

What regulations are there about child employment?

Legislation governing child employment includes:

- Children and Young Persons Acts 1933 to 1963
- Education Act 1996
- Children Act 1989
- Children (Protection at Work) Regulations 1998
- Royal Borough of Kensington and Chelsea Child Employment Byelaws 2003
- Health and Safety (Young Persons) Regulations 1997.

Main points to note:

- Children under the age of 13 years cannot be employed.
- Children may only do light work and some types of work are prohibited altogether - contact the Education Welfare Service for details.
- There are different working hours allowed for children under 15 years and those who are over 15.
- Specific rest periods are required.
- The employer must carry out a risk assessment before employing a child.
- A child whose 16th birthday falls between 1st September and 31st August in the following year remains of compulsory school age until the last Friday in June of that academic year.
- National Insurance Numbers are not valid until after the official school leaving date.
- A child of compulsory school age can only legally be employed in the Royal Borough if the Royal Borough has approved and issued a Child Employment Permit.
- A permit will be refused or cancelled if any employment is considered to be likely to harm in any way the education, health or physical development of the child.

How many hours can a child work?

A child aged 13 or 14 may work during school term time for a maximum of 12 hours a week and for a maximum of two hours on any school day between 7am and 8am or between 5pm and 7pm. During school holiday weeks, the maximum hours increase to 25 hours a week. On Saturdays, a child may work between the hours of 7am and 7pm for a maximum daily total of five hours. On Sundays, the permitted hours are between 7am and 7pm but the daily maximum is two hours. A break of one hour must be provided if the child works more than four hours during a day.

A child aged 15 or 16 may work during term time for a maximum of 12 hours a week and for a maximum of two hours on any school day between the hours of 7am and 8am or between 5pm and 7pm. During school holidays the child may work a maximum of 35 hours a week. On Saturdays, a child may work between 7am and 7pm for a maximum of eight hours and on Sundays between the same hours for a maximum of two hours. A break of one hour must be provided where more than four hours are worked during a day.

During school holidays, there must be at least two consecutive weeks without the child being employed.



If you would like more information or an application form for a permit please contact:



Child Employment Officer
The Royal Borough of
Kensington and Chelsea
Education Welfare Service
108A Lancaster Road
London W11 1QS
Tel: 020 7598 4886
Fax: 020 7598 4895



The Education Welfare Service

A Guide to Child Employment

Here to Help

The Education Welfare Service – A Guide to Child Employment

What does the law say about child employment?

The law regards a child as being employed if he or she assists in a trade or occupation carried out for profit, regardless of whether or not the child receives any pay or reward for this work.

A child in this context means a child or young person of compulsory school age, i.e. either under 16 years of age, or 16 years old but still in their final year of compulsory schooling and awaiting the single leaving date for Year 11 pupils of the last Friday in June. Children under 13 years of age should not be employed.

The purpose of this leaflet is to give general guidance about child employment but there are separate regulations and different licensing requirements that apply to children working in entertainment or as models.

Children who are engaged in theatre performances or in radio and television broadcasts or in films and children working as models must in most cases have a performance licence.

For more information about children in entertainment or modelling and applying for a Child Performance Licence, please telephone 020 7598 4886 and ask to speak to the Child Performance Licensing Officer.

Who is responsible for obtaining a Child Employment Permit?

If an employer who is engaged in a business or trade is intending to employ a child below the age of 16 years, in order to comply with the law regarding child employment, the employer must apply for a permit. It is the employer and not the child or the child's parent or guardian who must make an application for a Child Employment Permit. The local authority covering the area where the trade or business is located is the approving and issuing authority. There are strict regulations governing the types of work children are allowed to carry out and there are only certain

specified hours and times of day that are permitted for children to work.

How and where do employers apply for a permit?

Employers in the Royal Borough of Kensington and Chelsea are responsible for obtaining a Child Employment Permit, preferably before a child commences employment with them. A Child Employment Permit application form can be obtained from the Royal Borough's Child Employment Officer in the Education Welfare Service.

What is the application process?

The application form must be fully completed by the employer and submitted to the Education Welfare Service, preferably in advance of the intended employment's commencement but no later than within one week of employing a child. Employers must obtain authorisation from the Council's Child Employment Officer for any child to be employed within the Royal Borough's area, regardless of where the child lives.

The application form must be countersigned by the child's parent or legal guardian and be accompanied by two recent passport size photographs of the child, a photocopy of the child's birth certificate and a declaration from the parent or legal guardian stating that the child is fit, well and able to carry out the work. If the child suffers or has suffered from an illness, a medical examination and report may be required from the child's General Practitioner before the permit can be issued.

The Child Employment Officer in the Education Welfare Service will check the application details supplied and whether the proposed employment is acceptable and meets the requirements of the law, regulations governing child employment, and the Royal Borough's byelaws. If the application is approved, then the Child Employment Permit will be sent to the child and a copy of the authorisation will be forwarded to the prospective employer and, where relevant, to the headteacher of the child's school.

A Child Employment Permit is specific to:

- the employer named in the permit
- the child it was issued for and no other child
- the work location given
- the type of work described
- the hours of work stated.

If any of these details change, the employer must contact the issuing authority.

Who keeps the permit?

The child must carry the Child Employment Permit at all times when working. The employer must keep a copy of the authorisation form for inspection purposes.

What else should employers do?

Employers should pay particular attention to the child's safety and protection in the workplace and to health and safety legislation and insurance regulations. It is essential that a risk assessment be carried out before and during the child's employment. The Association of British Insurers has stated that unless the employer has ensured that any child employed is properly registered for work by the local authority, then any injury or accident or other liability arising from the child's employment will not be covered under the employer's liability insurance.

Employers who employ children illegally will be prosecuted.

What happens if a child wants to work in another area?

If a child lives in the Royal Borough of Kensington and Chelsea but applies to work for an employer in another local authority's area, then the employer must make the application to the local authority where the trade or business is based rather than to the Royal Borough of Kensington and Chelsea where the child resides. The relevant authority depends upon where the business is located and the work will be carried out, not upon where the child's home address is.