

## **Employing Children**

There are restrictions on the work children can do and the hours that children can work. A local authority work permit must be obtained for any child working in your yard and there are additional health and safety obligations for children and safeguarding obligations.

### **Children**

A child is someone under school leaving age.

The school leaving age in England and Wales is the last Friday of June of the school year in which the person is 16 whilst in Scotland school age is having attained the age of five years but under 16.

A child must be at least 13 to work.

### **Local Authority Work Permits**

You must obtain a work permit for the child from your local authority and check the local bye laws for restrictions as individual local authorities may have additional rules. Your local council's website should contain the information on how to apply.

This also applies if your child is working in the family business.

Any employer who allows a child of school age to work without first obtaining a work permit is breaking the law.

This applies regardless of whether the work is paid or unpaid.

The Local Authority may also require sight of the risk assessment (see below) and the organisation's safeguarding policy.

If the child is home schooled, you should contact your local education authority to ascertain their requirements regarding the work permit.

If you have issues with your local council over the work permit, contact BHA safeguarding ([safeguarding@britishhorseracing.com](mailto:safeguarding@britishhorseracing.com)) as the team have experience in assisting trainers with these.

### **Health and safety**

You must do an assessment of possible risks paying attention to the age and lack of experience.

Where the person is under school leaving age, the employer must also tell one of the child's parents or carers the results of the assessment – this must include any risks identified and any measures put in place to protect their health and safety (i.e. supervision, personal protective equipment).

## **Induction**

In the Work Experience area of the NTF website, there is an induction form for use with students on work experience from schools or colleges and you may find this helpful as a guide to what areas to consider in the induction process.

## **BHA Registration – Children of school age**

The requirement to register on the BHA Stable Employees Register applies although at present the SER does not accept those under 15 and as such, BHA safeguarding have requested that trainers advise them when a child of school age starts working in the yard

[safeguarding@britishhorseracingauthority.com](mailto:safeguarding@britishhorseracingauthority.com)

## **Children - restrictions on hours**

Children are not permitted to work:

- before 7.00 am or after 7.00 pm
- during the hours they should be at school
- in any job where they are likely to suffer injury as a result of being required to lift, move or carry heavy items.

Children are entitled to two weeks free from work during the school holidays.

### Children aged 13

Children aged 13 may only be employed in light work in specified occupations – advice should be sought from the appropriate local authority.

### 13 and 14 year olds can work:

During term time

- a maximum total of 12 hours per week being:
- no more than a total of 2 hours on a school day
- no more than 5 hours on a Saturday
- no more than 2 hours on a Sunday

During school holidays

- a maximum of 5 hours on any weekday and the total hours must not exceed 25.

### 15 and 16 (under school leaving age)

During term time

- a maximum total of 12 hours per week being:
- no more than 2 hours on a school day
- no more than 8 hours on a Saturday
- no more than 2 hours on a Sunday

During school holidays

- a maximum of 8 hours on any weekday (except Sundays) and the total must not exceed 35 hours.

Summary – children permitted hours of work –and weekly limits

	Daily limit			Weekly limit	
	School Day	Non-school day	Sunday	School term	School holiday
Children under 15	2 hours	5 hours	2 hours	12 hours	25 hours
Children aged 15 and over but under school leaving age	2 hours	8 hours	2 hours	12 hours	35 hours

### Insurance

Trainers should check with their insurers that their insurance will be valid in the event of a child having an accident at work.

### RIABS

RIABS does not cover children under 16 who are officially still at school.

### Welfare and safeguarding of Children and Vulnerable Adults

Employers should be mindful of the child’s welfare when in their employment and of child protection issues. All children and young people (defined as under 18) have a right to protection from harm or abuse. Trainers and their staff should ensure that they are never placed in a situation where abuse may be alleged and should consider how an action or activity may be perceived as opposed to how it is intended.

You should ensure that your safeguarding policy is in place and that training has been given to all staff upon it. The NTF template safeguarding policy is available in the Work Experience and Young Workers area of the NTF website and there is safeguarding training on the BHA Racing2Learn site or contact [safeguarding@britishhorseracing.com](mailto:safeguarding@britishhorseracing.com)

Trainers who take learners and work experience trainees from the BRS, NRC and other training providers should discuss with the training provider their safeguarding measures.

The BRS has its own template safeguarding policy which can be found on its website ([www.brs.org.uk](http://www.brs.org.uk))

The BHA safeguarding regulations place requirements upon trainers with regards to reporting safeguarding concerns to the BHA – further information can be found at

<https://www.britishhorseracing.com/regulation/safeguarding/> and the BHA safeguarding team are available to discuss any concerns or queries over safeguarding young people.

### Pay and Holidays

There is no set wage for under 16s nor is there any entitlement for those under school leaving age to receive paid holiday from work.

### Summary of actions where employing a child of school age

This applies whether paid or not.

- Carry out specific risk assessment and share with parent or guardian or carer
- Ensure safeguarding policy in place and staff trained upon it
- Obtain child work permit from local authority where business is based
- Register child on BHA stable employees register/inform BHA safeguarding that child is working in yard
- Discuss with yard insurers
- Ensure hours accord with legislation and any local authority requirements
- Undertake full induction

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