

# The Employment of Children Guidelines

The following information summarises Scottish Government's Guidance on the Employment of Children and Orkney Island Council's Byelaws on the Employment of Children within Orkney for pupils, parents and employers. It refers to children aged under 16 years old who have not reached their statutory school leaving date.

## 13 Year Olds

The type of work allowed depends on age. If the child is aged 13 they can:

- Be employed doing light work in shops, hairdressing salons, offices, cafes, restaurants, riding stables or hotels.
- Do light agricultural or horticultural work.
- Deliver newspapers, journals and printed material.
- Car washing by hand at people's homes.

## 14 Year Olds

If the child is aged 14 or 15 they can:

- Do any light work (including all types above) unless it is listed under jobs children are not allowed to do.
- Engage in street trading but only if they also have a separate Street Trader's Licence.

Those aged 16 and over do not need a permit, regardless if they are still at school.

## Prohibited Employment

No child of any age may be employed in:

- Cinemas, theatres, discos, dance halls or nightclubs, except in connection with a performance given entirely by children or as a licensed performer.
- Selling or delivering alcohol.
- Delivering milk or fuel oils.
- Collecting or sorting refuse.
- Construction work.
- Work involving harmful exposure to physical, biological or chemicals agents.
- Collecting money or selling door to door, except under adult supervision.
- Work involving exposure to adult material.
- Telephone sales.
- Working in a slaughterhouse or premises connected with killing of livestock or preparing meat for sale.
- Working as an attendant at a fairground or amusement arcade.
- Work in a nursing/care home, unless under adult supervision.
- Work at heights (over 3 metres above ground).
- Working outdoors unless they are wearing suitable clothes and shoes.

## Working Hours

There are several restrictions on when children are allowed to work.

Children are not allowed to work:

- For more than one hour before school.

- Before 07:00 or after 19:00.
- For more than 4 hours without taking a break of at least 1 hour.
- Without having a 2-week break from any work during the school holidays in each calendar year.

During term-time, children can only work a maximum of 12 hours per week. This includes:

- A maximum of 2 hours on school days and Sundays.
- A maximum of 5 hours on Saturdays for 13-14 year old, or 8 hours for 15-16 year olds.

During school holidays 13-14 year olds are only allowed to work a maximum of 25 hours a week. This includes:

- A maximum of 5 hours on weekdays and Saturdays.
- A maximum of 2 hours on a Sunday.

During school holidays 15-16 year olds can only work a maximum of 35 hours a week. This includes:

- A maximum of 8 hours on weekdays and Saturdays.
- A maximum of 2 hours on a Sunday.

## **Application Process**

Employers are required to complete an application form for each child under 16 who works for them and this should be done within one week of the child commencing work.

Once an application has been received, Orkney Island Council will issue a work permit if:

- The proposed employment is lawful.
- The child's health, welfare or education would not be jeopardised.
- The child is fit to undertake the work. It may be necessary that the child undertake a medical examination.

The child can only be employed in accordance with the details on the permit. If changes are to be made, these must be requested in writing by the employer.

The permit can be withdrawn at any time if Orkney Island Council believes:

- The child being unlawfully employed.
- The child's health, welfare or education is suffering due to the employment.

## **Application forms are available from:**

Education, Leisure and Housing, Orkney Island Council, Council Offices, Kirkwall, KW15 1NY.

Telephone: 01856873535, extension 2416.

Email: [education.leisure@orkney.gov.uk](mailto:education.leisure@orkney.gov.uk).

Website: <https://www.orkney.gov.uk>