of damage to the spine as the strength of the muscles is still developing and the bones do not fully mature until around the age of 25.	The Health and Safety Executive has published guidance on whole-body vibration. Employers will need to consider a programme to control the significant risks identified in the risk assessment including identification of hazardous equipment/tasks; limiting exposure by reducing either the time and/or level; producing information and training on how to minimise the risk, and health surveillance	