Guidelines on recruitment, selection and employment procedures in relation to safeguarding vulnerable groups

The most likely circumstances in which the University will employ a young person under the age of 18 are through one of its various trainee and modern apprenticeship schemes. However, potentially a young person of under-18 may be employed in any of the University’s more junior roles.

a. Legal duties

There are a number of restrictions affecting the employment of children and young people (i.e. those under 18 years of age), mostly relating to health and safety, working hours and training.

Under the Employment Rights Act, an employee aged 16 or 17 has a right to take time off work for study or training which leads to a relevant qualification. The amount of time that may be taken is that which is reasonable, taking into account the nature of the training or study and the needs of the employer.

Under the Working Time Regulations 1998 young people employed as young workers are entitled to:

- A health and capacities assessment before being required to perform night work, and periodically thereafter
- A minimum daily continuous rest period of 12 hours
- Two days in every seven off per week (these will usually fall on the weekend)
- A minimum 30-minute rest break after 4½ hours of continuous work

The Working Time (Amendment) Regulations 2002 give further protection to those aged 16 and 17:

- Working time is limited to 40 hours per week
- The maximum working day is eight hours
- Night working is prohibited under normal circumstances, but exceptions are allowed for certain sectors and circumstances

Under the Management of Health and Safety at Work Regulations 1999, employers must ensure that young persons are protected at work from any risks to their health or safety because of their age and inexperience, and must not be given work, which is beyond their physical or psychological capacity. Before young persons start work the employer must carry out a risk assessment to include:

- Their inexperience, their absence of awareness of existing or potential risks, and their immaturity
- The fitting out and layout of the workplace and the workstation
- The nature, degree and duration of exposure to physical, biological and chemical agents
The form, range and use of work equipment and the way in which it is handled
The organisation of processes and activities
The extent of the health and safety training provided

b. Disclosure and Barring Service (DBS) checks

Members of staff who will be regularly training, supervising or working alongside a young person on a one-to-one basis in the normal course of their duties may require a DBS check. Please contact Eddie Proctor, Resourcing Manager, for guidance on whether a DBS check is required.

d. Advice and guidance

If you have any queries relating to employing young people, please contact Eddie Proctor, Resourcing Manager, Human Resources, by e-mail at recruit-queries@bristol.ac.uk

Additional guidance on DBS checks can be accessed at: www.bris.ac.uk/hr/resourcing/additionalguidance/crb/