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St Monica Trust

Working with Young People Policy

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Document Status

This is a controlled document. Whilst this document may be printed, the electronic version is the controlled copy.

Any printed copies of this document are not controlled by the Policy Co-ordinator. The controlled document can be found on:

[P:\Shared \(no security\)\Shared Policies\2. Corporate](#) and on the Trust's intranet.

Other related policies and supporting documents include:

- Equality, diversity and inclusion policy
- Volunteer policy
- Risk assessments

DOCUMENT CONTROL

Prepared by	Policy Lead and Policy Co-ordinator
Approved by	Policy Review Group
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The content of this policy will be reviewed every 3 years or sooner if there is a change in legislation, regulation or level of risk.

Date of update	Update description	Pages affected
November 2021	Reference to Work Experience Policy and Procedure deleted. Minor updates to wording throughout. Section 2 : List of legislation updated. Reference to Work Placement Co-ordinator removed. Appendix 1 : Contact details updated.	ii All 1 2 8

This policy has been subject to consultation with the individuals listed in the 'Policy Readers' section on the front cover. It will be communicated through managers' emails and it is the responsibility of all managers to share this document with their staff. It is the responsibility of all colleagues to read and be aware of this procedure. All policies and procedures are stored electronically: P:\Shared (no security)\Shared Policies and on the Trust's intranet, and all sites have a set of policy folders.

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1. PURPOSE OF POLICY

St Monica Trust employs and works with people of all ages. This policy will ensure that appropriate measures are in place to protect young people aged 17 years and under as well as other colleagues and our residents.

St Monica Trust is dedicated to ensuring our colleagues are safe by responding and adapting our practices to accommodate young workers. We recognise the importance and value of young people but also acknowledge that they may not have the experience, knowledge and the skills to respond in situations as adults would. We want all young people to have a positive experience of the Trust. This policy outlines our obligations to young workers, apprentices and volunteers and details how we can support them.

2. LEGAL REQUIREMENTS

The Trust has a responsibility to act in the best interests of the people using and working in our services and to ensure we meet our duty of care. Colleagues must work within and understand the legal framework that underpins this policy. Relevant legislation and guidance underpinning this policy includes:

- Employment of Women, Young Persons and Children Act 1920
- Children and Young Persons Acts 1933-1969
- Children Act 1972
- Education Act 1996
- Education and Skills Act 2008
- Young Workers' Directive (Council Directive 94/33/EC)
- Health and Safety (Young Persons) Regulations 1997 SI 1997/135
- Children (Protection at Work) Regulations 1998 SI 1998/276
- Working Time Regulations 1998 SI 1998/1833
- Children (Protection at Work) Regulations 2000 SI 2000/1333
- Children (Performances and Activities) (England) Regulations 2014 (SI 2014/3309)

3. DEFINITIONS

A **child** is someone who has not yet reached the official minimum school leaving age in the school year in which they turn 16. A **young person** is over school leaving age but under the age of 18.

For the purpose of this policy a young person can include any person under the age of 18 who is a colleague, apprentice, work experience student or a volunteer.

4. ROLES AND RESPONSIBILITIES

The below people are responsible as follows:

4.1. Recruiting Managers

- Contractual hours and employment terms meet requirements under the Working Time Regulations 1998.

- Appropriate risk assessments are completed for young person.
- Thorough recruitment assessment completed to determine suitability of young person to the role.

4.2. Line Managers

- Contractual hours and employment terms meet requirements under the Working Time Regulations 1998.
- Appropriate risk assessments are completed for young person.
- Appropriate induction, training and ongoing support is given. See appendix 2 for guidance.

4.3. Volunteer Co-ordinators

- Appropriate risk assessments are completed for young person.
- Thorough consideration to determine suitability of young person to the volunteer placement.
- Appropriate induction, training and ongoing support is given. See appendix 2 for guidance.

4.4. Safeguarding Lead

- The safeguarding lead [for children](#) for the Trust is the Director of People.
- Ensure that policies and procedures are in place that safeguard children and young people.
- Ensure that arrangements are in place to ensure that staff and volunteers receive relevant child protection training.
- Be the nominated point of contact with the relevant local authority safeguarding boards.
- Manage concerns, complaints, whistleblowing and allegations relating to child protection.

5. EDUCATION AND TRAINING

From 28 June 2013, provisions in the Education and Skills Act 2008 require young people in England to continue to participate in education or training. The education and training required can be work-based training. Up to date information on the regulations and our obligations can be found [here](#).

6. SAFEGUARDING AND CHILD PROTECTION

Safeguarding relates to the action to promote the welfare of young people and protect them from harm. Safeguarding is everyone's responsibility and as such we must protect young people from maltreatment, prevent impairment of their health and development, ensure that they work in a safe and caring environment, all to enable them to have the best outcomes. Safeguarding will apply to anyone under the age of 18 and will include colleagues, volunteers, apprentices and work experience students.

All volunteers and work experience students are covered by the Trust's public liability insurance. We expect carers, schools, youth groups and any other organisation wishing to arrange events and activities that involve young people coming into our communities and services to follow their own safeguarding procedures, and we will provide information in support of such procedures.

6.1. Concerns about the welfare of a young person

It is important to recognise when a young person may be at risk or shows signs of abuse or neglect. Unusual behaviour to be aware of could include them becoming withdrawn, suddenly behaving differently, becoming anxious, clingy, depressed, aggressive or to have obsessive thoughts. They may have problems sleeping, or an eating disorder or a change to their eating habits. They may have nightmares, wet the bed or soil their clothes. Some take risks, miss school, use drugs, alcohol or self-harm.

Everyone has a responsibility to keep young people safe. If a colleague has any concerns about a young person they should not leave it to someone else to deal with, particularly if they think a young person is being neglected or abused.

If a young person is at immediate risk the Police should be called on 999. Any concerns about a child or young person at the Trust must be reported to the Director of People who acts as the Trust's safeguarding lead for children and young people. See appendix 1 for details of other useful contacts within the Trust to use where the situation is not an emergency.

7. RISK ASSESSMENTS

The manager or supervisor will need to check that a risk assessment is completed before the young person commences any activities.

Under the Management of Health and Safety at Work Regulations 1999, the Trust has a responsibility to ensure that young people are not exposed to risk due to a young persons' lack of:

- experience
- awareness of existing or potential risks and/or
- maturity.

If you are working with a young person, you must consider:

- the layout of the workplace
- the physical, biological and chemical agents they will be exposed to and the associated risks
- how they will handle work equipment
- how the work and processes are organised and the associated risks
- the extent of health and safety training needed.

Managers and supervisors need to consider whether the work:

- is beyond the younger person's physical capacity
- involves harmful exposure to radiation or substances that are toxic
- can cause cancer
- can damage or harm an unborn child
- can chronically affect human health in any other way
- involves a risk to health following extreme cold, heat or noise vibration.

Managers and supervisors need to consider whether any activities involve a risk of accidents that cannot be reasonably recognised or avoided by young people due to their insufficient attention to safety or lack of experience or training. A young person may not be familiar with what we believe are "obvious" risks.

In addition, managers and supervisors need to consider whether any activities or situations are beyond a young person's psychological capacity. Assessing this can be as straightforward as making sure a young person understands what is expected of them, checking they understand and are able to remember and follow instructions. It is important that young people are given the necessary training, supervision and support. If faced with emotionally upsetting or distressing situations, the young person may require additional support. Following a debrief from their manager or relevant responsible adult, they should be directed to either the Trust's employee assistance program or the people directorate and potentially through them to occupational health if appropriate.

7.1. Activities and work in care

Skills for Care specify that 16 to 18 year old practitioners can be employed in adult social care providing:

- They have completed or are undertaking an approved training programme in health and social care. Approved training programmes, such as apprenticeships, are those recognised by Skills for Care which lead to qualifications and that are included in the new Regulated Qualifications Framework (you can check here: <https://www.gov.uk/find-a-regulated-qualification>). The care certificate through Skills for Care does not qualify as an approved training programme.
- The registered manager or a delegated person assesses the competence and confidence of the young worker to carry out all the tasks required of them, including where necessary intimate personal care.
- That appropriate support is offered to the young worker.
- The consent of the person being supported and/or their advocate has been obtained.
- Inexperienced practitioners are not left in charge of a care setting or left to work on their own.

7.2. Activities and work in catering

Food preparation and the kitchen/dining environment pose many potential hazards and updated risk assessments should always be referred to. It is prohibited for a young person to carry out some tasks, specifically (but not limited to) anything using a machine with a motor such as cleaning and using the food blender, the mixing machine and the slice machine.

7.3. Activities and work in all other areas of the Trust

Machinery and chemical cleaning products change all the time and therefore updated CoSHH and risk assessments should always be referred to. Some machinery and chemicals are only to be used once appropriate training has been given, whilst others are not to be used at all by someone under 18. It is the manager's responsibility to ensure that young people understand which machines and chemicals they are unable to use and it is the responsibility of the young person to ask if they are not sure. Advice from Human Resources or the health and safety team should be sought before allowing a young person to work or carry out activities in the laundry.

8. EMPLOYING YOUNG PEOPLE

If you wish to employ a child aged 15 or younger you must discuss this with the HR department who can apply for a permit from the appropriate local education authority. The Trust can employ young workers (aged 16 or 17). Young people aged 16 to 17 who have not yet completed a level 3 qualification must continue to participate in education or training until they are 18 years of age. This can be formalised work-based training, details of which will need to be agreed by the training department.

9. DBS CHECKS

It is not permitted for a child (under 16) to undergo a DBS check. Since we are currently only permitted to employ workers aged 16 or older, this would only apply to volunteers or work placement students under the age of 16, who must, in any case, be supervised at all times. A young worker aged 16 and older can have a DBS check where necessary.

10. REFERENCES

It is unlikely for a young person to have any previous employers from whom to request a reference. An educational reference may be requested from their school or college. The HR department can provide further guidance about obtaining references.

11. HOURS OF WORK

Under the Working Time Regulations 1998 (SI 1998/1833), restrictions are imposed on the hours of work and rest breaks of young workers. Young workers are prohibited from working more than eight hours a day, and a maximum working week of 40 hours applies (regardless of whether the young worker is employed by one employer or more than one). There is no facility for a young worker to opt out of these provisions and no provision for averaging working hours over several weeks.

Night working is generally prohibited for young workers between the hours of 10pm and 6am. Some roles within the Trust may be exempt from this, such as within the care homes or catering teams; however if permitted it is still unlawful for a young worker to work during the period between midnight and 4am. If you require a young worker to work between the hours of 10pm and 6am, please contact the HR department for advice and to ensure that the young worker is supervised by an adult worker for his or her protection.

Young workers must be granted (as a minimum):

- Two rest days per week.
- A daily rest break of 12 consecutive hours (ie the break between finishing work one day and starting work the next day).
- A rest break of at least 30 minutes if the working day lasts longer than four and a half hours.
- A free health assessment prior to any night work assignment, and free health checks at regular intervals thereafter.

12. WORK EXPERIENCE

Under section 560 of the Education Act 1996, children in their last two years of compulsory schooling may undertake work experience as part of their education, provided that the arrangement is approved by a local education authority or the governing body of the school on behalf of a local education authority. With some exceptions, the restrictions on the employment of **children** do not apply where a child undertakes work experience in accordance with the Act. Instead, the rules restricting the employment of **young persons** (not children) apply.

Work experience students will not be expected to work on their own and will be given a named person for support and guidance. They will not be expected to carry out the provision of personal care or other tasks considered inappropriate.

13. VOLUNTEERS

The Trust has a number of volunteers under 18 and the minimum school leaving age. If a volunteer is under 18 years of age they will not be expected to work on their own and will have a named contact person who will offer support and guidance.

Parent/guardian consent will also be required before starting with the Trust. Volunteers under the age of 18 will normally only carry out roles with groups of residents and/or beneficiaries in public areas, rather than 1:1 sessions within private settings. They will not be expected to carry out the provision of personal care or other tasks considered inappropriate.

14. MONITORING THE EFFECTIVENESS OF THIS POLICY

The director of people will provide the Executive team with management information regarding the deployment of young people, including health and safety data, from time to time as appropriate.

Raising concerns about a child's welfare

If you have concerns about the welfare of a child and it is not an emergency, speak to their supervisor, Human Resources or the Pastoral & Community Well-being Lead.

You must also notify the Director of People (0117 949 4000) who is the Trust's Safeguarding Lead for Children and Young People.

If appropriate, you can then contact one of the following:

Bristol Safeguarding Children Board

You can make a referral to the [First Response](#) Team. **Tel: 0117 903 6444.**

North Somerset Safeguarding Children Board

You can make a referral to the North Somerset [Safeguarding Children Board](#). **Tel: 01275 888 808.**

BANES Safeguarding Children Board

You can make a referral to the Children and Families Assessment and Intervention Team online at <https://www.bathnes.gov.uk/webforms/concerned-about-a-child-or-family/>. **Tel: 01454 61 51 65.**

Other numbers you can call:

- Police: 101 (non-emergency calls)
- NSPCC Helpline: 0800 800 5000 (free from a landline), Monday to Friday 8am – 10pm or 9am – 6pm at the weekends. You can contact them [online](#) or by email (help@nspcc.org.uk) 24 hours a day, 365 days a year.
- Alternatively you can call ChildLine for advice on 0800 1111 or email them by visiting www.childline.org.uk

Practical considerations for young people

Young people will often have limited experience of workplace culture and therefore the working environment can be daunting. To help them adjust as quickly as possible follow these simple actions:

1. Provide the details they will need for their first day

- The date and the time they should arrive for their first day.
- The address of where they should go.
- The name of the person they should ask for when they arrive.
- If there are any car park facilities.
- What food and drink is available in the office or nearby.

2. In addition to the Trust's induction, discuss what is required of them

- **Turn up on time** – explain what impact their absence would have on their colleagues and the process by which lateness is managed.
- **Dress appropriately** – where a uniform is not provided, 'appropriate' dress should be explained.
- **Do the job properly** – it should be made clear to a young person what exactly they must do in their job, how they should do it and who to go to for help.
- **Follow the rules of the organisation** – give them access to and/or explain the Trust's policies and procedures.
- **Treat colleagues and customers with respect** – the importance of respecting equality, diversity and inclusion, and working productively with other people, should be made clear.