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## **UNIVERSITY POLICY STATEMENT S1/13 revised March 2016**

### **THE HEALTH AND SAFETY OF YOUNG PEOPLE AND CHILDREN**

#### **Summary of the change**

This is a minor revision to the policy, relating to the provision of temporary childcare facilities during planned departmental events.

This policy was originally intended to apply to organised educational visits by children (e.g. open days, work experience placements) and to parents bringing their children to work on 'unplanned occasions', perhaps during brief social visits or, exceptionally, in emergency situations where staff, or students, have difficulties with their normal child-care provision.

However, a few departments may occasionally arrange special events for staff, and to ensure that parents with infants or young children are not disadvantaged may seek to provide temporary childcare.

The policy has therefore been amended to take account of this increasing trend for properly organised 'pop-up' crèches, but establishes the need for departments to contact the Head of Childcare Services in advance of such an event; and to obtain the names of University approved and accredited childcare providers, advice on the suitability of the space proposed, and the adequacy of the risk assessment.

Children must be accompanied while on University premises and must not be permitted unsupervised access even to low risk areas. Parents cannot delegate this responsibility unless the children are in the temporary care of professional childcare providers.

These changes are to be found in section 6.

Julie Black, University Safety Officer  
March 2016

#### **1 Introduction**

The nature of the University's work and its buildings means that extra care needs to be taken over the health and safety of young people and children, who may be particularly vulnerable because of their relative lack of experience and maturity. They require special consideration when carrying out risk assessments, and will require more training and supervision than more experienced workers. This policy reiterates the importance of these fundamental elements in managing health and safety risks to young people, who may be employed, on work experience, or may be present as students (e.g. as undergraduates or on educational visits).

## 2 Relevant legislation

The Management of Health and Safety at Work Regulations (MHSWR) 1999 require risk assessments to be carried out, taking particular note of vulnerable or inexperienced groups of individuals. Young people are specifically cited as an example. Young people include employees and students less than 18 years old, and children (those under the minimum school leaving age, MSLA, usually 16). The University prohibits the employment of young people under the MSLA except on work experience schemes approved by a local authority or the governing body of an independent school. While on work experience placements (which generally take place in Years 10 and 11) children have the temporary legal status and rights of employees.

Departments employing young people should consult the HSE's publication, 'The Right Start' <http://www.hse.gov.uk/pubns/indg364.pdf>

The HSE also publishes specific advice on the health and safety of children and young people in catering <http://www.hse.gov.uk/pubns/cais21.pdf>

## 3 Risk assessment

Before young people start work a written risk assessment must be carried out, taking into account the following factors:

- (a) Fit-out and layout of the workplace and the workstation;
- (b) Form, range and use of work equipment and the way in which it is handled;
- (c) Organisation of the work, processes, or activities that the young person will undertake.

Young people may be less skilled in handling techniques or in pacing their work according to their capability. The risk assessment should therefore take account of their physique, general health, age, and previous experience, ensuring that the pace of such work allows sufficient recovery time.

### (d) **Nature, degree and duration of exposure to physical, biological and chemical agents**

- (i) Young people are generally at no greater risk from physical agents than adults, and compliance with relevant University policies in relation to noise (UPS S1/06), and non-ionising radiation (S2/09), for example, will satisfy the legislative requirements for young people.
- (ii) In the case of exposure to ionising radiation the health risks may be increased slightly for young people. It is University policy that school-age children under 16 are prohibited from work with ionising radiation. Young people aged 16-18 may only work with ionising radiation if it is necessary for their training and if the risk of exposure has been properly assessed.

Procedures must be designed to keep exposure to as low a level as reasonably practicable and by ensuring that they only enter controlled radiation areas in accordance with documented procedures, and under stringent supervision. The statutory annual dose limit for a young worker is less than for an adult, and these annual dose limits must not be exceeded. Further information relating to work with ionising radiation may be found in UPS S1/12.

- (iii) Young workers are no more likely to contract infections from biological agents than adult workers, although, like adults, they may be at greater risk if they suffer from any other diseases, if they are immunocompromised, or are taking medication, for example. However, departments are reminded of the University's policy on Biorisk Management, UPS S5/09, and the prohibition on children under 16 entering containment laboratories, except in relation to organised educational activities (e.g. work experience placements or school visits) and then only after appropriate risk assessments have been carried out. The majority of animal facilities also come within the scope of the policy.
- (iv) There is no enhanced risk to young workers from exposure to hazardous substances, although they may lack awareness of the hazards and risks they may encounter in their work, and exhibit less care or attention in handling or disposing of such materials.

**(e) Inexperience, lack of awareness of risk, attitude and immaturity**

There may be differences in the psychological make-up of individual young workers, which are generally a reflection of their background, experience, personality and training. Assumptions must not be made about a young worker's abilities to cope with different work situations, some of which may be stressful for a new and inexperienced worker. Lack of experience or training may make them less able to identify potentially risky situations or equip them with the means of dealing with them appropriately. Young workers must be supervised closely until their ability to cope and make sound decisions has been proven.

**4 Provision of information**

All employees, including young workers under 18 years, must be informed about any risks to their health and safety, as well as the preventative and protective measures to be implemented to control them. Information must also be provided about any emergency procedures or action to be taken in the event of serious and imminent danger. A copy of the written risk assessment will generally suffice. Further information on risk assessment may be found in University Policy Statement S5/08. In addition to the young people themselves, the parents or those with parental responsibility for school-age children (i.e. under 16 years) must be given information about any risks and control measures identified in the risk assessment. The work experience organiser may assist with the provision of relevant safety information to the parent, carer, or guardian, usually by means of the risk assessment.

## 5 Training and supervision

Information is not enough in itself to ensure that young workers fully appreciate the risks associated with the work they will do. Proper instruction is essential, and the performance of the work must be monitored carefully to ensure that the young worker has fully understood any instructions that are given, as well as to alert the supervisor to emerging problems. The scope of training will vary with the individual and according to the work needing done. It is dependent on their comprehension and aptitude, and must be tailored, and paced, according to their needs.

Young workers are very likely to need more supervision than adults. Effective supervision will help to monitor the effectiveness of the training they have received, and help to assess whether the young person is capable and competent to do the work to a level where they can work safely without putting themselves, or others, at risk.

## 6 Children visiting University premises

Sections 1-5 dealt with young people who are on University premises for work or planned events, and where their activities are managed in accordance with requirements therein.

However, children may also be present on the premises for a number of other reasons not directly related to work. For example:

- for access, along with other members of the public, to museums, gardens, parks, sports centres or other leisure facilities;
- where the children (or their parents) are subjects of study, or are patients attending for medical examination or treatment (e.g. for clinical trials);
- during open days and other promotional events;
- where they are enrolled in established nurseries or crèches;
- on rare occasions, where special events have been arranged for staff who may have infants or young children.

Although the University undertakes, as far as is reasonably practicable, to ensure that its premises are low risk to children, many University buildings, due to their age or the work being done within them, are simply not designed with the needs of children in mind. General risks regarded as trivial for mature visitors may be more significant for children and in general the University does not have the facilities to contain children safely, other than in those specific locations or circumstances where formal arrangements have been put in place to manage them. It is therefore important that risk assessments cover those situations where young people are expected to be onsite, such as those highlighted above, and these assessments adequately address any additional risks this might pose.

Departments should also consider other relevant University policies as part of the risk assessment process, such as safeguarding or childcare standards. Specifically, where a department wishes to arrange temporary childcare provision (for example, a 'pop-up' crèche) to allow staff to attend a special event, it will be necessary to consult with the Head of Childcare Services, in advance. Appropriate advice will be given on approved, fully accredited and insured childcare providers, as well as on the suitability of the space, facilities and general arrangements in the proposed location. Final approval for setting up such an arrangement will be contingent on provision of a robust risk assessment and suitable plans for dealing with any emergency during the event.

Further information may be found at:

- <https://www.admin.ox.ac.uk/childcare/>
- <http://www.admin.ox.ac.uk/personnel/cops/safeguarding/>

There are also safety implications for those unplanned occasions when children are brought into University departments, perhaps during brief social visits or, exceptionally, in emergency situations where staff, or students, have difficulties with their normal child-care provision. Children under the MSLA should only be allowed in departments with the permission of the head of department or his/her authorised deputy, for as short a time as possible and only as the last resort when all other options for childcare (such as taking emergency domestic leave or annual leave) have been exhausted.

Information on taking time off for such domestic emergencies can be found in the University's staff handbooks or found at the following url:

<http://admin.ox.ac.uk/ps/handbooks/>

In addition, the University has a flexible working policy that may allow parents to alter their working patterns, or change their hours, to help them manage their childcare responsibilities. Guidance for staff may be found at:

<http://admin.ox.ac.uk/ps/staff/family/flexible/staffnotes.shtml>

If alternative arrangements cannot be made and it is absolutely necessary to bring children to work, permission should be sought, in advance if at all possible, and certainly as soon as the children are brought on-site, so that appropriate safety management arrangements can be made to accommodate them.

In particular a risk assessment should take account of the following factors:

- (a) The age of the child(ren)
- (b) High risk areas of the department - access to certain areas is absolutely prohibited in:

- workshops;
- laboratories;
- plant rooms and roof tops;
- kitchens and food preparation areas;
- animal accommodation;
- departmental supply and waste stores, or goods receiving areas;
- any other areas designated as 'authorised access only';

unless this is a planned event, such as for work experience training or open days (see sections 1 and 2), and even then they must be accompanied by a responsible staff member at all times.

(c) **General areas**

If there is no alternative to bringing children to work, and the departmental head or his/her authorised deputy has agreed this, then the children should be restricted to general areas, such as common rooms and offices. Even in low risk areas special consideration should be given to the potential for slips trips and falls, especially from stairs and landings (being mindful that many older buildings may have steep stairs or gaps in the banisters which might allow young children to pass through, or where climbing may be attempted). Windows which may be accessible to children should be of restricted opening and any low level glazing protected against breakage, or resist breakage.

(d) **Supervision**

Children must always be accompanied while on University premises and on no account should they be permitted unsupervised access even to low risk areas. Parents cannot delegate this responsibility unless the children are in the temporary care of professional childcare providers.

(e) **Emergency procedures**

Planning should take account of the limited mobility of young children and the possible need for parents to receive assistance in the event of an emergency situation arising.

(f) **Other considerations**

Since heads of department are responsible for safety in areas under their control they must therefore consider the possible presence of children, as well as their mature visitors, when drawing up their local safety policies and procedures.

It should be acknowledged that the presence of children is potentially disruptive to other workers, particularly those who share a work area with the parent of the child or children, if those children are not supervised and managed properly. If the parent needs to briefly leave those areas of the Department to which children are restricted, suitable arrangements must be put in place to supervise the children for the period of the parent's absence and this may result in an imposition on colleagues.

Heads of department may wish to consider these factors when devising their local rules and/or giving permission for children to be in the department.

## 7 Summary

Departments must not employ young people (those under 18 years) for work which:

- is beyond their physical or psychological capability;
- involves harmful exposure to hazardous substances or ionising radiation
- presents a risk to health from physical agents;
- introduces a risk of accidents which it may be reasonably assumed the young person cannot recognise due to inexperience or lack of training;

unless the work is necessary for their training, the risk has been assessed and reduced to the lowest level reasonably practicable, and they are supervised by a competent person on an ongoing basis.

Departments must satisfy themselves that appropriate training is being delivered and that the supervisory arrangements are adequate and commensurate with the young person's abilities and needs.

Departments should review the circumstances under which they allow children onto the premises, specifically in the context of unplanned visits, and ensure that their safety management provisions are appropriate for the risks in the department and the needs of a younger population.

**THIS STATEMENT FORMS PART OF THE UNIVERSITY'S SAFETY POLICY AND UNIVERSITY POLICY NOTE S1/13 ISSUED JANUARY 2013 IS SUPERSEDED. PLEASE AMEND THE INDEX.**

March 2016

J Black

CIRC: A, C, H, O, S: Heads, DSO1s, DSO2s, Admins, DDSO1s, DDSO2s, List V.