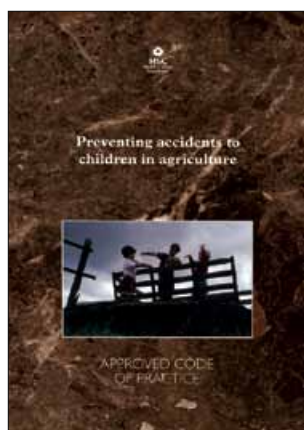


Preventing accidents to children in agriculture

Approved Code of Practice



This is a free-to-download, web-friendly version of L116, (second edition, published 1999). This version has been adapted for online use from HSE's current printed version.

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This approved Code of Practice (ACOP) provides practical advice and guidance on how to reduce the risk of accidents to children and young people, whether residents or visitors on your farm. It covers situations where accidents are most likely to happen, describes practical steps you can take to prevent such accidents and applies to both employed and non-employed young people.

It is aimed primarily at all adults who work in agriculture, whether employers, employees, contractors or other visiting workers. However, the guidance is also useful for all parents who have a particular responsibility to child safety and to preventing their children straying or trespassing into areas where they may be at risk.

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This Code has been approved by the Health and Safety Executive, with the consent of the Secretary of State. It gives practical advice on how to comply with the law. If you follow the advice you will be doing enough to comply with the law in respect of those specific matters on which the Code gives advice. You may use alternative methods to those set out in the Code in order to comply with the law.

However, the Code has a special legal status. If you are prosecuted for breach of health and safety law, and it is proved that you did not follow the relevant provisions of the Code, you will need to show that you have complied with the law in some other way or a Court will find you at fault.

Contents

Notice of Approval 4

Introduction 5

Definition of children and young persons 5

Scope 6

Risk assessment 6

General principles 7

Restrictions on work 7

Instruction, supervision and training 7

Operating tractors 8

Operating machinery 8

Riding on machinery 9

Contact with machinery and moving vehicles 9

Drowning and asphyxiation 10

Falls 11

Falling objects 11

Contact with animals 11

Hazardous substances 12

Fire 12

Conclusion 13

Appendix 1: Extracts from relevant legislation 14

Appendix 2: Regulation of children's employment 18

Further reading 19

Further information 20

Notice of Approval

By virtue of section 16(1) of the Health and Safety at Work etc Act 1974 (the 1974 Act) and with consent of the Secretary of State for Environment, the Health and Safety Commission has on 25 January 1999 approved a Code of Practice which provides practical guidance with respect to the provision of the Prevention of Accidents to Children in Agriculture Regulations. The Code of Practice consists of those paragraphs which are identified as such in the document entitled *Prevention of accidents to children in agriculture*.

The Code of Practice comes into effect on 19 April 1999.

Signed

ROSEMARY BANNER
Secretary to the Health and Safety Commission

26 January 1999

Introduction

Introduction

1 Agriculture has one of the highest fatal accident rates of any industry in the country. It is also the only high-risk industry that has to deal with the constant presence of children, because farms are homes as well as workplaces. Visitors to the countryside, many of whom are children, may also be present on farms.

2 This means children are at risk of death and injury on farms. Between 1986 and 1997, 66 children died and over 300 suffered serious injuries as a result of agricultural work accidents. The main causes of death were drowning and asphyxiation, and being struck by a moving vehicle.

3 Parents have a particular responsibility to prevent their children straying or trespassing into areas where they may be at risk. However, all adults working in agriculture, whether employers, employees, contractors, or other visiting workers, have some responsibility for child safety.

4 This Approved Code of Practice (ACOP) provides practical advice and guidance on how to reduce the risk of accidents to children and young people, whether residents or visitors, on your farm. It covers the situations where accidents are most likely to happen, describes practical steps you can take to prevent such accidents and applies to both employed and non-employed young people. Following the advice will help you comply with the general duties in the Health and Safety at Work etc Act 1974 (the HSW Act) specifically sections 2, 3 and 7, the Prevention of Accidents to Children in Agriculture Regulations 1998 (PACA) and the Management of Health and Safety at Work Regulations 1992, as amended by the Health and Safety (Young Persons) Regulations 1997 (MHSWR as amended). More detail on this legislation is found in Appendix 1.

Definition of children and young persons

5 In this document, and in the PACA Regulations, 'child' means a person under 13 years old. Other regulations relating to children use the term 'compulsory school age' (CSA) as determined by section 8 of the Education Act 1996 for England and Wales (the Education (Scotland) Act 1980 in Scotland); in broad terms this means 16 years old (see Appendix 2). The advice in this document also describes the health and safety precautions you should consider when employing 'young people', ie any person under 18 years old (see Table 1).

Table 1 Explanation of the various terms describing young people used in the Regulations and ACOP

<i>Term</i>	<i>Age</i>	<i>Requirements</i>
'Young person': from the Health and Safety (Young Persons) Regulations 1997	Under 18	The protection of young people from any specific risks to their safety and health which are a consequence of their lack of experience, awareness and maturity etc.
'Compulsory school age' (CSA): and Young Persons Act 1933	Up to 16, depending on date of birthday (see Appendix 2)	Regulates the employment of people under CSA. By-laws made under the Act may permit children under 13 to be employed , but only by their parents and only in light agricultural/horticultural work.
'Child': PACA Regulations	Under 13	Prohibits children from operating agricultural machinery.

Introduction

Scope

6 This ACOP gives advice and guidance on those situations where children and young people are particularly at risk. It also identifies tasks and operations that are too hazardous for children and young people to undertake. These have been selected from analysis of accident statistics collected over many years and assessments of the inherent risk associated with them.

7 The ACOP deals with the areas posing the greatest level of risk to children and young people and only with those areas where specific action is required to protect them. It does not cover situations where preventative action to remove a hazard or control a risk is the same for children and adults.

8 The ACOP gives advice on the following specific areas:

- (a) enhanced risk assessments for work activities that involve children and young people;
- (b) general principles of health and safety management;
- (c) operating and riding on machinery;
- (d) contact with machinery and moving vehicles;
- (e) contact with animals;
- (f) drowning and asphyxiation;
- (g) hazardous substances;
- (h) falling;
- (i) being hit by a falling object; and
- (j) fire.

9 You are not required to read and understand all the information in this ACOP. You are expected to know about those topics relevant to your situation.

Risk assessment

ACOP

10 The Management of Health and Safety at Work Regulations 1992, as amended by the Health and Safety (Young Persons) Regulations 1997, require an assessment of the risks to workers and others who may be affected by a work activity. The purpose of the risk assessment is to help employers determine measures they need to take to comply with duties under relevant health and safety regulations. The self-employed have a similar duty to assess the risks to themselves and others who may be affected by their work. By complying with these duties you reduce the likelihood of accidents occurring.

11 For young people, ie under 18 years of age, the risk assessment requirements are slightly different. To comply with these requirements you must carry out the risk assessment before the young people start work. You also have to inform the parents/guardians of children of compulsory school age (CSA) of:

- (a) the outcome of the risk assessment; and**
- (b) the control measures introduced to safeguard the child's and young person's health and safety.**

12 Formal written consent should be sought of parents/guardians and given before children of compulsory school age start work.

13 To carry out a risk assessment for young people the most important factors you will need to take into account are:

ACOP

- (a) the young workers' lack of experience;
- (b) their limited awareness of risks; and
- (c) their immaturity, both physical and mental.

14 Other factors you will need to address when producing a risk assessment covering young people who work for you, or who may be affected by your work activities, are:

- (a) the fitting out and layout of the workplace and workstation;
- (b) the nature, degree and length of exposure to physical, biological and chemical agents (for example, vibration, germs and pesticides);
- (c) the form, type and use of work equipment;
- (d) the size and power of any mobile work equipment;
- (e) the organisation of the work activities;
- (f) the extent of health and safety training provided; and
- (g) risks from the substances and processes.

15 You need to implement the control measures described in this document only if your risk assessment identifies that the hazard is present on your premises.

General principles

Restrictions on work

16 When you have completed your risk assessment, and put in place the necessary measures to control the risks identified, you need to consider the level of risk that remains.

17 If, despite the control measures you have put in place, there are still significant risks (perhaps due to the size and power of the mobile work equipment) to young workers carrying out a certain work activity, those workers must not be employed to carry out that work. If this is the case you may want to consider transferring the young person to other work.

18 The type of work unsuitable for young people and ways of reducing the level of risk they are exposed to are described in further detail in the rest of this ACOP.

Instruction, supervision and training

19 Young people should not be permitted to carry out any work activity unless you have assessed their capabilities, in terms of health and safety, to do the job. The risk assessment will help indicate the level of training required. You should not employ young people to do work that is beyond their capability, or which might put themselves, or others, at risk. When assessing a young person's capabilities you need to take into account their:

- (a) training;
- (b) knowledge;
- (c) experience; and
- (d) age.

20 Remember, young people need training most when they start work to raise their capabilities and competence to a level where they can do the job, without putting themselves at risk. You should make training available and ensure it is undertaken. Before young people operate tractors at work

ACOP

they should attend a formal training course, for example at an agricultural college, or one run by a competent training provider. Young people will also need training and instruction on the hazards and risks present and on the measures put in place to protect their health and safety. Training should include an introduction to health and safety including first aid, fire and evacuation procedures.

21 As well as training, young people will also need more instruction and supervision, partly because of their mental immaturity, than you would normally expect to give an adult worker. For example, most young people will not appreciate the importance of healthy and safe working practices, and the risks associated with work, unless they are told about them. Effective supervision should help to monitor the effectiveness of the training the young person has received and whether they are competent to do the job.

Operating tractors

22 A range of specific legislation already covers young people operating and riding on machinery. Under the Prevention of Accidents to Children in Agriculture Regulations 1998 (PACA) children under the age of 13 are not allowed to drive, or ride on, tractors and self-propelled machines.

23 In addition to this, a young person aged 13 or over should not be permitted to drive a tractor or self-propelled machine unless:

- (a) they have the strength to operate the controls with ease;
- (b) all the controls are conveniently accessible for safe operation by the young person when seated in the driving seat;
- (c) the controls which operate the power take off (PTO), hydraulic devices and engine cut-off are clearly marked;
- (d) the tractor is maintained so it is safe for them to operate;
- (e) the ground over which the tractor is driven is free from hazards such as steep slopes, excavations, river banks, lake or pond edges, deep ditches and similar areas;
- (f) they have received adequate instruction in the safe operation of the particular tractor they are driving and fully understand the purpose of all the controls and the effect of their improper use;
- (g) they are closely supervised by a responsible adult.

24 Also you must ensure that:

- (a) no other child or young person is on the tractor;
- (b) other than for the purposes of supervision or instruction, no other person is on any trailer or other equipment being towed; and
- (c) no members of the public, for example those present on the farm during farm open days, are in the immediate vicinity.

Operating machinery

25 There are certain types of machine which have a high level of risk due to the components involved, complex control systems, the substances used in them or the specialist knowledge required to operate them safely. Because of this, young people of CSA should be prohibited from driving, or operating, the following:

ACOP

- (a) towed/self-propelled harvesters and processing machines (except those machines designed for operation by people in addition to the driver, and the young person is on the operating platform and under the supervision of an adult);
- (b) trailers and towed machinery with built-in conveying, loading, or spreading mechanisms;
- (c) power-driven machines incorporating cutting, splitting, grinding or crushing mechanisms (including chainsaws);
- (d) chemical applicators of any sort, including hand-held equipment;
- (e) machines incorporating power-driven soil engaging parts;
- (f) ditching and drainage machinery;
- (g) materials handlers including skid steer loaders, lift trucks and track-laying vehicles;
- (h) powered grain and slurry-carrying machinery; and
- (i) powered feed-preparation equipment.

26 This list is not exhaustive. In addition they should not be allowed to help operate, maintain or clean these machines (unless the machine and its component parts are stationary, isolated and the keys have been removed) or any machinery of a similar nature or with similar risks.

27 Examples of machines and operations that may be suitable for young people include:

- (a) using a low-powered tractor with trailed roller or harrows on level grassland with no ditches;
- (b) operating a pedestrian-controlled slurry or manure scraper; and
- (c) helping to man a potato harvester on the inspection grading platform (not in the driving position).

Riding on machinery

28 Children under the age of 13 are prohibited from riding on most types of agricultural machines. The exception is riding on the floor of a trailer, or on a load carried by the trailer with adequate means, such as edge protection, to prevent the child falling from it. A young person of CSA should not be allowed to ride on any tractor or trailer except:

- (a) on the floor of a trailer, or on a load carried by the trailer with adequate means, such as edge protection, to prevent them falling from it;
- (b) on a properly designed and fitted passenger seat, with seat belt, inside a safety cab or frame;
- (c) on a temporary seat on a trailer if the trailer is fitted with sides or guard rails on all four sides;
- (d) during the loading of bales onto the trailer; or
- (e) during the manual loading of materials onto a trailer.

29 A child should never be allowed to ride on a trailer when materials are being loaded onto it and the trailer is in motion.

Contact with machinery and moving vehicles

30 Contact with machinery and being struck by moving machines is a major cause of accidents to children and young people on farms. To reduce the risk of accidents, you need to assess the situation and apply

ACOP

the appropriate control measures.

31 Where vehicles are moving around the farm and the risk of contact with children and young people is high, you should make arrangements to prevent them having access to that part of the farm. The most effective way of preventing access is to erect fencing or barriers.

32 In the very few cases where this is not practicable, you could consider the following options:

- (a) reduce vehicle movements;
- (b) reduce the speed at which vehicles move;
- (c) put up signs reminding drivers that children and young people are in the vicinity and they should drive with extra care;
- (d) avoid blind reversing by using a banksman or guide; and
- (e) supervise the children and young people.

33 Where practicable, drivers of vehicles also need to be made aware of, and follow, these simple precautions:

- (a) check that children and young people are not in the area before getting into the vehicle;
- (b) ensure that they drive at a safe speed;
- (c) ensure they can stop within the distance they can see to be clear (especially important around corners or when approaching obstructions);
- (d) apply the parking brake;
- (e) lower mounted equipment to the ground;
- (f) stop the engine; and
- (g) remove the starting key and lock or otherwise secure the tractor.

34 Machine operators should do their best to keep children and young people away from the machines and the area they are working in. If a child or young person enters an area from which they should be excluded, operators should stop work until it is safe to continue and report the incident to the employer or parent if appropriate.

35 Children and young people living or working on the farm need to be told about the hazardous areas from which they are excluded, the hazards from moving vehicles and other dangers they need to look out for. Children visiting the farm, and if appropriate their parents, also need the hazards and precautions explained to them.

Drowning and asphyxiation

36 Many deaths of children and young people on farms result from asphyxiation, including drowning. These accidents occur when they gain entry to areas such as:

- (a) grain stores;
- (b) grain silos;
- (c) grain hoppers/pits;
- (d) slurry stores/silos/pits;
- (e) irrigation reservoirs; and
- (f) sheep dips.

37 To prevent this type of accident you need to stop children and young

ACOP

people getting into such areas. Think about possible ways they can do this. Do not underestimate their ability to get into seemingly inaccessible places, or their curiosity and do not assume that because an adult would not wish to enter, the same applies to a child.

38 If your risk assessment indicates this is a problem you should consider the following precautions:

- (a) securely fence all lagoons, reservoirs etc;
- (b) securely cover all pits (eg grain pits and sheep dips) and manhole covers to prevent children falling into them;
- (c) keep entrances to buildings containing silos/grain bins locked, except when work is going on; and
- (d) avoid stacking bales etc in a way that allows children to enter otherwise inaccessible structures.

Falls

39 Children and young people's natural curiosity often leads them to get into the upper levels of buildings and high structures such as silos and stacks of bales. As a result, many injuries are caused by falling.

40 The most effective way to prevent this type of accident is to restrict children and young people's ability to enter these structures. Make fixed ladders inaccessible by blanking the rungs (eg by securing a scaffolding plank across them), or pull the ladder out of reach. Remove portable ladders so that they cannot be used to enter hazardous areas.

Falling objects

41 Children can also be killed or injured by objects such as wheels or gates falling on them. In some cases the objects would not seriously harm adults, so it is easy to overlook the risk they pose to children. Secure, or lay flat, heavy items of machinery and equipment which could fall, so that they cannot injure children.

42 Where stacks of bales, pallets or timber are stored, take precautions to prevent children gaining access. If fencing is impractical (eg when cordwood is stacked in a forest), the stack should be built so it cannot collapse.

Contact with animals

43 Animals do not need to be aggressive to seriously harm or even kill a child. A playful bull, cow, sheep or pig has the potential to cause serious injury. The most effective way of reducing the risk to children from animals is to keep children away from them, or to allow contact only when they are under the direct supervision of an adult.

44 Children should not be allowed to enter, even when accompanied by an adult, enclosed pens housing the following animals:

- (a) bulls;
- (b) boars;
- (c) stallions;
- (d) rams;

ACOP

- (e) stags; or
- (f) any other animal known to be aggressive.

45 There may be good educational and developmental reasons for encouraging children and young people to have contact with animals. In some circumstances you may wish to allow children to enter enclosed yards housing the following animals. This should only be permitted if the children are under the direct supervision of an adult and the animals are not accompanied by newborn young:

- (a) cows;
- (b) sows;
- (c) mares;
- (d) ewes;
- (e) does; and
- (f) other similar female animals.

46 Animals can carry diseases which can be passed to humans (zoonoses). These include diseases such as orf, which causes skin lesions and E coli 0157, which may cause serious diarrhoea or death. To limit the risk of children being affected by these diseases, the following precautions should be taken:

- (a) discourage children from putting their fingers in their mouths;
- (b) do not allow them to eat or drink during or after contact with animals, their faeces, or areas which animals have soiled, until they have washed their hands thoroughly with soap and clean water, using a clean towel to dry them.

Hazardous substances

47 Young people and children should be prohibited from working with veterinary medicines and pesticides. All hazardous substances kept on the farm must be securely locked away at all times unless the substances are directly and continually supervised.

48 Although young people and children are not at any greater risk than adults from hazardous substances such as dusts, it is unlikely they will have the maturity to comply with the necessary control measures such as wearing respiratory protective equipment (RPE). Therefore, it is advisable to restrict young people from those work areas where it is not possible to control hazardous substances by means other than RPE.

Fire

49 Children are most at risk from fire on farms when they are playing on stacks of hay or straw. They will make dens in the stacks, which can catch fire, either from the children setting light to them, or from natural causes.

50 Check for evidence of children playing around, in, or burrowing under stacks. If you see signs of such activity, take appropriate action to prevent it from happening again. In some cases it may be necessary to fence off the area, or contact parents and ask them to keep their children away.

ACOP

Conclusion

51 The activities, precautions and control methods set out in this ACOP are not exhaustive and many other agricultural activities pose a risk to children and young people. Employers and others have a responsibility to assess each activity in terms of its risk to children and young people. Before employers instruct children and young people to carry out a work activity they must decide if it is suitable for them, taking into account their level of competence and the level of supervision and instruction being provided.

Appendix 1 Extracts from relevant legislation

HSW Act

Health and Safety at Work etc Act 1974

Section 2 *Duty of employers to safeguard employees*

(1) *It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.*

(2) *Without prejudice to the generality of an employer's duty under the preceding subsection, the matters to which that duty extends include in particular -*

- (a) *the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health;*
- (b) *arrangements for ensuring, so far as is reasonably practicable, safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;*
- (c) *the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees;*
- (d) *so far as is reasonably practicable as regards any place of work under the employer's control, the maintenance of it in a condition that is safe and without risks to health and the provision and maintenance of means of access to and egress from it that are safe and without such risks;*
- (e) *the provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work.*

Section 3 *Duty of employers and the self-employed to persons other than their employees*

(1) *It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.*

(2) *It shall be the duty of every self-employed person to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that he and other persons (not being his employees) who may be affected thereby are not thereby exposed to risks to their health or safety.*

Section 7 *Duty of employees*

It shall be the duty of every employee while at work -

- (a) *to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work; and*
- (b) *as regards any duty or requirement imposed on his employer or any other person by or under any of the relevant statutory provisions, to co-operate with him so far as is necessary to enable that duty or requirement to be performed or complied with.*

PACA

The Prevention of Accidents to Children in Agriculture Regulations 1998

Regulation 3 Prohibition on riding on vehicles, machines or implements

(1) Subject to paragraph (2) of this regulation no person shall cause or permit a child to ride on a -

- (a) tractor;
- (b) self-propelled agricultural machine;
- (c) trailer;
- (d) machine or agricultural implement mounted in whole or in part on, or towed or propelled by a tractor or other vehicle;
- (e) machine or agricultural implement drawn by an animal,

while it is being used in the course of agricultural operations or is going to or from the site of such operations.

(2) Paragraph (1) of this regulation shall not apply to a trailer in circumstances where the child rides -

- (a) on its floor; or
- (b) on a load carried by it,

and where it possesses adequate means for preventing the child's falling from it.

Regulation 4 Prohibition on driving vehicles and machines

No person shall cause or permit a child to drive a tractor, or self-propelled vehicle or machine while it is being used in the course of agricultural operations or is going to or from the site of such operations.

MHSWR as amended

The Management of Health and Safety at Work Regulations 1992 (as amended)

Regulation 2 Disapplication of these Regulations

(2) Regulations 3(3A), (3B) and (3C), 8(2) and 13D shall not apply to occasional work or short-term work involving -

- (a) domestic service in a private household; or
- (b) work regarded as not being harmful, damaging or dangerous to young people in a family undertaking.

Regulation 3 Risk assessment

(3A) Subject to paragraph (3B), an employer shall not employ a young person unless he has, in relation to risks to the health and safety of young persons, made or reviewed an assessment in accordance with paragraphs (1) and (3C).

(3B) Where an employer is employing a young person when this paragraph comes into force he shall, in relation to risks to the health and safety of young persons, review the assessment forthwith.

(3C) In making or reviewing the assessment, an employer who employs or is to employ a young person shall take particular account of -

- (a) the inexperience, lack of awareness of risks and immaturity of

**MHSWR as
amended**

- young persons;*
- (b) *the fitting-out and layout of the workplace and the workstation;*
- (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; and*
- (g) *risks from agents, processes and work listed in the Annex to Council Directive 94/33/EC on the protection of young people at work.*

Regulation 8 Information for employees

(2) *Every employer shall, before employing a child, provide a parent of the child with comprehensible and relevant information on -*

- (a) *the risks to his health and safety identified by the assessment;*
- (b) *the preventive and protective measures; and*
- (c) *the risks notified to him in accordance with regulation 9(1)(c).*

(3) *The reference in paragraph (2) to a parent of the child includes*

- (a) *in England and Wales, a person who has parental responsibility, within the meaning of section 3 of the Children Act 1989, for him; and*
- (b) *in Scotland, a person who has parental rights, within the meaning of section 8 of the Law Reform (Parent and Child (Scotland)) Act 1986, for him.*

Regulation 13D Protection of young persons

(1) *Every employer shall ensure that young persons employed by him are protected at work from any risks to their health or 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.*

(2) *Subject to paragraph (3), no employer shall employ a young person for work -*

- (a) *which is beyond his physical or psychological capacity;*
- (b) *involving harmful exposure to agents which are toxic, 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 risk of accidents which it may reasonably be assumed cannot be recognised or avoided by 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 -*
 - (i) *extreme cold or heat;*
 - (ii) *noise; or*
 - (iii) *vibration,*

and in determining whether work will involve harm or risk for the purposes of this paragraph, regard shall be had to the results of the assessment.

MHSWR as
amended

(3) *Nothing in paragraph (2) shall prevent the employment of a young person who is no longer a child for work -*

- (a) *where it is necessary for his training;*
- (b) *where the young person will be supervised by a competent person;*
and
- (c) *where any risk will be reduced to the lowest level that is reasonably practicable.*

(4) *The provisions contained in this regulation are without prejudice to -*

- (a) *the provisions contained elsewhere in these Regulations; and*
- (b) *any prohibition or restriction, arising otherwise than by this regulation, on the employment of any person.*

Appendix 2 Regulation of children's employment

1 Regulation of children's employment in England and Wales is principally governed by section 18 of the Children and Young Persons Act 1933 (in Scotland, section 18 of the Children and Young Persons Act 1937). (These provisions are not relevant statutory provisions for the purposes of the Health and Safety at Work Act 1974.) The responsibility for this Act lies with the Department of Health. Additional requirements are imposed by local authority by-laws. Local authorities usually delegate responsibility for children's employment to their Education Committees.

2 The Children and Young Persons Act 1933 generally limits employment to those aged 13 or over and provides that no child under compulsory school age (CSA) may be employed before 7am or after 7pm on any day or for more than two hours on any school day or Sunday.

3 The exception to the restriction on employment of children under 13 is that children aged 10 or over may be employed by, and under the direct supervision of, their parent in 'light agricultural or horticultural work' if authorised by by-laws.

4 A new formula for working out the CSA was introduced when section 8 of the Education Act 1996 came into force. There is now a new single school leaving date which is the last Friday in June in the school year in which a child reaches age 16. (In Scotland the Education (Scotland) Act 1980 applies.) Further details are available from: Department for Education and Employment, Discipline and Attendance Division, Sanctuary Buildings, Great Smith Street, London SW1P 3BT.

5 Local authority (LA) by-laws made under the 1933 Act (and subject to confirmation by the Secretary of State for Health) may place further restrictions on the hours and conditions of work and the nature of employment permitted. The majority of these by-laws conform with guidance issued by the Department of Health. All by-laws must conform to relevant Acts of Parliament and to the general principle that the welfare of the child is of paramount importance.

6 Enforcement of the legislation in this area is the responsibility of local education authorities.

Further reading

- 1 *The Health and Safety (Young Persons) Regulations 1997* (SI 135/1997)
The Stationery Office ISBN 0 11 063660 0
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