

Employment of Children

Scottish Ministers approved Byelaws governing the employment of children in the City of Edinburgh. These replace those which were made by the former Lothian Regional Council on 1 September 1978. A copy of the Byelaws is attached.

The main points in the new byelaws as to the employment of children are:-

AGE

Children aged 14 to 16 years may be employed in "light work" only. Children aged 13 years may only be employed in categories of light work specified in the Byelaw. Children under 13 years of age may not be employed. Children who have passed the statutory school leaving date are not covered by the Byelaws and do not require Employment Permits.

PERMITTED DAILY HOURS OF WORK

School Days

Maximum of 2 hours per day worked between the hours of 7:00am - 8:00am and 4:00pm – 7:00pm.

Non-School Days (except Sundays)

Under 15 years of age, a maximum of 5 hours and over 15 years of age, a maximum of 8 hours per day worked between 7:00am and 7:00pm.

Sundays

Maximum of 2 hours between 7:00am and 7:00pm.

MAXIMUM WEEKLY HOURS OF WORK (DURING TERM TIME)

12 hours per week.

MAXIMUM WEEKLY HOURS OF WORK (OUTWITH TERM TIME)

25 hours per week if under 15 years of age.

35 hours per week if over 15 years of age.

These hours will, of course, be less in weeks when schools are in session.

BREAKS

If employment is for more than 3 hours (or 4 hours if over 15 years of age) a break of 1 hour must be taken before resuming work.

In addition, a child must have two consecutive weeks outwith term time free of employment.

AGRICULTURAL WORK

Children under 15 years of age assisting with harvesting, may work up to 8 hours per day subject to a maximum of 25 hours per week in any school holiday, but not on Saturdays or Sundays in term time.

Children aged 10 years but under 13 years of age may work in the company of their parents in light agricultural work.

PAYMENT

These Byelaws cover all forms of employment of children even when no payment is made for their services.

WELFARE OF CHILDREN

It is the duty of an employer to ensure that any child employed by him/her is provided, where necessary, with the appropriate clothing and footwear for the job.

APPLICATIONS FOR EMPLOYMENT CERTIFICATES

Application forms are available from all Secondary Schools. They require to be signed both by the employer and the parent, and to be endorsed by the Head Teacher of the school the child is attending. Certificates will be granted only where the Council is satisfied that the proposed employment is lawful and the child's health, welfare or ability to take full advantage of his/her education would not be jeopardised.

RETENTION OF EMPLOYMENT CERTIFICATES

No child may be employed without a valid Employment Certificate which must be retained by the employer. Certificates must be displayed on demand to any police officer or authorised officer of the Education Authority. On the termination of employment, or any change in it's form, the certificate must be returned immediately with an indication of the reason.

It is an offence to employ children who do not hold a valid employment certificate and employers in such cases are liable to be prosecuted, and if convicted, fined up to £1,000.

Further information and advice can be obtained from:

The City of Edinburgh Council, School Grants, Transactions – Assessment and Finance, Customer, Business Centre C3, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG

Phone: 0131 469 3038

Email: child.licensing@edinburgh.gov.uk