

YOUNG WORKERS POLICY

APPROVED BY HHP BOARD:

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hebridean housing
partnership

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INTRODUCTION

- 1.1 HHP has a duty under the Health & Safety at Work Act (1974), and other subordinate legislation, to ensure, so far as is reasonably practicable, the health, safety and welfare of employees, and those persons who are not employees who might be affected by its activities.
- 1.2 It is HHP's policy to provide safe and healthy working conditions for its employees. In addition, every effort will be made to ensure the safety and welfare of members of the public.
- 1.3 The Management of Health & Safety at Work Regulations (1999) require employers to carry out a suitable and sufficient assessment of the risks to the health and safety of their employees, in order to identify the measures which need to be taken to comply with statutory requirements and prohibitions.
- 1.4 Employees also have a duty under Health & Safety Legislation to take reasonable care of their own health and safety at work, and of others whom their acts or omissions may affect. Employees are also required to co-operate with such persons with obligations under Health & Safety Legislation in order that those persons may carry out their statutory duties.
- 1.5 Young people include employees and students under 18 years of age, and children (those under the Minimum School Leaving Age, MSLA, usually 16). We prohibit the employment of young people under the MSLA except on work experience schemes approved by a local authority or the governing body of an independent school. While on work experience placements (which generally take place in fourth year) children have the temporary legal status and rights of employees.
- 1.6 We will not employ young workers (those under 18 years) for work which:
 - a) is beyond their physical or psychological capability;
 - b) presents a risk to health from physical agents; and
 - c) introduces a risk of accidents which it may be reasonably assumed the young person cannot recognise due to inexperience or lack of training.

POLICY OBJECTIVES

- 2.1 Young workers are often exposed to risks to their health and safety when at work as a consequence of their immaturity, lack of experience or absence of awareness of existing or potential risks.
- 2.2 There may be differences in the psychological make-up of individual young workers, which are generally a reflection of their background, experience, personality and training.
- 2.3 Assumptions must not be made about a young worker's abilities to cope with different work situations, some of which may be stressful for a new and inexperienced worker. Lack of experience or training may make them less able to identify potentially risky situations or equip them with the means of dealing with them appropriately. Young workers must be supervised closely until their ability to cope and make sound decisions has been proven.
- 2.4 The Management of Health & Safety at Work Regulations 1999 (S.I. 1999, No. 3242) (MHSWR) particularly controls the special risks to children and young people in an occupational context, i.e. at work.
- 2.5 The control of these risks in MHSWR is ensured by the risk assessment carried out before they begin work. In particular, this extra assessment needs to take into account the general fact that they are at greater risk because of their possible lack of awareness of existing or potential risks, immaturity and inexperience and also the specific risks referred to in the MHSWR.
- 2.6 There are specific general prohibitions to children and young people undertaking certain general work activities. In addition, certain specific work activities that carry a higher risk than most contain prohibitions in their particular legislation.
- 2.7 The nature, degree and duration of exposure to physical, biological and chemical agents should also be considered:
 - a) young workers are generally at no greater risk from physical agents than adults, and compliance with relevant HHP Health & Safety policies will satisfy the legislative requirements for young people;
 - b) young workers are no more likely to contract infections from biological agents than adult workers, although, like adults, they may be at greater risk if they

suffer from any other diseases, if they are immuno-compromised, or are taking medication, for example; and

- c) there is no enhanced risk to young workers from exposure to hazardous substances, although they may lack awareness of the hazards and risks they may encounter in their work, and exhibit less care or attention in handling or disposing of such materials.

2.8 Our risk assessment should cover:

- a) fit-out and layout of the workplace and workstations;
- b) type, range and use of work equipment and the way in which it is handled; and
- c) organisation of the work, processes or activities that the young person will undertake.

2.9 This risk assessment must be carried out before a young worker begins their employment. Appropriate insurance cover must also be implemented by this time.

2.10 The other principle general Health & Safety Legislation that places special requirements for children and young people is the Working Time Regulations 1998 (S.I. 1998, No. 1833), as amended 2002.

2.11 The Working Time Regulations define "the restricted period", in relation to a young worker, as the period between 10 p.m. and 6 a.m. or, where the worker's contract provides for them to work after 10 p.m., or the period between 11 p.m. and 7 a.m."

2.12 A young worker's working time shall not exceed:

- eight hours a day; or
- 40 hours a week.

2.13 If, on any day, or, as the case may be, during any week, a young worker is employed by more than one employer, his total aggregated working time shall not exceed 40 hours a week.

2.14 We will ensure that no young worker employed works during the restricted period.

IMPLEMENTING THE POLICY

3.1 The Chief Executive has overall responsibility for the implementation of this policy.

3.2 Procedures relating to the implementation, monitoring and enforcement of this policy will be developed and maintained by the Health & Safety Committee and updated as required.

- 3.3 Day-to-day responsibility for the implementation of this policy lies with line managers but all employees are obliged to adhere to and facilitate the implementation of the policy in the workplace.
- 3.4 Proper instruction is essential, and the performance of the work must be monitored carefully to ensure that the young workers have fully understood any instructions that are given, as well as to alert their line manager of emerging problems. The scope of training will vary with the individual and according to the work needing done. It is dependent on their comprehension and aptitude, and must be tailored and paced according to their needs.
- 3.5 Young workers are very likely to need more supervision than adults. Effective supervision will help to monitor the effectiveness of the training they have received, and help to assess whether the young person is capable and competent to do the work to a level where they can work safely without putting themselves, or others, at risk.
- 3.6 Line managers should not allow young workers under their supervision to undertake work unless the work is necessary for their training, the risk has been assessed and reduced to the lowest level reasonably practicable, and they are supervised by a competent person on an ongoing basis.
- 3.7 Managers must satisfy themselves that appropriate training is being delivered and that the supervisory arrangements are adequate and commensurate with the young person's abilities and needs.

COMMUNICATING THE POLICY

- 4.1 We will inform our employees about the Young Workers Policy. All staff will be trained in the operation of the policy.
- 4.2 All Young Workers employed by us will be given access to a copy of the Young Workers Policy (e.g. at induction).
- 4.3 Training should also include ensuring that those people responsible for carrying out risk assessments are competent to do so.
- 4.4 A copy of the policy will be posted on HHP's intranet.

MONITORING AND REVIEW OF POLICY

- 5.1 We will review this policy every 3 years. More frequent reviews will be considered if, for example, there is a need to respond to new legislation/policy guidance.

INTERPRETATIONS & ABBREVIATIONS

The following interpretation and abbreviations are used in this policy:

WORD	INTERPRETATION
<i>HHP or Partnership</i>	Hebridean Housing Partnership
<i>Board</i>	Means the Board of the Hebridean Housing Partnership
<i>Board Members</i>	All Members of the Board including co-opted Members
<i>Board Members</i>	All Member of the Board including co-opted Members
<i>Health & Safety Committee</i>	Means all Members of the Committee
<i>Young Person</i>	A young person is anyone under 18.
<i>Child</i>	Anyone who is not over compulsory school age. Who has not yet reached the official age at which they may leave school. (NB the oldest pupils of compulsory school age, those born in September for example, may be as old as 16 years and 10 months in fourth year before they leave school on the last Friday in June.)
<i>MSLA</i>	Minimum School Leaving Age
<i>Young Worker</i>	The law on working time defines a young worker as being below 18 years of age and above the MSLA
<i>MHSWR</i>	The Management of Health & Safety at Work Regulations
All references to the masculine gender in this policy shall read as equally applicable to the feminine gender	

If there is a conflict between this Policy and any statutory provision or regulation, the latter shall prevail.



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