



Proudly supporting youth social action



Department for Digital, Culture, Media & Sport



THE DULVERTON TRUST

# Employing young people in a community business

WHAT YOU NEED TO KNOW



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## Your responsibility as an employer

- When employing a young person whether for work, work experience or as an apprentice, employers have the same responsibilities for their health, safety and welfare as they do for other employees
- Once someone reaches 16 years old, the National Minimum Wage is compulsory
- If you pay any employee (currently) over £123 a week you must be **registered as an employer** and **operate PAYE**
- You do not have to offer a pension to anyone under age 22
- You must complete **right to works check** <https://www.gov.uk/check-job-applicant-right-to-work>
- You can choose whether to pay the National Living Wage

## What is 'Employment'?

A child or young person is employed if they assist in any trade or occupation carried on for profit whether or not the child receives pay or reward.

It also applies **whether or not** the parent is the employer. Regulations are different when:

- Employing a **child** under 16 or under minimum school leaving age (MSLA)
- Employing **young people** ages 16 and 17
- Employing **adults** age 18

## Definitions of young people and children by age:

- **A young person** is anyone under 18
- **A child** is anyone who has not yet reached the official minimum school leaving age (MSLA). Pupils will reach the MSLA in the school year in which they turn 16. Rules differ by nation
- **An adult** is anyone over 18
- You may need a work permit for someone who is 16 but who has not reached the MSLA and so has not yet left school
- Employers should contact their **local council's** education department or education welfare service to find out if a child employment permit is needed. Usually for anyone under the MSLA age

## Local Byelaws

- Local byelaws list the jobs that children cannot do. If a job is on this list, a child under the minimum school leaving age cannot do this work
- Local byelaws may also have other restrictions on working hours, conditions of work and the type of employment
- Contact your **local council's** education department or education welfare service for more information

## Young people's rights: aged 16 but under MSLA

- A 1 hour break after 4 hours (unpaid)
- A safe working environment
- Statutory holiday pay
- A 2 week break from any work during the school holidays in each calendar year
- A clear 48 hours off a week in one go
- Unlike adults, there is no opt out for this (Age 18 is classed as an adult)

## Young people's rights: 16 & 17 year olds after MSLA

- A 30-minute break after 4.5 hours (unpaid)
- A safe working environment
- Statutory holiday pay
- A clear 48 hours off a week in one go
- Unlike adults, there is no opt out for this (Age 18 is classed as an adult)
- Once someone reaches 18, adult employment rights and rules then apply

## Working hours restrictions: age 16 but under MSLA

Young people are restricted to working:

### School time:

- 2 hours on a school day
- 8 hours on a Saturday
- 2 hours on a Sunday

Maximum 12 hours a week

### And school holidays:

- 8 hours weekdays and Saturdays
- 2 hours on a Sunday

Maximum 35 hours a week

Always check local council byelaws

## Working hours restrictions: 16 & 17 year olds after MSLA

- 8 hours weekdays and Saturdays
- 2 hours on a Sunday

Maximum 40 hours a week



## Employing an Apprentice

- Apprentices are aged **16 or over** and combine **working with studying** to gain skills and knowledge in a specific job
- England, Scotland and Wales have differing rules
- Create an **apprenticeship service account** <https://www.gov.uk/employing-an-apprentice>
- Post a job!!



## Work permits

### Young people, including those volunteering, need a work permit until the end of Year 11

Employers should contact their **local council's** education department or education welfare service to find out if a child employment permit is needed.



- The council is responsible for work permits
- They differ slightly from council to council
- Parental signature is required
- The young person's school is informed
- A risk assessment will be required
- If a child is working without a work permit, there's a risk that the employer will not be insured against accidents involving the child
- Children do not need a work permit for work experience arranged by their school

# Work permit application form example



## EMPLOYMENT OF SCHOOL CHILDREN – APPLICATION FORM

CHILDREN AND YOUNG PERSONS ACT 1933  
Sections 18(2) and 20(2)

NORTH YORKSHIRE COUNTY COUNCIL BYELAWS ON THE EMPLOYMENT OF CHILDREN 1999 - Paragraph 15  
**Please note that North Yorkshire County Council has the power to revoke a child's Employment Permit under the above legislation, if their education or welfare is seen to be suffering**

### SECTION 1: TO BE COMPLETED BY THE PARENT OR GUARDIAN OF THE CHILD TO BE EMPLOYED

Name of Child Employed: \_\_\_\_\_ Sex: M / F Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_ School Attending: \_\_\_\_\_

- My son/daughter is under the care of a doctor/consultant for a current medical condition
- My son/daughter is prescribed medication on a regular basis

If any of the above apply, please give more details, including the name and address of the doctor or consultant:

I hereby certify that my son/daughter does not have any medical condition or disability which might affect his/her suitability for proposed employment

Signature of Parent/Guardian: \_\_\_\_\_ Relationship to child \_\_\_\_\_ Date \_\_\_\_\_

Contact telephone number: \_\_\_\_\_ Email address: \_\_\_\_\_

**Irrespective of the above declaration the Local Education Authority retains the right to insist, in certain circumstances, that a child has a medical examination to prove he/she is fit to work.**

### SECTION 2: TO BE COMPLETED BY THE EMPLOYER

Name of Employer: \_\_\_\_\_ Tel No. \_\_\_\_\_

Business Address: \_\_\_\_\_

Postcode: \_\_\_\_\_ Type of Business: \_\_\_\_\_

Email address (in case of any queries): \_\_\_\_\_

Address of place child to be employed (if different from business address): \_\_\_\_\_

Postcode: \_\_\_\_\_ Tel No. \_\_\_\_\_

Name of Manager/Supervisor: \_\_\_\_\_

### YOUNG PERSON'S RISK ASSESSMENT

I have carried out a Young Person's Risk Assessment which is compliant with the Government's Covid-19 Secure guidance, which has been discussed with the child's parent/guardian.  
I also confirm that the appropriate insurance cover is in place.

Signature of Employer \_\_\_\_\_ Date \_\_\_\_\_

## Role descriptions - what to include

- Explain what the minimum and maximum commitment is (hours / timeframe)
- Be clear about what they will be required to do
- Explain what the benefits to them personally will be
- Give examples of how their contribution will help their local community e.g. what you know it means to vulnerable or isolated local people
- Describe the training and support they will receive



## Sample role description

**The Brockweir and Hewelsfield Village Shop**  
**Mill Hill**  
**Chepstow**  
**NP16 7NW**

**Thank you for your interest in the advertised position.**

The Brockweir and Hewelsfield Village Shop is looking for workers for a busy community shop and café during summer weekends and during the summer holidays. The successful candidates will be working alongside volunteers and staff, serving customers, cleaning tables, washing up, and stacking shelves. The aim of the post is to relived pressure on volunteers during busy periods.

Successful candidate will be required to:

- Litter pick the field and car park
- Put patio furniture out/away
- Empty outside bins
- Collect crockery
- Serve café customers and clear table as required
- Washing up
- Clean café – Hoover, wipe down tables, top up sugars and salts
- Prepare cutlery for use
- Top up drinks chillers and ice cream freezer as directed
- Date check and clean shelves in shop during quiet periods
- Help with general shop cleaning as required
- Label and price shop stock
- Assist volunteers during busy periods

Training will be provided by staff and the successful candidate/s will be briefed in health and safety and food hygiene and café/shop procedures.

Parental permission will be required for those under 18 and a work permit must be applied for.

You will be required to work no more than 4 hours per day, however we recognise that candidates are unlikely to want to work every day and so job share and flexible working will be encouraged.

Candidates will be entitled to a drink from the café per shift.

From £4.75 per hour depending on age and experience. Paid monthly by BACs.

Minimum Age 15.

To apply please write a letter of application addressed to Alison Macklin, Business Manager stating any relevant experience and information on why you would like the post. Please also state your availability of the summer period. Post the letter to the shop address or email [enquiries@bandhvilageshop.co.uk](mailto:enquiries@bandhvilageshop.co.uk)

Deadline for applications 25<sup>th</sup> April.

Interviews will take place in early May

*Good luck*

## DBS Checks



Department for  
Digital, Culture,  
Media & Sport

### Disclosure and Barring Service Checking

Checking if someone has a criminal record or is barred from working with children and/or adults by carrying out a Disclosure and Barring Service (DBS) check is one way of reducing the risk of recruiting volunteers who may be unsuitable to work with children and/or vulnerable adults.

## (DBS) Disclosure and Barring Checks

- Guidance is available on the following website [www.gov.uk/government/collections/dbs-eligibility-guidance](http://www.gov.uk/government/collections/dbs-eligibility-guidance)
- The eligibility tool and workforce guides will help you to decide whether a role is eligible, and if so, which level of DBS check is suitable



## Risk Assessment and Young People

**For employees under the age of 18, risk assessments should consider:**

- Inexperience, lack of awareness, immaturity
- Fitting and layout of workplace
- Nature, degree and duration of exposure to agents
- Work equipment
- Organisation of work
- Training provided

## Risk Assessment Process



# Risk Assessment Sample

Activity / Process / Equipment	Young person employed/volunteering in xxxx
Employees / Workgroups involved	All employees and volunteers who work with children and young adults
Persons Especially at Risk	Young people under 18 years old, less abled & expectant mothers
Risk Assessment Team Members and role	xxx - Store Manager xxx - Chair Steering Shop Management Committee
Comments / Additional Information	xxx Community Shop Ltd is committed to providing opportunities for young people to gain work experience through volunteering to work for the organisation. There are also a limited number of salaried employment opportunities for young people.
Date of Assessment	26/03/18
Date discussed at Shop management committee	03/04/18
Accepted for the business by Responsible Line Manager	xxx
Date due for Reassessment	03/04/20

Action No.	Description - What are the Hazards	Who Might be Harmed & How	Existing Control Measures	Additional Control Measures / Actions	Risk (consequence x Likelihood)	Risk Level
1	<b>General</b> • Slips Trips & Falls • Manual Handling • Fire safety	• Young Person • Other Staff • Customers	• Staff training • Staff Handbook • Organisation policies		4 X 3 =12	LOW
2	<b>Lone Working</b> Risk of burglary violence	• Young Person • Other Staff • Customers	• Staff training • Staff Handbook • Organisation policies • Security camera • Panic Alarm • Supervision by member of staff	<b>UNDER NO CIRCUMSTANCES SHOULD A YOUNG PERSON BE LEFT ALONE ON THE PREMISES</b>	4 X 3 =12	LOW
3	<b>Alcohol and Tobacco Sales</b> Inappropriate sale of alcohol or cigarettes by a minor	• Young Person • Other Staff • Customers	• Staff training • Staff Handbook • Organisation policies • Supervision by member of staff	<b>UNDER NO CIRCUMSTANCES SHOULD A YOUNG PERSON BE LEFT ALONE ON THE PREMISES</b>	3 X 2 =6	LOW

# Job Checklist Sample

## Child Employment (13 to 16 Year Olds)

### Generic Checklist

**Employer Name:** BHVSA

**Type of employment / Job Title:** Café Shop Helper

#### PROHIBITED ACTIVITY – (employer to list)



- Cleaning Toilet
- Dealing with Chemicals
- Dealing with equipment other than scales and dishwasher

#### PERMITTED ACTIVITY – (employer to list)



- Stocktaking
- Assisting in Cafe
- Stacking Shelves
- Cleaning
- Assisting the public

<b>Who might be harmed</b> (Please tick all that apply)	<b>Children</b>	Y
	<b>Others</b>	Y

Hazards	Good Practice Control Measures (Add any local controls to this list)	Control Measure in place Y/N	Is hazard being adequately controlled Y/N
<b>Collision with person</b>	Sufficient space in facility / work areas	Y	
	Adequate lighting	Y	
	Gangways/corridors kept clear	Y	
	Code of behaviour prohibits running etc.	Y	
	Other – add any further local arrangements	Y	
<b>Injury whilst lifting and handling</b>	Children not allowed to lift heavy materials/objects	Y	Instructed to find volunteer if needed access
	Instructed in safe lifting techniques	Y	
	Trolley to be used if necessary	Y	
	Other – add any further local arrangements	Y	
	Cleaning store out of bounds or locked	N	
	Children prohibited from cleaning up biological spill e.g. vomit and not allowed to clean lavatories	Y	
	Personal Protective Equipment (PPE) e.g. gloves used where necessary	Y	
	Good practice hygiene control measures in place and children instructed in their use	Y	
Other – add any further local arrangements	Y		

## THE DULVERTON TRUST

Plunkett Foundation has been supporting community businesses to set up and thrive across the UK for over 100 years. Thanks to generous funding from Dulverton Trust and as part of the #iwill movement, we're offering free support, advice and training to community businesses wishing to offer volunteering and paid positions to young people (aged 16-20) and in turn increase the number social action opportunities available to young people within their localities.

Our friendly community business team would be delighted to talk through your ideas and answer your questions, whether you are planning a new community business or are already trading.

Call us on **01993 630022**  
or email **[info@plunkett.co.uk](mailto:info@plunkett.co.uk)**

