



Work Experience: Things Students Cannot Do...

There are laws and regulations outlining what young people **cannot** do on work experience. These notes are not exhaustive; the HSE provides guidance for young people at work. See <http://www.hse.gov.uk/youngpeople/workexperience/placeprovide.htm>

Employment law and work experience law are not the same. Work experience, or education law, allows students below the minimum school leaving age into work places which employment law would not, such as industrial settings. However, a number of employment laws and guidelines which are age related still apply in a work experience setting.

National guidelines state that work experience for young people in years 10 and 11, **must be based in England or Wales**. We do not have the resources to regulate in countries where education and employment laws vary from ours.

Post sixteen students are legally entitled to go to work and are better equipped to cope with the unexpected. However, working abroad is complex because employment laws differ, insurance is not the same and education law is different. Because work experience is a school activity you become responsible for making sure all these things are managed properly. Students or their parents **CANNOT** relieve the school of its duty of care on any activity run in association with the school. If parents insist on sending their son or daughter abroad you either have to be willing to pay the considerable sum to have the placement checked properly or you must state that it is an unapproved activity and record it as an unauthorised absence.

Schools may wish to set up properly managed placements abroad with one particular employer, and providing the chosen employer meets all the standards for the Cornwall EBP work experience scheme they may be used on a regular basis. Again, the initial cost of setting up such a link should not be underestimated.

Certain situations are not allowed for work experience for students under a certain age. For example students in years 10 and 11 **cannot** work

- In a tattoo studio or any other skin piercing environment
- On board a registered boat or ship
- In any gambling context
- In a cinema or night club
- Behind a bar
- In a travelling fair ground or circus

Apart from the shipping rule the above also apply to under 18's.



There are also restrictions on the types of activity students can do on work experience. They

- may not work above two metres fall height i.e. two metres above ground level outdoors or floor level indoors
- cannot work with toxic substances
- cannot be exposed to radiation
- cannot use power driven tools and machinery
- cannot work in excessive noise, heat or cold
- cannot work in confined spaces: mines, chimneys, storage tanks, tunnels, basements etc
- cannot drive tractors, quad bikes, earth moving machines etc
- See also **List of Prohibited Equipment & Machinery** in the Information For Employers page.

Where work experience is concerned the above also apply to under 18's, though supervised use of powered machinery, with adequate training may be possible for suitable students.

Agriculture offers all sorts of opportunities for accidents as many farms are run as small family concerns without too much attention to risks and employment laws. Their pleasant rural setting belies the scale of industrialisation and the array of potential hazards.

Also, there are laws which allow, for example, young people of 13 years upwards to drive tractors in certain circumstances. This would not be allowed on work experience, even if the student in question is used to such work at the weekends as a result of living in or near a farm setting. See <http://www.hse.gov.uk/youngpeople/law/prohibitions/agriculture.htm>

Agriculture is second only to construction in terms of the number of recorded deaths at work.

Students can work any hours they wish while on work experience, as long as their parents and employers are happy with the arrangement. The recommended limit is 40 hours in one week. They may work evenings or even a night shift if it is an integral part of the job they have chosen.