

**Southend on Sea Borough Council**  
**Department for People**



**CHILDREN AND YOUNG PERSONS ACT 1933**  
 Section 18(2) and 20(2) (as amended) and the Children (Protection at Work)  
 Regulations 1998

**When complete please return this form to: [childemploymentandlicensing@southend.gov.uk](mailto:childemploymentandlicensing@southend.gov.uk)**

**APPLICATION TO EMPLOY A CHILD UNDER THE BYELAWS**

**PART 1 (TO BE COMPLETED BY THE EMPLOYER)**

Name of Child..... Date of Birth..... Tel No: .....

Address..... Postcode .....

**SCHEDULE OF EMPLOYMENT**

1 hour break required after 4 hours continuous work

	SCHOOL WEEK 12 hrs maximum					SCHOOL HOLIDAYS Max. 25 hrs ages 13/14 and 35hrs 15/16				
	from am	to am		from pm	to pm	from am	to am		from pm	to pm
MONDAY			L					L		
TUESDAY			U					U		
WEDNESDAY			N					N		
THURSDAY			C					C		
FRIDAY			H					H		
SATURDAY										
SUNDAY										

**Risk Assessments** – (1) Look for hazards (2) Decide who might be harmed (3) Evaluate the risks deciding whether the existing precautions are adequate or should be amended (4) Record your findings and keep on file (5) Review your assessment periodically & revise when necessary (6) Pay particular attention to the child's lack of experience, training & supervision needs (7) You are legally required to advise the child's parent/legal guardian that a risk assessment has taken place.

**I the employer confirm that an appropriate RISK ASSESSMENT, taking into account the child's age, has been carried out. (Management of Health & Safety at Work Act 1999).**

I hereby give notice that I wish to employ the child named above in the following capacity (please give details of the task involved and the places the child will be employed/undertaking the tasks):

Job Title ..... Description of Work .....  
 on the days and hours shown.

Company Name ..... Telephone Number .....

Address..... Postcode .....

SIGNATURE OF EMPLOYER	EMAIL	DATE
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**PART 2 (TO BE COMPLETED BY THE PARENT/LEGAL GUARDIAN)**

I confirm that, in my opinion, the above job will not jeopardise my child's health, welfare or ability to take full advantage of his/her education. I hereby give my permission for this employment.

Has your child applied for an Employment Permit before YES / NO

If YES, does your child still carry out the work stated on the Employment Permit YES / NO

If YES, who does your child work for .....

SIGNATURE OF PARENT/LEGAL GUARDIAN	PRINT NAME	DATE
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**PART 3 (TO BE COMPLETED BY THE CHILD'S SCHOOL)**

I confirm I have no objections on educational grounds to this pupil undertaking the work described and do not believe the work described will jeopardise the pupil's health, welfare or ability to take full advantage of his/her education.

School ..... Date .....

Signed ..... Position .....

## REGULATIONS

1. (a) A child aged 14 or over may be employed only in light work.
- (b) A child aged 13 may not be employed except in light work in one or more of the following specified categories:
  - (i) agricultural or horticultural work
  - (ii) delivery of newspapers, journals and other printed matter, and collecting payments for same, subject to the provisions of 2 (w)
  - (iii) shop work, including shelf stacking
  - (iv) hairdressing salons
  - (v) office work
  - (vi) car washing by hand in a private residential setting
  - (vii) in a café or restaurant
  - (viii) in riding stables; and
  - (ix) domestic work in hotels and other establishments offering accommodation
- (c) Subject to the other provisions of the byelaws, children may be employed for up to one hour before commencement of school on a day which they are required to attend school.
- (d) No child may be employed in any work out of doors unless wearing suitable clothing.

### 2. NO CHILD SHALL BE EMPLOYED

- (a) so long as he is under the age of fourteen years: (subject to the exceptions under 1(b) )
- (b) to do any other than light work
- (c) before the close of school hours on a day on which he is required to attend school; or
- (d) before seven o'clock in the morning or after seven o'clock in the evening in any day; or
- (e) for more than two hours on any day on which he is required to attend school; or
- (f) for more than two hours on any Sunday; or
- (g) for more than eight hours or, if he is under the age of fifteen years, for more than five hours in any day
  - (i) on which he is not required to attend school, and
  - (ii) which is not a Sunday; or
- (h) for more than thirty-five hours or if he is under fifteen years, for more than twenty-five hours in any week in which he is not required to attend school; or
- (i) for more than four hours in any day without a rest break of one hour; or
- (j) in work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children
- (k) in telephone sales
- (l) in any slaughterhouse or in that part of a butchers shop or other premises connected with the killing of livestock, butchery, or the preparation of carcasses of meat for sale.
- (m) as an attendant in a fairground or amusement arcade or in any other premises used for the purpose of public amusement by means of automatic machines, games of chance or skill or similar devices.
- (n) In the personal care of residents of any residential care home or nursing home unless under the supervision of a responsible adult
- (o) in a cinema, theatre, discotheque, dance hall or night club, except in connection with a performance given entirely by children
- (p) to sell or deliver alcohol, except in sealed containers
- (q) to deliver milk
- (r) to deliver fuel oils
- (s) in a commercial kitchen
- (t) to collect or sort refuse
- (u) in any work which is more than three metres above ground level or, in the case of internal work, more than three metres above floor level
- (v) in employment involving harmful exposure to physical, biological or chemical agents
- (w) to collect money or to sell or canvas door to door, except under the supervision of an adult
- (x) at any time in a year unless at that time he has had, or could still have, during a period in the year in which he is not required to attend school, at least two consecutive weeks without employment.

Or in certain occupations covered by the following Acts: Employment of Women, Children and Young Persons Act 1920; Agriculture (Safety, Health & Welfare Provisions) Act 1956; Office, Shops and Railway Premises Act 1963; Betting, Gaming and Lotteries Act 1963; Licensing Act 1964 and the Licensing (Occasional Permissions) Act 1983; Merchant Shipping Act 1970 and the Manual Handling Operations Regulations 1992. (NB This list is not exhaustive)

## STREET TRADING

3. No child under the age of 14 may engage in street trading and a child aged 14 or over may not engage in street trading unless:
  - (a) he is employed to do so by his parent, in connection with their retail business and under their direct supervision, and
  - (b) he has been granted a licence to do so ('a street trader's licence') by the authority and is acting in compliance with the letters of that licence

## NOTIFICATION OF EMPLOYMENT AND EMPLOYMENT PERMITS

4. Within one week of employing a child, the employer must send to the authority written notification stating:
  - (a) his own name and address
  - (b) the name, address and date of birth of the child
  - (c) the hours and days on which the child is to be employed, the occupation in which the child is to be employed, details of the task involved and, if different from (a) above, the place of employment;
  - (d) a statement of the child's fitness to work, and of approval for the child to be employed completed by the child's parent
  - (e) details of the school at which the child is a registered pupil; and
  - (f) a statement to the effect that an appropriate risk assessment has been carried out by the employer.

## PENALTIES

5. Section 21 of the Children and Young Persons' Act 1933, as amended provides, as follows:-  
If a person is employed in contravention of Section 18 of the Act, or of the provisions of any byelaws made there-under, the employer and any other person (other than the person employed) to whose act or default the contravention is attributable shall be liable on summary conviction to a fine not exceeding level 3 on the Standard Scale (£1000)

If a person is employed in contravention of Section 20 of the Act, the employer and any person (other than the person employed) to whose act or default the contravention is attributable shall be liable on summary conviction to a fine not exceeding level 3 on the Standard Scale (£1000); a person under compulsory school age who engages in street trading in contravention of the provision of Section 20, or of any byelaw made there-under shall be liable on summary conviction to a fine not exceeding level 1 on the Standard Scale (£200).