

## HEALTH AND SAFETY OF YOUNG PERSONS POLICY

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<b>AUTHOR:</b>	Health, Safety and LSMS Manager
<b>CONSULTATION:</b>	Health & Safety Group
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### SCOPE

Services	Applicable	Comments
Trustwide	✓	

**The Director responsible for monitoring and reviewing this policy is  
Chief Executive Officer**

**HEALTH AND SAFETY OF YOUNG PERSONS POLICY**

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POLICY ON THE HEALTH AND SAFETY OF YOUNG PERSONS

Assurance Statement

The Trust is required by law to ensure the health and safety of its entire staff including young employees. Failure to implement this Policy, with associated Risk Assessment, will place the Trust at risk of breaching its duty of care under the EC Directive on the Protection of Young People at Work [93/104/EC](#) (Directive 94/33/EC - young workers); Working Time Regulations 1998 (and amendments); Management of Health & Safety at Work Regulations 1999 (regulation 19); Education Act 2011; and the Health & Safety at Work Etc. Act 1974.

1.0 INTRODUCTION

1.1 Young persons may be exposed to additional risks at work due to their lack of knowledge, experience and possible immaturity. The following procedures should be implemented to ensure their safety:

- a) Risk assessments undertaken on any process or procedure, when performed by experienced adults, should be reassessed in the light of experience of the young person.
- b) Additional training, instruction and supervision should be provided, until the young person has demonstrated a satisfactory degree of competence.
- c) Careful attention should be paid, by both the young person and the supervisor, to any restrictions placed on the type of work, which may be undertaken.

1.2 Definitions

- 1.2.1 'Young person' shall mean any person under 18 years of age referred to in Article 2 (1); of 1998 Working Time Directive for Young Persons (COUNCIL DIRECTIVE 94/33/EC of 22 June 1994, amended 2002);
- 1.2.2 'Child' shall mean any young person of less than 15 years of age or who is still subject to compulsory full-time schooling under national law;
- 1.2.3 'adolescent' shall mean any young person of at least 15 years of age but less than 18 years of age who is no longer subject to compulsory full-time schooling under national law;
- 1.2.4 Work experience placements will use the same process as this policy.

1.3 Legislation

- 1.3.1 The **Health and Safety at Work etc. Act 1974** imposes a general duty upon employers to ensure, so far as is reasonably practicable, the health, safety and welfare of its employees. Specific legislative requirements concerned with the protection of young persons include

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the **Management of Health and Safety at Work Regulations 1999 – A guide for employers HSG 165 2000; Young People & Work Experience INDG 364 and A Guide to Working Time Regulations 1998.**

### **2.0 SCOPE**

2.1 This Policy applies to all areas of Essex Partnership University NHS Foundation Trust, where young people may be employed and the placement of children for work experience operates.

### **3.0 IMPLEMENTATION**

3.1 This Policy will be implemented by all persons who employ young persons, whether on a temporary or permanent basis.

3.2 The Trust may not take young persons into their employment unless a Risk Assessment has been carried out prior to their start, and existing Assessments reviewed, in order to ensure that any risks to young persons are identified and addressed. (Please refer to procedural guidance RMPG15).

### **4.0 MONITORING**

4.1 This Policy will be monitored by the Health, Safety & Security Sub-Committee, via the Risk Team.

### **5.0 REVIEW**

5.1 This Policy will be reviewed by the Health, Safety and Security Sub-Committee and the Risk Management Department on a regular basis, unless legislation changes within the approved time frame.

### **6.0 REFERENCES**

6.1 The following Policies must be read in conjunction with this document:

- RM11 – Non-Clinical Risk Assessment Policy
- RMPG15 – Health and Safety of Young Persons Procedural Guidance.
- HR23 – Placement and Work Experience Policy
- HR57 – Recruitment and Retention Policy
- CP24 – Equality, Inclusion & Human Rights Policy

**END**