



EMPLOYMENT OF YOUNG PERSONS AT WORK POLICY (APPENDIX G)

South Central Ambulance Service NHS Foundation Trust
Unit 7 & 8, Talisman Business Centre, Talisman Road,
Bicester, Oxfordshire, OX26 6HR

TABLE OF CONTENTS

DOCUMENT INFORMATION3

1. Introduction4

2. Scope.....4

3. Equality Statement.....4

4. Aim.....5

5. Roles and Responsibilities5

6. Definitions7

7. Young persons at work7

8. Suitable and sufficient risk assessment on young persons at work8

9. Training.....9

10. Equality and Diversity9

11. Monitoring9

12. Consultation and Review.....9

13. Implementation (including raising awareness)10

14. References.....10

15. Associated Documentation.....10

16. Appendix 1: Review.....10

17. Appendix 2: Protection of young people at work10

18. Appendix 3: Responsibility11

19. Appendix 4: Equality Impact Assessment - Screening12

20. Appendix 5: Equality Impact Assessment – Full Assessment12

21. Appendix 6: Ratification Checklist12

DOCUMENT INFORMATION

Author: John Dunn, Head of Risk and Security.
Ratifying committee/group: Health, Safety and Risk Group.
Date of ratification: 29/9/2021
Date of issue: 7/10/2021.
Review date by: September 2024.
Version: Version 7.

1. Introduction

- 1.1 The South Central Ambulance Service NHS Foundation Trust (hereafter referred to as the Trust) recognises its duty to comply with the Health and Safety at Work Act (HSWA) 1974 and all subordinate regulations, such as the Management of Health and Safety at Work Regulations 1992 (Amended 1999). Therefore, the Trust is committed to ensuring, so far as is reasonably practicable, the health, safety and welfare of all of its employees, including young persons (under the age of 18 years) at work.
- 1.2 The Trust recognises that it has a greater duty of care towards young persons at work because of their age, immaturity, lack of experience and unfamiliarity with the working environment. As a result of this, the Trust will fulfil the requirements of the Health and Safety at Work Act 1974 and, more specifically the Management of Health and Safety at Work Regulations 1992 (Amended 1999) and all other applicable legislation and will do all that is reasonably practicable to protect young persons at work.

2. Scope

- 2.1 This policy applies to every department within the Trust which has young persons (under 18 years of age) at work. It also applies to all volunteers, work experience students and any other young persons who are receiving training from the Trust or who are carrying out work experience.

3. Equality Statement

- 3.1 The Trust is committed to promoting positive measures that eliminate all forms of unlawful or unfair discrimination on the grounds of age, marriage and civil partnership, disability, race, gender, religion/belief, sexual orientation, gender reassignment and pregnancy/maternity or any other basis not justified by law or relevant to the requirements of the post. The Trust will therefore take every possible step to ensure that this procedure is applied fairly to all employees regardless of the aforementioned protected characteristics, whether full or part time or employed under a permanent or a fixed term contract or any other irrelevant factor.
- 3.2 By committing to a policy encouraging equality of opportunity and diversity, the Trust values differences between members of the community and within its existing workforce, and actively seeks to benefit from their differing skills, knowledge, and experiences in order to provide an exemplary healthcare service. The Trust is committed to promoting equality and diversity best practice both within the workforce and in any other area where it has influence.
- 3.2 Where there are barriers to understanding; for example, an employee has difficulty in reading or writing, or where English is not their first language, additional support will be put in place wherever necessary to ensure that the process to be followed is understood and that the employee is not disadvantaged at any stage in the procedure. Further information on the support available can be sought from the Human Resources (HR) Department.

4. Aim

- 4.1 The aim of the policy is to set out the arrangements for the identification, assessment and management of the risks to the health, safety and welfare of young persons at work within the Trust.
- 4.2 The objectives are to ensure that the Trust has clear and defined arrangements for:
- the identification of young persons at work
 - the carrying out of risk assessments on young persons at work
 - the regular review of these risk assessments
 - the management and control of the risks to young persons at work
 - the supervision and protection of young persons at work.

5. Roles and Responsibilities

5.1 Trust Board

- 5.1.1 The Trust Board will ensure that there suitable and sufficient arrangements and adequate resources for the identification of young persons at work and for the assessment and management and control of the risks to them from the work they carry out for the Trust.

5.2 Chief Executive

- 5.2.1 The Chief Executive has overall responsibility for:
- the effective implementation of this policy within the Trust and for ensuring that there are suitable and sufficient arrangements for the identification of young persons at work, and for the assessment and management and control of the risks from the work they carry out for the Trust.
 - ensuring the allocation of sufficient resources to maintain efficient and effective health, safety and welfare arrangements for young workers.
 - ensuring that policies are reviewed to secure compliance with existing legislation and any changes to this legislation.

5.3 Executive Directors

- 5.3.1 Executive Directors are responsible for the effective implementation of this policy within their directorates and for ensuring that there are adequate resources available to fulfil the requirements of this policy.

5.4 Director of Patient Care and Service Transformation

- 5.4.1 The Director of Patient Care and Service Transformation is directly accountable to the Chief Executive and will advise and assist the Trust Board in fulfilling its duties under the relevant statutory legislation. In particular, the Director of Patient Care and Service Transformation is responsible for:
- ensuring that workplace health, safety and welfare procedures are constantly reviewed
 - ensuring that there are arrangements for liaising with the Health and Safety

Executive (HSE)

- ensuring that the Trust Board are kept abreast of relevant new legislation and guidance in order to ensure on-going compliance with the law.

5.5 Managers and Supervisors

5.5.1 Managers and supervisors' responsibilities include:

- attending any training to enable them to fulfil their responsibilities outlined in this policy
- working with Human Resources to identify from the job description of the young person at work any tasks which may present particular risks to the young person's health, safety and welfare due to their age, immaturity, lack of experience and unfamiliarity with the working environment
- carrying out or arranging for the carrying out of suitable and sufficient risk assessments, including display screen equipment workstation risk assessments for all young persons within their area of responsibility; and any revisions to these assessments
- making arrangements to ensure, so far as is reasonably practicable, that all identified controls and further controls identified by the assessment and any subsequent reviews are put into place
- rigorously supervising the work of young persons within their area of responsibility
- informing the young persons of the hazards and risks associated with their work and the control measures put in place to protect them
- where necessary, designing suitable daily work routines for young persons at work, including regular changes in activity, ensuring that appropriate screen breaks are taken
- making arrangements to ensure that all of the designated young persons at work receive appropriate information, instruction and training about the significant hazards and risks associated with the work they carry out for the Trust; and how to avoid such problems and what to do if problems occur
- where applicable, advising young persons at work of their entitlement to eye and eyesight tests and corrective appliances (spectacles or lenses) and about the documentation that needs to be completed and provided to the Trust
- arranging for the investigation of any matters raised by young persons at work within their area of responsibility; including arranging for the carrying out any revisions to the risk assessments
- notifying the Risk Department immediately of any young persons at work who inform them that they are any experiencing health related problems associated with the work that they carry out for the Trust
- where necessary, referring any young persons at work to Occupational Health for assessment.

5.6 Staff designated as a young person at work

5.6.1 Staff designated as young persons at work in accordance with this policy have the following responsibilities:

- to make themselves fully aware of the policy and to abide by it
- to co-operate with the Trust in relation to the completion of any risk assessment on the work they carry out for the Trust
- where applicable, to ensure they take regular breaks/changes of activity as

- identified by any display screen equipment workstation risk assessment
- to notify their manager of any work-related problems they are experiencing whilst carrying out their work for the Trust; and if it cannot easily be resolved to report any health, safety and welfare related concerns using the Trust's incident reporting system, Datix
- to report any incidents arising from the carrying out of their work using the Trust's incident reporting system, Datix
- to attend the Occupational Health department, if referred by their manager because of possible work-related problems associated with the work they carry out for the Trust.

5.7 Risk Team

5.7.1 The Risk Team will carry out or assist with the carrying out of risk assessments on young persons at work at the Trust. They will also advise managers and young persons at work on the types of hazards associated with their work and what should be considered in any risk assessment.

5.8 Occupational Health

5.8.1 The Occupational Health Department, commissioned by the Trust, have the following responsibilities:

- a) To advise the Trust of all aspects of health in the workplace in order to assist the Trust in complying with legal requirements.
- b) To assess any young persons at work who have been referred to Occupational Health with suspected work-related ill-health and to advise the Trust of the action that should be taken.

6. Definitions

6.1 The Health and Safety Executive define young workers as any person who has not attained the age of 18.

7. Young persons at work

7.1 The Trust has a duty to ensure that all young persons working for or carrying out work on behalf of the Trust are protected from any risks to their health, safety or welfare which arise due to their lack of experience, or lack of awareness of any existing or potential risks or because young persons have not fully matured.

7.2 Therefore, the Trust should not allow a young person to carry out work which:

- is beyond their physical or psychological capacity
- involves harmful exposure to agents which are toxic or carcinogenic, cause heritable genetic damage or harm to an unborn child or which in any other way chronically affect human health
- involves harmful exposure to radiation
- involves harmful exposure to biological agents or viruses such as the coronavirus
- involves the risk of accidents which it may reasonably be assumed cannot be recognised or avoided by young persons because of their insufficient attention to safety or lack of experience or training; or

- involves a risk to their health from extreme cold or heat, noise or vibration.

7.3 However, such work is permissible if:

- it is necessary for their training
- they will be rigorously supervised by a competent person
- a suitable and sufficient risk assessment has been carried out and all necessary controls are in place
- the risk will be reduced to the lowest level reasonably practicable.

7.4 Nonetheless, the Trust will not employ young people, including those on work experience or observing, on front line operational duties or as part of any community responder scheme or in the Clinical Coordination Centres. It should be noted that young persons undertaking work experience are regarded as employees by virtue of the Health and Safety (Training for Employment) Regulations 1990.

7.5 The Trust should also ensure that all young persons employed by the Trust or carrying out work on behalf of the Trust adhere to the Working Time Regulations 1998 (Amended 2007).

7.6 The Trust will ensure that legislative requirements with regards to the protected working time limits of young persons, including rest breaks and their daily rest and the time between shifts is observed.

8. Suitable and sufficient risk assessment on young persons at work

8.1 Wherever a young person is employed by the Trust or carries out work on behalf of the Trust it should be supported by the carrying out of a suitable and sufficient risk assessment using the Trust's generic risk assessment form and any other risk assessment forms that are applicable; for instance, the display screen equipment risk assessment form or the control of substances hazardous to health risk assessment form.

8.2 As to what risk assessments are carried out will largely depend on the type of work carried out by the young person at work.

8.3 The assessment(s) should identify hazards and the existing controls in place (if any) to protect young person at work from those hazards and from this evaluate the level of risk. The level of risk should be reduced to the lowest level so far as is reasonably practicable. Therefore, it may be necessary to introduce further control measures to manage and control the risks effectively. The significant hazards, risks and existing controls and further additional controls should be recorded on the risk assessment form.

8.4 When carrying out and reviewing the suitable and sufficient risk assessment the following should be considered:

- the inexperience, lack of awareness of risks and immaturity of the young person at work
- the fitting out and layout of the workplace and 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 already provided or to be provided to the young person at work
- the risk from agents, processes and work listed in the Annex to Council Directive 94/33/EC (a) on the protection of young people at work, see appendix 2.

This list is not exhaustive.

8.5 The risk assessment should be reviewed periodically to check and ensure that all of the controls that are in place are working effectively.

8.6 The risk assessment should be reviewed and revised following any significant changes to any aspect of the risk assessment. For instance, if there is a change in working practices or changes in work equipment. All revisions and changes to the risk assessment should be recorded.

9. Training

9.1 Managers and supervisors who have to carry out risk assessments on young persons at work, including any display screen risk assessments, must obtain training in how to carry out a risk assessment and a display screen equipment workstation risk assessment from the Risk Team prior to undertaking any risk assessments as per this policy.

9.2 Young persons at work will receive information on:

- The existence of this policy
- The hazards and risks associated with the work they carry out and the control measures in place to protect them.

10. Equality and Diversity

10.1 An initial screening equality and diversity impact assessment has been carried out on this policy and, as per appendix 4, is available on request.

11. Monitoring

11.1 The effectiveness of this policy will be monitored regularly by the Risk Team who will provide an annual report to the Health, Safety and Risk Team which will include information on:

- (a) the number of risk assessments and display screen equipment workstation risk assessments completed on young persons at work and the actions taken to address any identified issues in a financial year.
- (b) the findings of an audit on 10% of the risk assessments and display screen equipment and workstation risk assessments completed on young persons at work in a financial year.

12. Consultation and Review

12.1 A consultation exercise on the policy will be carried out with the stakeholders every

three years, or less if there are any relevant changes to legislation or best practice.

13. Implementation (including raising awareness)

- 13.1 The policy will be implemented and communicated to managers and staff within the Trust via the weekly newsletter, Staff Matters. Emails will also be sent to senior managers and area managers asking them to bring the existence of the policy to their staff.

14. References

- Health and Safety at Work Etc. Act 1974
- Health and Safety (Display Screen Equipment) Regulations 1992
- Management of Health Safety at Work Regulations 1992 (Amended 1999)
- Workplace (Health, Safety and Welfare) Regulations 1992
- Manual Handling Regulations 1992
- Provision and Use of Work Equipment Regulations 1992
- Control of Substances Hazardous to Health Regulations 2002
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Health and Safety (Training for Employment) Regulations 1990
- Working Time Regulations 1998 (Amended 2007) EU Council Directive 94/93/EC

15. Associated Documentation

- Health and safety policy and procedures
- New or expectant mothers' policy
- Display screen equipment policy
- Adverse incident reporting policy
- Reporting of Injuries, diseases and dangerous occurrences regulations (RIDDOR) policy
- Control of substances hazardous to health policy
- Minimal Lifting Policy
- Bariatric Lifting Policy
- Risk management policy
- Risk management strategy

16. Appendix 1: Review

- 16.1 This policy is regularly reviewed and updated with information in line with relevant national guidance and legislation. A full 'Review Table of Contents' is available on request.

17. Appendix 2: Protection of young people at work

Annex to the Council Directive 94/33/EC (a) on the protection of young people at work

Agents:

1. Physical agents:

- a) Ionising radiation
- b) Work in a high-pressure atmosphere such as pressurised containers, diving.

2. Biological agents

- a) Coronavirus

3. Chemical agents

- a) Substances and mixtures that have the following hazard classes and hazard categories and statements:

- Acute toxicity, category 1, 2 or 3
- Skin corrosion, category 1A, 1B or 1C
- Flammable gas, category 1 or 2
- Flammable aerosols, category 1
- Flammable liquid, category 1 or 2
- Explosives
- Self-reactive substances and mixtures, type A, B, C or D
- Organic peroxides, type A or B
- Specific target organ toxicity after single exposure, category 1 or 2
- Specific target organ toxicity after repeated exposure, category 1 or 2
- Respiratory sensitisation, category 1, subcategory 1A or 1B
- Skin sensitisation, category 1, sub-category 1A or 1B
- Carcinogenicity, category 1A, 1B or 2
- Germ cell mutagenicity, category 1A, 1B or 2
- Reproductive toxicity, category 1A or 1B
- Substances and mixture referred to in point (ii) and point 2 of Directive 2004/37/EC
- Lead and lead compounds absorbable by humans
- Asbestos
- Processes at work referred to in Annex I of Directive 2004/37/EC
- Manufacture and handling of device, fireworks and other objects containing explosives
- Work with fierce or poisonous animals
- Animal slaughtering on an industrial scale
- Work involving the handling of equipment for the production, storage or application of compressed, liquefied or dissolved gases
- Work with vats, tanks, reservoirs or carboys containing chemical agents referred to above
- Work involving risk of structural collapse
- Work involving high-voltage electrical hazards
- Work where the pace is determined by machinery and payment by results.

18. Appendix 3: Responsibility

18.1 The responsibility for this policy is shared between various Policy Groups, Lead Director/Officers, Working Groups and Committee members.

18.2 A full list of all responsible parties can be made available upon request.

19. Appendix 4: Equality Impact Assessment - Screening

- 19.1 An initial screening equality impact assessment has been carried out and has identified that the policy does not have an adverse or detrimental impact on any of the proscribed equality groups as the policy is designed to protect all young persons who carry out work for or on behalf of the Trust.
- 19.2 The screening element of the 'Equality Impact Assessment' is available on request.

20. Appendix 5: Equality Impact Assessment – Full Assessment

- 20.1 Due to the outcome of the initial screening equality impact assessment, it has not been necessary to carry out a full equality impact assessment.

21. Appendix 6: Ratification Checklist

Policy Title: Employment of young person at work policy.

Author's Name and Job Title: John Dunn, Head of Risk and Security.

Review Deadline: 30/9/2021.

Consultation From – To (dates): 20/8/2021 to 10/9/2021.

Comments Received? (Y/N): Y.

All Comments Incorporated? (Y/N): N.

If No, please list comments not included along with reasons: Some of the comments were general comments and no specific to the policy.

Equality Impact Assessment completed (date): 19/8/2021.

Name of Accountable Group: Health, Safety and Risk Group.

Date of Submission for Ratification: 21/9/2021.

Template Policy Used (Y/N): Y

All Sections Completed (Y/N): Y

Monitoring Section Completed (Y/N): Y

Date of Ratification: 29/9/2021.

Date Policy is Active: 7/10/2021.

Date Next Review Due: September 2024.

Signature of Accountable Group Chair (or Deputy):

Name of Accountable Group Chair (or Deputy): Chief Operating Officer.