



Employment of Children Byelaws Guide

This guide is intended to be a summary of the byelaws relating to the employment of children in Moray.

The byelaws apply to all children under 16, even if the work is unpaid.

Moray Council have Byelaws for the Employment of Children established in 1999 and amended in 2002. The Byelaws are published on the Council's website at

<https://www.moray.gov.uk/law-and-licensing/licences-permits-and-permissions/employment-of-children/>

The Byelaws do not apply to children undertaking work experience under the Education (Scotland) Act 1980.

Under child employment law, children under 13 cannot be employed. However, children under the age of 13 years can take part in sport, advertising, modelling, films, television, theatre productions or other entertainment, if the local authority child performance licensing rules are followed.

Children aged 13 to 16 can do light work unless it is on the list of jobs which children are not allowed to do. Light work means work not likely to be harmful to the safety, health or development of children and does not affect their attendance at school.

What can young people do? The following is a list of Permitted Employment:

- Occasional light agricultural or horticultural work under the direct supervision of parent/carer (but not operation of tractors/machinery)
- Light agricultural or horticultural work (but not operation of tractors/machinery)
- Delivery of newspapers, journals or printed materials (but collection of any money under adult supervision)
- Shop work, including shelf stacking
- Hairdressing salons
- Office work
- Car washing by hand in a private residential setting (but not on commercial premises)
- In a café/restaurant (but not in the kitchen)
- Domestic work in hotels or other establishments offering accommodation (but not in the kitchen)
- In riding stables

What can't young people do? The following is a list of Prohibited Employment:

- work in a cinema, theatre, disco, dance hall or nightclub (except when performances are given entirely by children)
- selling or delivering alcohol, tobacco, fuel or oils
- delivering milk
- work in a commercial kitchen
- collecting or sorting refuse
- any work 3 meters above ground/floor level
- work involving chemicals
- collecting money or selling door to door unless under adult supervision
- work involving adult material
- work in telephone sales
- work in a slaughterhouse or parts of a butcher shop connected with the preparation of carcasses or meat for sale
- work in a fairground or amusement arcade
- any work in connection with games of chance or skill or similar devices or betting
- work in personal care of residents in nursing or residential homes unless under adult supervision
- work in a racecourse or dog racing enclosure
- any work in driving, feeding or attending to animals in any auction market
- work in a coal store/yard
- work as a lift operator
- work as a chimney sweep
- work in a fish processors or fish market
- work in a stone merchants or sawmill yards
- work as a street trader when under the age of 14, or on a Sunday (subject to Street Traders Licence conditions)

Working Hours

No child should be employed:-

- during school hours
- before 7am or after 7pm on any day
- for more than 2 hours on any school day
- for more than 4 hours in any day without a rest break or one hour
- without having 2 consecutive weeks without employment in any one year

Age	Hours on a school day (Monday-Friday)	Hours on a Saturday	Hours on a Sunday	Maximum hours per week (exclusive of breaks)
DURING TERM TIME				
13 or 14	2 hours maximum (can be split before and after school hours)	Up to 5 hours between 7am and 7pm	2 hours maximum between 7am and 7pm	Maximum 12 hours
15		Up to 8 hours between 7am and 7pm		Maximum 18 hours
DURING SCHOOL HOLIDAYS				
13 or 14	Up to 5 hours per day between 7am and 7pm (Monday to Saturday)		2 hours maximum between 7am and 7pm	Maximum 25 hours
15	Up to 8 hours per day between 7am and 7pm (Monday to Saturday)			Maximum 32 hours

Duties of the employer

Adherence to the Byelaws is the responsibility of the employer.

Employers should complete a Work Permit application form for each child who works for them showing:-

- the business name and address
- the name and address of the child
- the hours and days on which the child is to be employed
- the nature of work the child is to undertake
- the place of employment of the child
- evidence of parental consent
- details of the child's school
- that an appropriate risk assessment has been carried out

It is the duty of the employer to ensure that protective clothing is provided and for ensuring children employed in outdoor work wear suitable clothes and shoes.

Applying for a Work Permit

The application form is available from Moray secondary schools or on the Council's website at <https://www.moray.gov.uk/law-and-licensing/licences-permits-and-permissions/employment-of-children/>

The Work Permit may be suspended at any time if:-

- the child is excluded from school
- the child is exempt from attendance at school
- the child is absent from school through illness
- the authority think fit

Employers are liable for prosecution if they:-

- do not obtain a Work Permit for employees under 16
- employ children under 16 in a prohibited occupation
- allow children under 16 to work outside the hours permitted by the Byelaws