Health and Safety Policy CWPol 001

Children in the Workplace
Safety, Health and Environment Unit

Title: Health and Safety – Policy for Children in the Workplace

Reference Number: CWPo1 001

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1. Introduction

Following a serious incident in the Autumn Term of 2010, it was agreed that the existing policy relating to children in the workplace should be reviewed.

The policy document was withdrawn from the Safety Health and Environment Unit website, pending the outcome of the review. Following that review, it was been agreed at Executive Group level that the original policy would be withdrawn permanently and replaced by this document.

For the purpose of this document, a child will be assumed to be a person who is below the age of 18.

2. Responsibilities

The University has a common law duty of care for all persons who may be on any of its premises, at any of its campuses. This can even apply to intruders. In particular, the University has more specific responsibilities for all employees and students under the Health and Safety at Work Etc. Act (HASWA) 1974. Students themselves are not subject to the Act, as they are not employees, but are strictly members of the public. However, in some regards, the University exercises its duty of care for them as though they were employees.

The University campuses are not physically secured, although many buildings across the faculties and colleges are only accessible by staff and/or students. This access places particular responsibilities upon those staff or students who are in a position to control access. These responsibilities include ensuring that intruders or other unauthorised persons are not allowed to gain access. The purpose of refusing access to unauthorised persons is two-fold; firstly, it offers additional protection to authorised users or residents and secondly, it affords protection to the University itself in terms of theft, criminal damage or possible litigation.

3. Policy

It is the University’s policy that, subject to the limited exceptions described below, children are not allowed into workplaces, colleges or residential accommodation. Specifically, this is a requirement of all residential tenancy agreements and must likewise apply to all other areas.

4. Limited Exceptions

It is inevitable that the University, in the course of its business, will interface with schools and other outside institutions dealing with children. For this reason it is appropriate that there must be some limited exceptions and hence this policy does not apply to the following.

- Those young people who are students at the University, or other partner universities, who are still under the age of 18 years.
- Those young people who are employed by the University, usually in a hospitality role and who have not yet attained the age of 18 years. (It should be noted here that this group of employees is subject to the special conditions defined in the Management of Health and Safety at Work Regulations, relating to young workers).
• Children who are visiting the University during ‘Open Days’ and are accompanied by responsible adults, who are parents, guardians or carers.

• School children who are visiting the University as part of an educational experience and are accompanied by teachers or other staff members from their own school, and are visiting in liaison with an appropriate member of University staff. This includes visits to Teaching Laboratories to undertake simple experimental procedures.

• Children who may be visiting the University for the purposes of attending a formally arranged interview (e.g. for an Apprenticeship vacancy), where a member of staff is responsible for their attendance and safe conduct.

• Children attending work experience, who should be supervised by a member of staff at all times.

• Children who are attending a formally recognised and fully supervised nursery or crèche.

• Children who are staying in University accommodation during vacation periods and who will be accompanied by at least one responsible adult.

• Children attending sports, or other club activities (e.g. judo, chess or youth theatre), which are fully supervised by a member of staff, or other adult, who could be deemed an authorised person.

• Children who may be visiting the University to attend a theatre, display, workshop, lecture or cinema production, when they may or may not be accompanied by an adult.

• Children who may be visiting a retail food outlet or the Sports Centre.

The University recognises that in the modern world of work and study there will be times when childcare problems arise, which can cause difficulties for parents or guardians of children. It is the responsibility of the parents/guardians to resolve these problems and they must not assume by default that the University will provide a resolution.

In extremely rare circumstances and only with the permission of the Head of School or Department may a child be permitted to enter an office environment for a very short and unavoidable period of time. In this case the child must be accompanied by an appropriate adult at all times. Such occasions will definitely be the exception.

Under normal circumstances children should not be allowed to enter research laboratories, workshops or equipment storage areas. However, on UCAS days or for work experience students where the student is over 16, research laboratories may be excluded from this list providing that there is full supervision by a person who is responsible for the relevant laboratory.

When considering such a request, Heads must satisfy themselves that there is an exceptional reason to grant such a request.