

Health and Safety of Young People at Work (Employment and Work Placement) Policy and Procedure

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CONTENTS

Section		Page
1	Introduction and Overview	3
2	Policy Scope	3
3	Definitions and Abbreviations	3
4	Roles - Who Does What	3
5	Policy Implementation and Associated Documents	5
6	Education and Training	6
7	Process for Monitoring Compliance	7
8	Equality Impact Assessment	9
9	Supporting References, Evidence Base and Related Policies	9
10	Process for Version Control, Document Archiving and Review	9

Appendices		Page
A	Young Persons at Work Safety Management Standard and Procedural Guidance	10
B	Young Persons at Work Risk Assessment	14

REVIEW DATES AND DETAILS OF CHANGES MADE DURING THE REVIEW

1. Title Page – Change Board Director Lead to Julie Hogg, Chief Nurse
2. Through out the document replace all references to INsite with UHL Connect.
3. Move 2.2 into Section 1 Introduction and Overview and renumber the paragraphs
4. Section 4 – Amend 4.2 from Medical Director to Chief Nurse
5. Section 4 – 4.4 Amend Line Managers/Supervisors to Ward / Department Managers and Supervisors
6. Section 4 – Removal of 4.4.8 need to complete COVID-19 risk assessment for each young worker.
7. Section 4 – 4.7 Amend from Health and Safety Services to Health and Safety Team
8. Section 4 - Remove 4.7.2 Reference to the QSHE Team
9. Section 5 – Remove reference to Health and Safety Competencies for NHS Managers (July 2015) – The NHS Staff Council Health, Safety and Wellbeing Partnership Group.
10. Section 7 – Remove reference to Quality Outcomes Committee and replace with Risk Committee.
11. Section 9 – Amend policy trust reference numbers where they have been replaced.
12. Appendix A - Young Persons at Work Safety Management Standard and Procedural Guidance, added bullet point under section 4. Considerations “The Provision, type and fit of mandatory Personal Protective Equipment and/or Respiratory Protective Equipment”.

KEY WORDS

Child, Health, Minimum School Leaving Age (MSLA), Work Experience, Work Placement, Young Person.

1 INTRODUCTION AND OVERVIEW

- 1.1 Under the Management of Health and Safety at Work Regulations 1999, an employer has a responsibility to ensure that young people employed by them are not exposed to risk within the workplace due to a lack of experience, being unaware of existing or potential risks and/or lack of maturity.
- 1.2 Young People on work experience, apprenticeships or employment training schemes and volunteers have the same protection under Health and Safety law as employees.
- 1.3 This document sets out the University Hospitals of Leicester (UHL) NHS Trust's (hereafter referred to as the Trust) Policy and Procedures for Young People at Work. This policy forms part of the Trust's arrangements for health and safety as required by the Health and Safety at Work etc. Act 1974. The policy details the management arrangements and responsibilities to secure compliance with the Management of Health and Safety at Work Regulations 1999 and other relevant regulations.
- 1.4 Putting the requirements into practice should be straightforward, as in most cases the necessary health and safety arrangements should already be in place.

2 POLICY SCOPE

- 2.1 This policy applies to all staff employed by the Trust, either directly or indirectly, and to any other person or organisation which uses Trust services or premises for any purpose. It will also apply to bank, temporary staff, volunteers, young workers on work experience/unpaid placements/employability programmes (paid or unpaid), staff working from home and contractors working on Trust business. The principles of this policy shall apply to all Trust work activities, regardless of who has or is supplying or providing them.

3 DEFINITIONS AND ABBREVIATIONS

- 3.1 Definitions of young people and children by age are –
 - A **young person** is anyone under 18. Young Persons have to be in education or training until the age of 18.
 - A **Child** is anyone 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.

4 ROLES

- 4.1 The Trust's Health and Safety Policy sets out the roles and responsibilities for all staff. Additional responsibilities to enable the effective management of young people at work are detailed below:

4.2 Chief Nurse

4.2.1 The Chief Nurse is the Executive Board member who has the lead for this policy.

4.3 Clinical Directors / Clinical Management Group (CMG) Heads of Operations / Corporate Directors

Clinical Directors / Clinical Management Group (CMG) Heads of Operations / Corporate Directors are responsible for ensuring that

4.3.1 This policy is implemented and that all workplaces provided for the use of their department is in accordance with this policy and that all reasonable steps are taken to maintain and where necessary, improve health and safety standards.

4.3.2 Adequate resources are made available to meet that requirement.

4.4 Ward / Department Managers and Supervisors

Ward / Department Managers and Supervisors are responsible for:

4.4.1 The implementation of this policy within their area of control and to ensure that all reasonable steps are taken to maintain and where necessary, improve health and safety standards.

4.4.2 Performing a Young Persons Risk Assessment and ensuring that they are appropriately/regularly reviewed and sharing this with a training provider if the young person is on an apprenticeship or employability scheme. (Appendix B).

4.4.3 Identifying all relevant hazards present and the associated risks to which the young person may potentially be exposed to on the premises and/or in the workplace while performing authorised tasks or activities. This information must be available on the work activity risk assessments.

4.4.4 Providing suitable work equipment and materials.

4.4.5 Ensuring all staff are suitably trained.

4.4.6 Respond to any risks raised by training providers for young persons studying an apprenticeship or employability scheme.

4.4.7 Contacting Occupational Health for further advice/assessment if there are any further health/work concerns following on from the Young Persons risk assessment.

4.5 Employees

All members of staff have a responsibility to comply with this policy and in particular they must:

4.5.1 Familiarise themselves with this policy and co-operate with the arrangements put in place.

4.5.2 Attend appropriate training sessions.

- 4.5.3 Bring to the attention of their immediate line manager any health and safety concerns.
- 4.5.4 Young person to inform the training provider of any concerns which may affect their ability to complete their apprenticeship (as applicable).
- 4.5.5 Report incidents, accidents and near misses using the Datix reporting system.

4.6 Responsibilities of and communication with stakeholders

- 4.6.1 All key stakeholders must be provided with information on the Trust's arrangements for Young Persons at Work.
- 4.6.2 Key stakeholders carrying out activities on Trust premises have a duty to inform the Trust of any reasonably foreseeable risks of injury, illness or disease to young persons specific to their activities, so that preventative measures can be provided where necessary.

4.7 Health and Safety Team

- 4.7.1 Provide advice, guidance and information concerning Young People at Work to support the work of managers and staff implementing this policy.

5 POLICY IMPLEMENTATION AND ASSOCIATED DOCUMENTS

- 5.1 This policy is supported by the processes/procedures/standards found in the associated documents as detailed below, and which must be used in conjunction with this policy

Workplace health and safety standards (Revised July 2013) – The NHS Staff Council Health, Safety and Wellbeing Partnership Group.

Apprenticeship funding rule guidance found online which supports a safe number of hours a young person can work and the hours for which they are allowed to work.

Apprentices and those on employability programmes will also have access to other policies to support their wellbeing, safeguarding and health and safety:

- The UHL Apprenticeship and Development Centre has it's own set of Policies for apprentices who are learning at UHL
- Apprentices and learners who are on programmes with external training providers also have access to the policies of the training provider organisation

Young workers, including apprentices and those on employability programmes should follow the guidance on work hours <https://www.acas.org.uk/young-workers-apprentis-and-work-experience>

6 EDUCATION AND TRAINING REQUIREMENTS

- 6.1 The Trust has a duty under the Health & Safety at Work, etc. Act to provide staff with information, instruction and training appropriate to their role. Line Managers must identify the training needs for their staff group, including any young people who may be employed, on an apprenticeship, on an employability programme or on work experience. It is important that staff receive the correct type and amount of information, instruction and training to ensure competence for the duties undertaken.

Information, instruction and training must be delivered in such a way that it is received and understood by the person receiving it and should include theoretical and practical elements.

The completion of the work activity risk assessment completed by the manager or nominated person. Additional guidance can be provided by the Health & Safety Team upon request.

- 6.2 Where necessary, close supervision and support must be provided for the young person.
- 6.3. Guidance for Ward / Department Managers and Supervisors is provided in Appendix A.

7 PROCESS FOR MONITORING COMPLIANCE

7.1 The standards for monitoring this policy are shown in the Policy Monitoring table set out below.

POLICY MONITORING TABLE

Element to be monitored	Lead	Tool	Frequency	Reporting arrangements Who or what committee will the completed report go to.
Staff are following the arrangements	Line Manager / Supervisor	<ul style="list-style-type: none"> - Observations, sick absence data, Datix accident and incident data. Patient and visitor complaints - Risk assessment forms completed, appropriately shared and reviewed 	<ul style="list-style-type: none"> - As set by the Line Manager / Supervisor. - When the apprenticeship / employability programme takes place 	Local Health & Safety Group, UHL Health and Safety Committee, Risk Committee
Policy arrangements are in place, applied and are effective	Line Manager / Supervisor Health & Safety Team	<ul style="list-style-type: none"> - Review of young persons risk assessment forms and arrangements in place - Investigation of concerns, incidents and near-miss events - Investigation of RIDDOR reportable events. - Active and reactive investigation methods including Health & Safety Environmental Audit 	<ul style="list-style-type: none"> - Quarterly / Annually - When an incident has occurred or a concern has been raised - When a RIDDOR incident has occurred - Quarterly / Annually 	Local Health & Safety Group, UHL Health and Safety Committee, Risk Committee

Any risks for UHL young people on an apprenticeship or employability programme are recorded and appropriately shared with the young person and the training provider	Line Manager / Supervisor	Risk Assessment form	When the apprenticeship / employability programme takes place	Local Health & Safety Group, UHL Health and Safety Committee, Risk Committee
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8 EQUALITY IMPACT ASSESSMENT

- 8.1 The Trust recognises the diversity of the local community it serves. Our aim therefore is to provide a safe environment free from discrimination and treat all individuals fairly with dignity and appropriately according to their needs.
- 8.2 As part of its development, this policy and its impact on equality have been reviewed and no detriment was identified.

9 SUPPORTING REFERENCES, EVIDENCE BASE AND RELATED POLICIES

- 9.1 This policy is a statutory requirement under the Health and Safety at Work etc Act 1974, and is supported by topic specific subordinate legislation, Approved Codes of Practice and other guidance documents. The following Trust Policies also contain topic specific health and safety guidance.

Apprentice Policy	B1/2017
Health and Safety Policy	B28/2024
Incident and Accident Reporting Policy (including the investigation of serious, RIDDOR and security incidents)	B30/2024
Work Experience Policy	B7/2016

10 PROCESS FOR VERSION CONTROL, DOCUMENT ARCHIVING AND REVIEW

- 10.1 This document will be uploaded onto SharePoint and available for access by Staff through UHL Connect. It will be stored and archived through this system.
- 10.2 A review of the policy will be made after 3 years or if a significant change locally or nationally occurs before then. The review will be led by the Health and Safety Team.

Young Persons at Work Safety Management Standard and Procedural Guidance

1. Introduction

Under the Management of Health and Safety at Work Regulations 1999, an employer has a responsibility to ensure that young people employed by them are not exposed to risk due to:

- Lack of experience
- Being unaware of existing or potential risks and/or
- Lack of maturity

This document contains standards and guidance on the management of risks arising relating to young people at work.

It is the responsibility of managers to ensure that any activities or operations involving young people at work are managed in line with this document, in any area under their control.

This document must be read in conjunction with the UHL Health and Safety of Young People at Work (Employment and Work Placement) Policy and Procedure and any additional guidance specific to departmental issues or activities.

2. Procedure

Manager's Checklist – Young People at Work

The checklist given below identifies key actions involved in managing the health and safety risks arising in connection with young people at work. Further information on each of these points are contained in this document.

1. Has someone been appointed to be in overall charge of young workers within your area of control?
2. Where students are on a work experience or work related learning placement, has effective liaison been established with the placement organiser, including arrangements for regular wellbeing and safeguarding monitoring and reporting of accidents and violent incidents?
3. Have all relevant 'suitable and sufficient' risk assessments been carried and are current / regularly reviewed?
4. Have any additional control measures for young people been carried out?
5. Have risk assessments taken account of any special health and safety needs which young workers may have as a result, for example, of any physical and learning disabilities, or health issues? (If necessary, contact Occupational Health for further advice/assessment if there are any further health/work concerns following on from the Young Persons risk assessment).
6. Have work activities which young people should be prohibited from doing been clearly identified?
7. Have necessary steps been taken to isolate or make safe dangerous tools, plant, equipment or substances e.g. risk assessments?
8. Has the young person been provided with adequate information, instruction and training?

9. Have relevant safeguards been put in place to ensure the young person is safe online, safe in the workplace and knows about personal safety when traveling to and from work?
10. Are the team briefed and aware of the young person and the support needs for working with young people?
11. Are the types of patient which the young person is exposed to suitable for a work experience/apprenticeship? (NB: Check that under 18's are not being placed in patient areas where the patients are on the Sex Offenders register or known violent patients).

3. Carrying out Young Person at Work Risk Assessments

Within UHL it is the responsibility of managers to ensure that risk assessments have been carried out within their area of control. Managers can either carry out the risk assessments themselves, or delegate this task to individuals within their area. If a manager delegates the task of carrying out a risk assessment, they must ensure that the person(s) is competent to carry out the assessment and take all reasonable care when doing so.

A risk assessment of the activities that a young person may carry out needs to be completed before their employment or work experience/placement begins. The findings of the risk assessment may determine what activities the young person will be allowed to undertake and may even determine whether a work placement can go ahead at all.

To assist this process, a Young Person at Work Risk Assessment form is available.

A copy of the risk assessment should be kept in the individual's file and regularly reviewed.

The department leads should be aware of the main risks for the young person and ensure they support the agreed actions to reduce or remove the risk.

4. Considerations

Whilst carrying out a Young Person at Work Risk Assessment, the following aspects must be considered:

- The layout of the workplace
- The physical, biological agents and chemical substances they will be exposed to
- The type of patients they may be exposed to
- How they will handle work equipment
- How the work and processes are organised
- The extent of health and safety training needed
- Any safeguarding arrangements that may be needed
- The hours of work which the role typically has versus the hours of work that are appropriate for a young person e.g. Apprenticeship national rule on young person working hours / The Working Time (Amendments) Regulation 2003.
- Risks from particular microbiological agents, processes and work
- The Provision, type and fit of mandatory Personal Protective Equipment and/or Respiratory Protective Equipment.

Also whether the work the young person will do

- Is beyond their physical or psychological capacity
 - This doesn't have to be complicated. It could be as simple as checking a young person is capable of safely lifting weights and can remember instructions to be followed.

- Involves harmful exposure to substances that are toxic, can cause cancer, can damage or harm an unborn child, or can chronically affect human health in any other way.
 - Be aware of substances a young person might come into contact with in their work, consider exposure levels and ensure legal limits are met.
- Involves harmful exposure to radiation
 - A young person may only work in areas where radiation is used if allowed by the area's radiation risk assessment. Ensure a young person's exposure to radiation is restricted and does not exceed the regulatory dose limit for the specified source. (If a young person is going to work in a radiation area and the existing radiation risk assessment does not detail precautions for individuals aged 16 – 18, then the Trust's Radiation Protection Advisor (RPA) must be contacted for advice in advance of the young person starting to enable a full risk assessment to be undertaken).
- Involves risk of accidents that cannot reasonably be recognised or avoided by young people due to their insufficient awareness of workplace hazards and safety risks or lack of experience or training.
 - A young person is unlikely to be unfamiliar with risks which are 'obvious' to experienced staff. The manager should consider the need for tailored training and/or closer supervision.
- Puts the young person in a vulnerable position whilst carrying out their duties. For example:
 - A young person might be unfamiliar with risks from patients who are on the Sex Offenders Register or have a mental health diagnosis. The manager should consider the need for tailored training and/or closer supervision.
 - Expects the young person to cover a 24/7 service which could impact on their welfare. (Note: Children are not allowed to work before 7:00am or after 7:00pm).
- Has a risk to health from extreme cold, heat, noise or vibration
 - In most cases, young people will not be at any greater risk than adults and for workplaces that include these hazards it is likely there will already be control measures in place. However, a Young Person must not be unsupervised in any area where contained enclosures with extreme temperature conditions are located.

A child must never carry out such work involving these risks, whether they are permanently employed or under training such as work experience.

A young person, who is not a child, can carry out work involving these risks if:

- the work is necessary for their training
- the work is properly supervised by a competent person
- the hazards are adequately controlled and risks to the Young Person's safety are reduced to the lowest level, so far as practicable.

Providing supervision for young workers and monitoring their progress will help managers identify where additional adjustments or arrangements may be needed.

Employers must inform the school of the child of the possible risks and the measures put in place to control them.

5. Reviewing Young Person at Work Risk Assessments

The risk assessor needs to decide how often a risk assessment should be reviewed. Review does not necessarily mean carrying out a new risk assessment, but checking over the existing risk assessment to ensure it is still valid and that any changes are documented on the risk

assessment. However, it is recommended good practice that risk assessments are reviewed at least every 12 months unless:

- There are legal changes that directly affect the efficiency of provisions and/or arrangements required by law.
- There is evidence that it is no longer valid e.g. due to a change in work activity, change of process or method of work, change of substance(s) used, change of equipment or change to or of environment, etc. In which case, a new assessment needs completing as soon as any significant changes have been identified.
- As a result of an accident or incident occurring which may include 'lessons learned' from the HSE, other NHS trusts and/or information shared by other organisations.

Risk assessment reviews should always re-evaluate if it is practicable to prevent exposure or use a less hazardous substance as a safer alternative. Reviews should also consider the use and effectiveness of control measures implemented from any relevant workplace safety inspection findings and whether they can be improved.

This line signifies the end of the document

Young Persons at Work Risk Assessment

CMG / Corporate Directorate		Speciality		Department / Section	
Site		Date of Assessment		Local Ref NO:	
Overall risk rating	LOW		MEDIUM		HIGH

Job Specific Risk Analysis – Is the job predominantly: (please tick)

Manual	Clerical / Admin	Nursing	Medical	Technical	Other – please specify

Does the job involve work with:

HAZARD	Yes / No / Potential	Harm	Risk (S x L = R)	Controls in place What processes are already in place to control the risk?
Use of Guarded mechanical equipment				
Use of any electrical equipment				
Handling or use of compressed air				
Manual handling of objects				
Manual handling of patients				
Physical capacity				
Psychological capacity				
Exposure to harmful chemical agents				
Exposure to harmful biological agents				
Exposure to ionising radiation				
Extremes of hot or cold				
Exposure to noise				
Exposure to vibration				
Other (please specify)				

NOTE1: A child must never carry out such work involving these risks, whether they are permanently employed or under training such as work experience.
NOTE2: Where any of the above hazards have been identified as either a Yes or Potential, then the relevant risk assessment for that hazard must be consulted.

Young Persons at Work Risk Assessment

List any tasks that the young persons will NOT be permitted to carry out:

Name of Assessor:	Signature:	Date:
I accept that this is a suitable and sufficient assessment of the hazards and risks within this activity and that the remedial actions will be implemented as detailed below.		
Manager's Name:	Signature:	Date:

Action List

No	What further action is necessary to reduce the risk?	Action by whom?	Date for completion	Date completed	Target Rating
1					
2					
3					
4					
5					

Young Persons at Work Risk Assessment

All actions have now been completed to reduce the risks listed above. I consider that any residual risk falls within acceptable/tolerable levels:		
Manager's Name:	Signature:	Date:

The manager or supervisor has discussed this risk assessment, identified the hazards and highlighted the potential risks to my health and safety or that of any other persons. My signature below acknowledges I am aware of the control measures, arrangements and provisions put in place or provided to reduce the risks stated above. I understand that if I am concerned about my safety, I must inform my manager or supervisor to enable them to act or provide assurance of my safety		
Young Person's Name	Signature:	Date:

REVIEW:	NEXT REVIEW DATE	REVIEWED BY	SIGNATURE	DATE

Young Persons at Work Risk Assessment

SEVERITY

LIKELIHOOD

1	2	3	4	5
2	4	6	8	10
3	6	9	12	15
4	8	12	16	20
5	10	15	20	25

RATING LIKELIHOOD

- 1 Rare
- 2 Unlikely
- 3 Possible
- 4 Likely
- 5 Almost Certain

RATING SEVERITY

- 1 Discomfort / no time off work
- 2 Minor harm – first aid treatment <7days
- 3 Moderate harm – requiring time off work 7 – 14 days (RIDDOR) reportable
- 4 Severe harm – requiring time off work 7 – 14 days (RIDDOR) reportable
- 5 Fatality, Permanent harm or irreversible health effects

LIKELIHOOD x SEVERITY

RISK

RESIDUAL RISK

	LOW	1 TO 6	<p>The RISK is considered: Tolerable when measured against the consequences of an incident, Low level of control measures required: adequate supervision, training and information. Often, no additional controls are needed.</p> <p>WORK CAN PROCEED</p>	<p>The Residual Risk is considered: Tolerable when measured against the consequences of an incident, the assessment must be reviewed regularly to ensure that the conditions remain the same and the risk does not increase</p> <p>WORK CAN PROCEED</p>
	MED	8 TO 12	<p>WORK MUST NOT PROCEED –until the hazards identified are removed or adequate controls implemented which have reduced the residual risk to as low as possible. Moderate control measures must be in place: adequate training, supervision and information are needed as well as emergency procedures, safety barriers and PPE are place together with safe operating procedures.</p>	<p>Action is required to control risks. Review to review to assess whether the risk can be reduced: Ensure competence levels for safe working and equipment operation and procedures when task is altered or new employees introduced.</p> <p>WORK CAN PROCEED UNDER MANAGEMENT CONTROL REVIEW ASSESSMENT REGULARLY</p>
	HIGH	15 TO 25	<p>WORK MUST NOT PROCEED –until the hazards have been removed or adequate controls have been implemented which have reduced the risk to at least MEDIUM. This level of risk is unacceptable as there is a high probability of a major injury occurring. Highest level of controls required. Permits to work specialist equipment trained personnel and strict supervision.</p>	<p>WORK MUST NOT PROCEED Alternative methods must be used to eliminate the risk or to reduce it to a MEDIUM or LOW level</p>