

What are my legal duties for the health and safety of young people?

When employing a young person under the age of 18, whether for work, apprenticeships or work experience, employers have the same responsibilities for their health, safety and welfare as they do for other workers.

If an employer currently employs a young person, or has done so in the last few years, their existing risk management arrangements should be sufficient if a new young person is of a broadly similar level of maturity and understanding, and has no particular needs.

Health and safety law defines young people in the following way:

- A young person is anyone under eighteen years of age;
- A child is anyone who is not over compulsory school age. He or she has not yet reached the official age at which they may leave school, also referred to as the minimum school leaving age (MSLA).

Under the Management of Health and Safety at Work Regulations 1999, an employer has a responsibility to ensure that young people employed by them are not exposed to risk due to:

- lack of experience
- being unaware of existing or potential risks and/or
- lack of maturity

An employer must consider:

- the layout of the workplace
- the physical, biological and chemical agents they will be exposed to
- how they will handle work equipment

- how the work and processes are organised
- risks from particular agents, processes and work

Work experience

Introducing young people to the world of work can help them understand the environment, choose future careers or prepare for employment. We need young people to be offered opportunities to develop new skills and gain experience across the world of work.

Most work is appropriate to young people - there are very few work activities a student cannot do due to health and safety law.

Under health and safety law, work experience students are your employees. You treat them no differently to other young people you employ.

Your existing employers' liability insurance policy will cover work placements (if your insurer is a member of the Association of British Insurers), so there is no need for you to obtain an additional employer's liability insurance if you take on work experience students.

If you do not currently employ a young person, have not done so in the last few years or are taking on a work experience student for the first time, or one with particular needs, review your risk assessment before they start, taking into account the list of factors above.



Work placement arrangements are too often seen as overbureaucratic and burdensome, putting off potential employers. The effectiveness of the employer's risk management arrangements is what matters. Employers should already be managing the risks in their workplaces and are best placed to assess whether or not they need to do anything additional for a new young person joining them. Schools and colleges, or those organising placements, should simply ask sensible questions, in proportion to the level of risk, to satisfy themselves that those arrangements are in place.

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¹ HSE Statistics 2011/12.