



CHILD EMPLOYMENT Factsheet Issued by Worcestershire County Council

- **No child may be employed without a permit issued by the local authority in whose area they are working.** If the employer does not obtain a permit they are committing an offence in law. The permit is free of charge.
- A child requires a permit for any part time employment until they cease to be of compulsory school age (on the last Friday in June of the school year in which they turn 16). The minimum age of employment is 13.
- This includes work in a family business, or unpaid assistance in a trade or occupation which is carried on for profit, as well as paid employment. It does not include “work experience” as arranged by a child’s school.
- The employment of children in Worcestershire is governed by local Byelaws which place restrictions on the type of work a child may do; and by Working Time Regulations which restrict the hours when they may do that work.
- Any person who wishes to employ a child is required to make an application for a permit, by completing and submitting an application form, within one week of the commencement of the child’s employment.
- No child may be employed before 7.00am or after 7.00pm; this applies at all times of the year.
- During term time a child may be employed for up to 12 hours in any one week, but not more than 2 hours (which may include one hour in the morning between 7.00am and 8.00am) on any single school day. A child may work longer hours during school holidays subject to the Working Time Regulations.
- A child may only be employed in light work which is not likely to be harmful to their health, safety or development, or their attendance at school. **Permitted** categories of employment **include:**
 - Newspaper delivery (but a child cannot collect money);
 - Shop assistant;
 - Waiting on or washing up in a cafe/restaurant (subject to certain conditions);
 - Shampooing, sweeping up and other light duties in a hairdressers;
 - Office clerical work.
- **Prohibited** categories of employment for a child **include:**
 - Commercial kitchen (e.g. fish and chip shop, cooking area of cafe/restaurant);
 - Preparation of food (including butchery);
 - Industrial undertaking (e.g. factory, garage, warehouse);
 - Personal care (residential or nursing home);
 - Entertainment premises.
- The above lists are not exhaustive: a fuller description can be found in the Worcestershire County Council Byelaws, which, along with the Working Time Regulations and employment permit application form, are available to download from our webpage:

http://www.worcestershire.gov.uk/info/20596/children_in_employment_and_entertainment

- For any queries about the employment of children in Worcestershire, please contact:

Ben Westwood (Child Employment and Entertainment Officer)

Tel: 01905 844361

Email: bwestwood@worcschildrenfirst.org.uk



CHILDREN IN ENTERTAINMENT Factsheet Issued by Worcestershire County Council

- **Any child who takes part in a performance or activity which is subject to relevant legislation requires a licence to do so from the local authority in whose area they reside**, unless the conditions for an exemption from licensing are met.
- The licensing legislation applies from birth until a child ceases to be of compulsory school age on the last Friday in June of the school year in which they have their sixteenth birthday.
- A **performance** involving children comes under the licensing legislation if **any one** of the following criteria is met:
 - An admission charge is made for the performance.
 - The performance takes place on premises licensed for the sale of alcohol.
 - The performance is live broadcast.
 - The performance is recorded for use in a broadcast or in a film intended for public exhibition.
- The **activities of paid modelling and paid sport** are also subject to the licensing legislation. If a performance is given under arrangements made by a school ("school" within the meaning of the Education Act 1996), it falls outside the licensing legislation altogether.
- A **licence application** has to be made to the child's home local authority by the person responsible for the production of the performance, or responsible for organizing the activity, in which the child is to take part.
- An **exemption from licensing** may be granted if the following conditions are met (in which case Worcestershire County Council still requires an exemption application to be made for any children from its area):
 - No payment (apart from expenses) is made to the child or other person in respect of the child's participation; **and**
 - By taking part the child will not have performed on more than four days in a six month period, including performances for other organizations that would have been subject to the relevant legislation; **and**
 - If the child attends a local authority maintained school, no school absence is required for the performance.
- If a child has been **licensed** to take part in a performance, they have to be supervised at the performance by their own parent, or a teacher from the school which ordinarily provides their education, or a person who has been approved for that role by a local authority: that person is known as a **chaperone**. Worcestershire County Council has a process for approving people who reside in the county and wish to undertake the chaperone role.
- If a child is exempt from licensing, there is no legal requirement for a local authority approved chaperone. However, the employment of any adult to supervise them (if not the child's own parent) is subject to the checks that are required under the Disclosure and Barring Service guidance on working with children in "regulated activity".
- There are age based restrictions under the licensing legislation on the earliest and latest times, and total amount of time, that a child can be present at a location of performance on any day, and similar restrictions for when they are actually taking part in the performance (the total time, and any continuous period, they can spend doing this).

For any queries about child performance licensing for Worcestershire children, chaperone approval, or for copies of the performance licence and exemption application forms, please contact:

Ben Westwood (Child Employment and Entertainment Officer)

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