Introduction

This information sheet outlines health and safety law specifically covering children and young people and gives guidance on how to apply it.

It has been prepared because young people are more at risk of injury. There are many young people working in the catering industry, often on a casual or temporary basis or on work experience schemes.

What are my legal duties as an employer?

You must assess and reduce risks, so far as is reasonably practicable, for all employees (whatever their age) and tell them what the risks are and what steps are being taken to control them. You must consult employees on health and safety matters, either directly or through elected safety representatives.

Additional laws apply to young people below the age of 18. You must:

● assess risks to young people before they start work;
● take into account their inexperience, lack of awareness of risks and immaturity;
● provide information to parents or guardians of school-age children about risks and control issues before they start work; and
● decide whether to prohibit young people altogether from certain work activities.

You do not need to repeat this every time a young person starts work but you should always review the risk assessment if there are any changes to the work.

Other factors to consider are lack of physical strength, possible smaller size, any health issues (for example asthma) and any physical or learning disabilities.

You also need to consider suitable induction training, supervision by a competent person and clear instructions on tasks you have decided young people must not do.

The regulations do not apply to young people working on occasional and short-term work that is not harmful in firms owned by their family.

How do I apply this in practice?

Table 1 shows one possible approach to dealing with a range of tasks common in catering. It gives a guide to the level of detail needed. It will need to be adapted to the particular risks young people are exposed to in your business. It includes a number of situations where it was decided children must not do tasks and other young people can only do them after training or under proper supervision.

Some larger businesses may use lift trucks. Drivers must be at least 18, fully trained or supervised and children must never drive them.

Work involving a risk of electric shock should only be carried out by young people if they are fully trained or under the supervision of a competent, qualified person.

Other areas where young people may need particular training and supervision include work with flammable liquids, gas cylinders or fireworks.

Any special precautions concerning the presence of asbestos in the workplace should also be brought to the attention of young people.

Employment of children

Additional legal requirements apply when employing children:

● You should therefore always check with your local authority before employing children below minimum school leaving age.
● A child is someone below the minimum school leaving age (around 16, depending on their birthday and its relation to the date school term ends).
● Children below the minimum school leaving age must not be employed in industrial undertakings, such as factories or construction sites, except when on work experience programmes approved by local education authorities.
● The minimum age for other employment is 14 years, but local authorities have the power to make bye-laws restricting work in certain types of premises to those above the minimum school leaving age. These bye-laws may also contain a list of light work which children aged between 13 years and the minimum school leaving age can do in non-industrial premises.
Table 1: Example of risk assessment and control measures

<table>
<thead>
<tr>
<th>Young person’s task</th>
<th>Main risks</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serving food and drink</td>
<td>Slips, trips, manual handling</td>
<td>Company induction training covers safe practice in relation to each of these tasks. Specifically, it covers safe handling and use of knives, use of appropriate protective equipment when using the dishwasher, cleaning floors and disposing of refuse.</td>
</tr>
<tr>
<td>Making sandwiches</td>
<td>Use of knives</td>
<td></td>
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<tr>
<td>Use of dishwasher</td>
<td>Manual handling and use of cleaning materials</td>
<td></td>
</tr>
<tr>
<td>Cleaning floors</td>
<td>Manual handling and use of cleaning materials</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td>Cuts from broken glass, manual handling</td>
<td>Instruction on calming customers down and seeking managerial assistance in the case of disputes.</td>
</tr>
<tr>
<td>Cash handling</td>
<td>Aggressive customers</td>
<td></td>
</tr>
<tr>
<td>Use/cleaning of food-slicers, mixers, food-processors, potato-chippers</td>
<td>Injury to hands from moving machinery parts</td>
<td></td>
</tr>
<tr>
<td>Handling of corrosive cleaning materials, including oven- and beerline-cleaner</td>
<td>Chemical burns to skin or eyes</td>
<td></td>
</tr>
<tr>
<td>Work at height</td>
<td>Injury from falls</td>
<td>The risks from all these tasks are considered sufficiently high that children should not be permitted to carry them out under any circumstances. Young people under 18 can do so, provided they have been trained or are being supervised by a competent person. All appropriate precautions must be in place (see health and safety manual).</td>
</tr>
<tr>
<td>Use of waste compactor</td>
<td>Injury from contact with moving machinery</td>
<td></td>
</tr>
<tr>
<td>Cleaning, draining and use of fat fryers</td>
<td>Fire and burns from hot oil</td>
<td></td>
</tr>
<tr>
<td>De-boning of meat</td>
<td>Severe cut or stab from knife</td>
<td></td>
</tr>
</tbody>
</table>
● Local authority bye-laws can restrict the type of work, the start and finish times, and the maximum number of hours.

● Your local authority will require you to obtain parental consent before they will issue a child with an employment permit.

● Children under 13 are generally prohibited from employment.

What information must I provide to parents or guardians of children?

The key findings of the risk assessment and necessary controls must be covered. The information must be clear and relevant.

The information need not be in writing, although this will be the easiest way and will remove any doubt that you have communicated properly with the parents. For this information to serve any useful purpose, you must give it to parents or guardians before a child starts work.

Model letter to parents

Some employers have found a standard letter useful. The following text may be used as a model:

‘I write concerning the employment of (child’s name). It is my responsibility to ensure his/her health and safety while working.

I am required by regulations to give you, as parent/guardian, information on the risk assessment and control measures relevant to the work. I enclose a copy for your information.

If you want to discuss this or have any concerns, please do not hesitate to contact me.’

Supervision and induction

When a young person starts work they are likely to need extra supervision. You must ensure that they know who the person responsible for them is and that they are given the appropriate information and training on any hazards, risks, and precautions they may have to take. You must ensure that they understand what they need to do for their own and other’s health and safety.

Some young people may lack the confidence to voice their concerns so it is important that they are aware of procedures for doing so. If there is a safety representative, you should tell them who it is.

Working times

The Working Time Regulations 1998 apply to all workers but there are some specific provisions that apply to young workers. The Department of Trade and Industry (DTI) has published guidance on the Regulations (see ‘Further reading’).

Further reading


Managing health and safety on work experience: A guide for organisers HSG199 HSE Books 2000 ISBN 0 7176 1742 4


Five steps to risk assessment Leaflet INDG163(rev1) HSE Books 1998 (single copy free or priced packs of 10 ISBN 0 7176 1565 0)

A short guide to the Working Time Regulations URN 00/63/2DTI (Available free from the DTI Orderline Tel: 0845 6000 925 or the DTI website: www.dti.gov.uk/er/regs.htm)

Consulting employees on health and safety Leaflet INDG232 HSE Books 1996 (single copy free or priced packs of 10 ISBN 0 7176 1615 0)

This is the latest in a series of Catering Information Sheets available from HSE Books; the other sheets in the current series are listed below.

CAIS2 Priorities for health and safety in catering activities

CAIS3 Precautions at manually ignited gas-fired catering equipment

CAIS4 Managing health and safety pays in the catering industry

CAIS5 Health and safety training pays in the catering industry: Guidance for owners and managers

CAIS6 Slips and trips: Summary guidance for the catering industry

CAIS7 An index of health and safety guidance for the catering industry

CAIS8 Managing the health and safety of catering equipment and workplaces

CAIS9 Planning for health and safety when selecting and using catering equipment and workplaces
CAIS10  Ventilation of kitchens in catering establishments

CAIS11  The main health and safety law applicable to catering

CAIS12  Maintenance priorities in catering

CAIS13  Manual handling in the catering industry

CAIS16  Safety signs in the catering industry

CAIS17  Safety during emptying and cleaning of fryers

CAIS18  Reporting accidents in the catering industry

CAIS19  Health and safety of new and expectant mothers in the catering industry

CAIS20  Health and safety for waiting staff

While every effort has been made to ensure the accuracy of the references listed in this publication, their future availability cannot be guaranteed.

Further information

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 Website: www.hsebooks.co.uk (HSE priced publications are also available from bookshops.)

For information about health and safety ring HSE’s InfoLine Tel: 08701 545500 Fax: 02920 859260 e-mail: hseinformationervices@natbrit.com or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG. You can also visit HSE’s website: www.hse.gov.uk

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

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