

Policy for Risk Assessment of Young Persons at Work

Document Summary

To protect the health, safety and welfare of young persons at work in accordance with the Management of Health and Safety at Work Regulations 1999 (as amended).

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POLICY AUTHOR	Safety and Security Officer

Important Note:

The Intranet version of this document is the only version that is maintained.

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1 SCOPE

This policy applies to all staff and services within the Cumbria Partnership NHS Foundation Trust.

2 INTRODUCTION

The Health and Safety at Work etc Act 1974 requires employers to protect the health, safety and welfare of employees and others who may be affected by the employer's work activities. The Management of Health and Safety at Work Regulations 1999 (as amended) expand upon this general duty and require employers to protect Young Persons at work from any risks to their health or safety which are a consequence of their lack of experience, or absence of awareness of existing or potential risks or the fact that the young person has not yet fully matured.

3 STATEMENT OF INTENT

To protect the health, safety and welfare of young persons at work in accordance with the Management of Health and Safety at Work Regulations 1999 (as amended).

4 DEFINITIONS

Accountable Director

The Director accountable for the policies within a specific area of responsibility. Also the person responsible for the process or production of specific policies.

Policy Author

The person nominated by the Accountable Director to prepare the draft of a specific policy.

Strategy

A Strategy is the chosen approach that the organisation adopts to implement and achieve its longer term goals.

Young Person

A 'Young Person' is defined as being anyone who has not reached the age of 18 years. A child' is defined as an individual who has not yet reached the official minimum school leaving age (MSLA). Pupils will reach the MSLA in the school year in which they turn 16. Generally, children under 13 years of age are prohibited from undertaking any form of employment.

5 DUTIES

5.1 Chief Executive

In accordance with Trust Policy for Service Delivery Health and Safety Risk Assessment (POL/002/023), the *Chief Executive* has overall responsibility for Risk Management.

5.2 Local Manager

Implementation of the Trust's risk assessment policy is delegated via each Director to *Local Managers* who are to ensure suitable and sufficient risk assessments have been recorded for areas within their remit. This includes ensuring appropriate risk assessments have been undertaken and recorded in all instances where a young person is employed or is on work experience/ placement.

6 DETAILS OF THE POLICY

6.1 Risk Assessment

The Trust is obliged to carry out a specific risk assessment for any young persons that they employ, or permit to work on their behalf, for example, on work experience. In the case of new employees, this must be undertaken before the employee starts work, and, in the case of existing employees, this must be carried out as soon as possible.

Where a child is employed, the risk assessment must be recorded and the findings of the risk assessment, together with any protective/preventative measures to be taken, must be communicated to a person having parental responsibility for the child.

A young person must not be expected to do any of the following:-

- Work beyond their physical or psychological capabilities.
- Work involving harmful exposure to radiation.
- Work involving risks to health from noise vibration or extreme heat/cold.
- Work involving harmful exposure to any Agents which can chronically affect health, including those with toxic or carcinogenic effects or those causing genetic or harm to an unborn child.

The hazards associated with young people in the workplace are mainly the same as those that should already have been considered when conducting service delivery, health and safety risk assessments.

When conducting risk assessments for young people at work, the following must be considered, and safety measures implemented accordingly:-

- Immaturity and inexperience of the young person and any consequential lack of awareness of risks.
- Health and safety training and supervision that needs to be given to the young person in order for them to conduct work in a safe manner.
- Nature of work to be undertaken and the type of equipment to be used as in some instances minimum age restrictions or prohibitions may apply.
- Working hours – young persons should work day shifts only.
- Work conditions / Processes - e.g. involving machinery, gas cylinders. Young persons should not work in confined spaces or at heights.
- Psychological capacity - in the vast majority of jobs there is no difference in the kind of mental and social skills used by young people and adults. However, there are some areas of work that could be beyond a young person's mental and emotional coping ability, such as dealing with violent and aggressive behaviour, mortuary work and decision making in stressful situations.
- Physical agents - e.g. manual handling, ionising /non-ionising electromagnetic radiation, hand / whole-body vibration, extremes of heat /cold, noise, work involving high-voltage electrical hazards, high-pressure atmospheres, enclosed spaces containing chemical agents or where there is a risk of structural collapse.
- Chemical agents - e.g. substances labelled as Very Toxic, Toxic, Harmful, Corrosive and Irritant; as well as Carcinogenic materials including Asbestos. Other substances to be included are Lead and Mercury and /or their compounds, flammable liquids and gases and any material which is identified as an Allergen with the potential to cause dermatitis or asthma. Consideration needs to be given to substances that may have adverse health effects on reproduction.
- Biological agents - e.g. laboratory exposure, dealing with infected materials, including clinical waste and soiled linen, etc.

A separate risk assessment must be recorded for each individual young person at work and retained locally by the manager.

6.2 Management Control

Anyone who is employing, or giving work experience to persons under 18 years of age must inform the Human Resources Department.

Other parties may be involved, depending on the route by which the young person is employed. Where the young person is on a 'relevant scheme', for example, work-based training for young people, e.g. Modern Apprenticeships, there will be the involvement of the Education Funding Agency (EFA) and training provider. Where the young person is on a work experience scheme, typically between one and three weeks in a workplace, there will be the involvement of the school/college (or other placement organisation) and in some cases the involvement of the EFA as well, depending on the funding arrangements.

6.3 Confidentiality

All persons who work for or on behalf of the Trust must comply with the requirements of Trust policies for Information Governance and Confidentiality. This includes people of any age working at the trust or on work placement or other temporary basis. Information Governance should be contacted by e-mail at information.governance@cumbria.nhs.uk if a confidentiality agreement or further advice on confidentiality is needed

7 TRAINING

Managers must ensure that on starting work, all young persons are given induction training in health and safety matters appropriate to the nature of their work and work environment. The general and specific training associated with the young person's work will normally be given by the young person's manager or supervisor, and also by means of attendance on Trust mandatory training in accordance with the Trust's Training Needs Analysis. The importance of the young person complying with all aspects of health and safety at all times will be conveyed, as will the responsibility that each individual has for their own and other persons' safety and well being.

8 MONITORING COMPLIANCE WITH THIS DOCUMENT

Risk assessments for young persons at work must be kept under regular review in accordance with Trust policy and in order to comply with the Management of Health and Safety at Work Regulations 1999.

The table below outlines the Trusts' monitoring arrangements for this policy/document. The Trust reserves the right to commission additional work or change the monitoring arrangements to meet organisational needs.

Aspect of compliance or effectiveness being monitored	Monitoring method	Individual responsible for the monitoring	Frequency of the monitoring activity	Group / committee which will receive the findings / monitoring report	Group / committee / individual responsible for ensuring that the actions are completed
Risk assessments for young persons	Checks on formal Health & Safety audits	Safety and Security Officer	Annually	Corporate Fire Health Safety & Security Committee	Head of Corporate Governance

9 REFERENCES/ BIBLIOGRAPHY

HSE Publications: Young People and work experience, a brief guide to health and safety for employers, INDG 364

The Health and Safety at Work etc Act 1974

The Management of Health and Safety at Work Regulations 1999 (as amended)

10 RELATED TRUST POLICY/PROCEDURES

POL/002/023 Trust Policy for Service Delivery Health and Safety Risk Assessment

POL/002/007 Information Governance Policy

POL/002/038 Confidentiality Policy