

Employing school-aged children: what employers need to know

Employing young people can be a positive way to give them experience of work, build confidence and support local communities. Hospitality is often a gateway to working life and many individuals find their first employment in that industry. However, employers in all sectors must be careful; children of compulsory school age are subject to specific legal protections and employing them without the correct arrangements in place can lead to enforcement action and financial penalties.

Child employment is regulated, and employers should not assume that a casual, part-time or weekend role falls outside the rules. It is timely for all employers, especially those in hospitality, to check that they comply with the legislation and applicable local authority byelaws.

1. When do the child employment rules apply?

In England, the rules apply where a business employs a child who is still of compulsory school age. Compulsory school age normally ends on the last Friday in June in the school year in which the child turns 16. Children under 13 cannot ordinarily be employed; from age 13, a child may undertake permitted light work, subject to statutory restrictions and any stricter local authority byelaws.

The requirements can apply to a wide range of working arrangements, including part-time work, weekend work, holiday work and informal roles. If the child is doing work for a business, the employer should check whether a permit is required before the work starts.

2. Check whether a local authority permit is required

Local authorities may have child employment byelaws requiring an employer to obtain a work permit for a child of compulsory school age. The employer should check the byelaws and process of the local authority for the area in which the child will work.

Where a permit is required, the child must not be employed otherwise than in accordance with it. Employers should build permit approval into recruitment arrangements and must not assume that a short, weekend or holiday role is exempt.

3. Working hours are restricted

A child of compulsory school age cannot work during school hours, and break requirements apply. During term time, there are maximum working hours. During school holidays, working hours can be longer, and the number of permitted hours increases with age. Employers should always check local authority byelaws, as these may impose stricter limits.

Employers should not rely on the child or their parent to know the rules, and the business remains responsible for ensuring that the working pattern is lawful.

4. Some types of work are prohibited

Children of compulsory school age must not be employed in work prohibited by national legislation, including work in an industrial undertaking, and may undertake only suitable light work.

Local authority byelaws may prohibit or restrict further categories of work. Employers should assess the actual duties and check the applicable byelaws before offering work, particularly where the role involves machinery, commercial kitchens, delivery work, late hours, manual handling, hazardous substances, alcohol or another higher-risk environment.

5. Health and safety duties still apply

Before a child starts work, the employer must review its risk assessment to address the child's lack of experience, maturity and awareness of risk. The assessment should also consider the proposed duties, equipment, substances, working environment and supervision arrangements. The extent of the employer's obligations may increase with the size and nature of the business.

In all cases, it is prudent to retain a child-specific assessment and induction record. The employer must provide the parent or carer of a child below the minimum school-leaving age with information about significant risks and the measures adopted to control them.

6. Check insurance cover

Employers should confirm that their employers' liability insurance applies to the child and the proposed duties. Most employers are required to maintain employers' liability insurance of at least £5 million, subject to limited exemptions. Cover should be checked before work begins.

7.What can happen if employers get it wrong?

Breach of child employment legislation or applicable local authority byelaws may result in local authority enforcement and criminal liability. Relevant offences may attract a fine. Employers may also face health and safety enforcement, civil liability, safeguarding concerns and reputational damage.

There are also wider operational risks. A breach may expose weaknesses in the employer's HR, recruitment and health and safety processes.

8.Practical steps for employers

Employers who employ, or are considering employing, school-aged children should:

1. Check the child's age and whether they are still of compulsory school age.
2. Check the child employment byelaws and permit arrangements of the local authority for the area in which the child will work.
3. Where required, obtain and comply with the relevant child employment permit.
4. Confirm that the role is permitted light work and that the duties are suitable.
5. Check the proposed hours against the national limits and any stricter local rules.
6. Review and, where required, record a child-specific risk assessment before work starts.
7. Give the child appropriate induction, training and supervision, and provide the parent or carer with information about significant risks and the control measures in place.
8. Ensure children are specifically considered in any wider workplace risk assessments.
9. Check employers' liability insurance cover.
10. Retain age, permit, hours, risk assessment, training and parental communication records.
11. Train managers so they do not offer informal work to children without HR approval.

9.HR takeaway

Child employment should be managed through a clear HR process, not informal local arrangements. A short weekend shift or holiday job can still be subject to permit requirements, restricted hours, parental communication, risk assessment and insurance checks.

For employers, the safest approach is simple: do not allow a school-aged child to start work until the applicable national and local authority requirements have been checked and any required permit is in place.