

The Newcastle upon Tyne Hospitals NHS Foundation Trust

Young Persons and Work Experience Students Under 18 Years of Age Policy

Effective: April 2011

Review: April 2013

1. Introduction

The Trust is aware of the additional risks that may follow as a consequence of the employment of young persons and will take all measures necessary to minimise those risks so far as reasonably practicable. The Trust will assess and document the additional risks and measures provided to ensure the health and safety of young persons. The Trust is aware of the statutory restrictions imposed upon work undertaken by young persons and will comply with these restrictions. Young persons will be given a comprehensive and suitable level of information, instruction, training and supervision required to enable them to work, observe and learn safely. In the case of work experience students, this is an observational role, as the individual is not employed by the organisation. Young persons should not carry out any tasks, which may place them at risk, and the basic principals of young person management should be referred to in all cases.

2. Statutory Restrictions

The Factories Act 1961 prohibits the use of dangerous machinery by young persons, except where the person is required to use the machine as part of training. In the case of training the individual may operate a dangerous machine under the adequate supervision of a person who has thorough knowledge and experience of operating the machine.

Young persons may not examine, clean, adjust or lubricate unfenced or dangerous machinery.

Restrictions are placed on young persons with regard to working practices in wood working processes, certain lead processes and some COSHH substances and biohazards. Young persons should not work unsupervised in what may be a potentially dangerous environment due to their lack of experience and knowledge.

3. Scope

This policy has been drawn up to give managers support, advice, and guidance dealing specifically with young persons under 18 years of age.

4. Managers Guidance

Managers should ensure that:

- They carry out a Risk assessment of the working environment to identify any risks that may be particularly hazardous to a young person, and any subsequent risks that are identified be corrected prior to the young persons employment. (See Risk Assessment Guidance, Appendix 2).
- Managers should also be aware that there are certain restrictions relating to working hours and pace of work as well as the young persons physical and mental capacity. Managers must take into consideration the young employee's lack of experience and training. In addition there are restrictions on a young person's exposure to heat, cold and noise. NB. Further advice and guidance is available from the Trust Health and Safety Advisors.

5. Training and Supervision

Young people need training most when they first start a job; they need it to increase their capabilities and competencies to a level where they can do the work without putting themselves and others at risk. It is not enough to make training available; you should make sure that it is undertaken and also check that key messages have been understood. Young people will also need training and instruction on the hazards and risks present in the workplace, and on the preventative and control measures put in place to protect their health & safety. This training should include a basic introduction to health & safety, e.g. fire aid, fire and evacuation procedures etc.

As well as training, you will need to bear in mind that young people are also very likely to need more supervision than adults. Effective supervision will also help monitor the effectiveness of the training young people have received, and there will be clear benefits in assessing whether a young person has the necessary capacity and competence to do the job.

- As with any employee, the person should receive a full local induction within the first few days of employment, and be instructed in all areas of health and safety within their departments within that period. In addition to the Trust induction course.
- A mentor is assigned to the individual for a minimum mentorship period of 3 months, however this may be extended taking into consideration the type of work, which will be undertaken, and the young workers capabilities. This person should be an experienced member of staff, who will undertake responsibility for the instruction, supervision and guidance of the employee, in addition to being of support past the probationary period.
- The attached health and safety check list (Appendix 1) for young persons should be completed with the employee's mentor in the presence of manager / supervisor, within the first week of employment at the end of the 3 month mentorship period.

- Where the individual is required to use equipment or undertake any task incurring a level of risk, they must be fully trained in all aspects of the work. In addition their mentor should ensure that assessment documentation is completed when the individual achieves the training standard required.
- When the young person's probationary period has been successfully completed, it will be necessary for the mentor to remain in regular contact with the young person for further guidance and instruction until the individual is 18 years of age.

6. Information for young people

You must tell all your employees, including those under 18 years of age, about the risks to their health & safety identified by the risk assessment, and the measures put in place to control them. You also need to tell them about the procedures to be followed in the event of serious and imminent danger.

When necessary, information should be forwarded to trade union safety representatives, or employee representatives regarding health & safety.

7. Consent from parents / carers

You do not need parental consent to employ young people above the Minimum School Leaving Age, but your local authority does require you to obtain it before you employ a child of compulsory school age. You must provide the local authority with relevant information on the child so that he / she can be issued with an employment permit. The local authority will advise you on your full responsibilities, these include providing written confirmation that you have completed a risk assessment and have written approval from the parents or carers. When you are offering a work experience placement for school pupils / student, the work experience organiser will deal with parental consent

8. Monitoring

Compliance with this policy will be monitored by: the Health & Safety Department. All changes to the policy will be discussed and endorsed through the Trust H&S Committee.

9. Legislation

Health and Safety (Young persons) Regulations 1997
Management of Health and Safety at Work Regulations 1992
Employment of Women, Young Persons and Children Act 1921

10. Guidance

HSE, The Right Start, Work Experience for Younger People, INDG 364

Author: Health and Safety Advisor.

THE NEWCASTLE UPON TYNE HOSPITALS NHS FOUNDATION TRUST

HEALTH AND SAFETY CHECK LIST FOR YOUNG PERSONS

EMPLOYEE: _____

MANAGER: _____

MENTOR: _____

WARD/DEPT: _____

DATE: _____

To be completed by the employee, manager and mentor within first week of allocation and at the end of their 3 month mentorship period.

1) MANUAL HANDLING

a. Have you instructed the employee in manual handling techniques, which are used in your dept./ ward? Yes / No

b. Have they been instructed in the use of manual handling aids/hoist equipment? Yes / No

2) COSHH / INFECTION CONTROL

a. Is the employee aware of the correct procedure and use of COSHH substances utilised in your ward / dept? Yes / No

b. Is the employee aware of COSHH / microbiology category's 3 & 4, Barrier nursing principles, Standard Precautions, General Control of Infection protocols, e.g. Aprons, gloves hand washing etc? Yes / No

3) FIRE.

a. Have you instructed the employee in the siting of fire fighting appliances, Muster points, telephone no., fire exits etc? Yes / No

b. Has the employee attended a fire lecture? (If not arrange for them to attend one as soon as possible.) Yes / No

4) VISUAL DISPLAY EQUIPMENT

Yes / No

- a. Is the employee conversant in the use of a VDU?
- b. Are they classified as a VDU User? (1 hour a day or more)
- c. Do they require vision screening and have they attended VDU education?
(If not, arrange with the Health and Safety Advisor)

5) PREVENTION OF NEEDLESTICK INJURIES

- a. Have you discussed preventative measures and careful handling of sharps with the employee e.g. the 10-point plan?
- b. Are they aware of the action to take if they sustain a needlestick injury and the Documentation to complete etc?

6) VIOLENCE AND AGGRESSION / SECURITY

- a. Have you discussed basic safe practice on avoiding potentially dangerous situations with the employee?
- b. Is the employee aware of the security response telephone no?
- c. If there is a danger of the employee being exposed to a violent situation, has training been provided for them?

7) GENERAL - Informed the young employee of the dangers of the following:

Tick Here

- a. Have you explained to the employee any procedures that they **Must Not** undertake and are they fully aware of their obligations under Section 2 of the Health and Safety at Work Act 1974 and given the employee a copy of the Trust Health and Safety Handbook (available from the Trust intranet site)
- b. Burns and scalds. - hot appliances such as meal trays ,hot water boilers, Tea/coffee etc.
- c. Slips trips and falls.- loose cables, wet floors, taking care on stairs, obstructed gangways poor lighting, make shift steps etc

d. Electrical equipment – Exposed wiring, malfunction or damage of appliances, electric shock effects of wet or corrosive conditions, isolation of supply.

e. Moving equipment- Theatre trolleys, portering trolleys, wheel chairs, always allow room take care of hands and feet

f. Departmental Equipment & Moving parts / Protective Guards

g. General welfare –

Ensure employee is aware of siting of toilets, changing and washing Facilities.

Is aware of the correct procedure to follow when reporting health and safety risks / accidents

Where to gain further information and guidance - Health and Safety Advisor, Control of infection, Manual handling

Include any Additional Information/Instruction/Notes

I _____ have participated in Staff Induction and Health and Safety training and am fully aware of my obligations under Health and Safety Law. I have received a copy of the Trust Health and Safety Handbook.

Signature of Employee _____

Signature of Mentor _____

Signature of Manager _____

The Newcastle upon Tyne Hospitals NHS Foundation Trust

Risk Assessment

Before employing a young person, your health and safety risk assessment must take these specific factors into account:

- The fitting-out and layout of the workplace and the particular site where they will work;
- The nature of any physical, biological and chemical agents they will be exposed to, for how long and to what extent;
- What types of work equipment will be used and how will this be handled;
- How the work and processes involved will be organized;
- The need to assess and provide health and safety training; and
- Risks from particular agents, processes and work.

The Management of Health & Safety at Work Regulations require that young people be protected at work from risks to their health & safety which are a consequence of the following factors:

<ul style="list-style-type: none"> • Physical or Psychological capacity • Pace of Work • Temperature extremes, noise or vibration 	<ul style="list-style-type: none"> • Radiation • Compressed air and diving • Hazardous substances • Lack of Training & Experience
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There are also risks to young people associated with specific processes

- Carriage of Dangerous Goods
- Provision & Use of Work Equipment
- Power Presses
- Woodworking Machines
- Mechanical Lifting Operations (including lift trucks)

There is no need for you to carry out a new risk assessment each time you employ a young person, as long as your current risk assessment takes account of the characteristics of young people and activities which present significant risks to their health & safety.

You may wish to consider developing generic risk assessments for young people. These could be useful when they are likely to be doing temporary or transient work, and when the risk assessments could be modified to deal with particular work situations and any unacceptable risks.

In all cases, you will need to review the risk assessment if the nature of the work changes or if you have reason to believe it is no longer valid.

Outcome of the Risk Assessment

In carrying out the Risk Assessment you should identify the measures you need to take to control or eliminate health and safety risks. In many cases you will find that risks to young people are adequately controlled if you are complying with other specific health and safety law, e.g. the Manual Handling Operations Regulations, or the Control of Substances Hazardous to Health Regulations (COSHH).

If in doubt, you may wish to get professional advice on identifying and controlling the risks. If a significant risk remains in spite of your best efforts to do what is reasonably practicable to control it, you must not employ the young person to do this work.

THE NEWCASTLE UPON TYNE HOSPITALS NHS FOUNDATION TRUST
IMPACT ASSESSMENT – SCREENING FORM A

This form must be completed and attached to any procedural document when submitted to the appropriate committee for consideration and approval.

Policy Title:	Young Persons under 18 years of age policy	Policy Author:	Paul Clancy
		Yes/No?	You must provide evidence to support your response:
1.	Does the policy/guidance affect one group less or more favourably than another on the basis of the following: (* denotes protected characteristics under the Equality Act 2010)		
	• Race *	No	
	• Ethnic origins (including gypsies and travellers)	No	
	• Nationality	No	
	• Gender *	No	
	• Culture	No	
	• Religion or belief *	No	
	• Sexual orientation including lesbian, gay and bisexual people *	No	
	• Age *	No	
	• Disability – learning difficulties, physical disability, sensory impairment and mental health problems *	No	
	• Gender reassignment *	No	
	• Marriage and civil partnership *	No	
2.	Is there any evidence that some groups are affected differently?	No	
3.	If you have identified potential discrimination which can include associative discrimination i.e. direct discrimination against someone because they associate with another person who possesses a protected characteristic, are any exceptions valid, legal and/or justifiable?	N/A	
4(a).	Is the impact of the policy/guidance likely to be negative? (If “yes”, please answer sections 4(b) to 4(d)).	No	
4(b).	If so can the impact be avoided?	N/A	
4(c).	What alternatives are there to achieving the policy/guidance without the impact?	N/A	
4(d).	Can we reduce the impact by taking different action?	N/A	

Comments:	Action Plan due (or Not Applicable):
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Name and Designation of Person responsible for completion of this form: Paul Clancy Health and Safety Advisor..... Date: 14/4/2011.....

Names & Designations of those involved in the impact assessment screening process:.....

(If any reader of this procedural document identifies a potential discriminatory impact that has not been identified on this form, please refer to the Policy Author identified above, together with any suggestions for the actions required to avoid/reduce this impact.)

For advice on answering the above questions please contact Frances Blackburn, Head of Nursing, Freeman/Walkergate, or, Christine Holland, Senior HR Manager. On completion this form must be forwarded electronically to Steven Stoker, Clinical Effectiveness Manager, (Ext. 24963) steven.stoker@nuth.nhs.uk together with the procedural document. If you have identified a potential discriminatory impact of this procedural document, please ensure that you arrange for a full consultation, with relevant stakeholders, to complete a Full Impact Assessment (Form B) and to develop an Action Plan to avoid/reduce this impact; both Form B and the Action Plan should also be sent electronically to Steven Stoker within six weeks of the completion of this form.