

Standards Committee

24 March 2016

Report title	Making of Employment of Children Byelaw
Cabinet member with lead responsibility	Cllr Val Gibson
Wards affected	All
Accountable director	Linda Sanders
Originating service	Safeguarding & Quality
Accountable employee(s)	Dawn Williams Jan Hickman
Report to be/has been considered by	Full Council -

Recommendation(s) for action or decision:

The Committee is recommended to:

1. Advise the Council on the making of the Byelaw as detailed at appendix 1 relating to the employment of children and on the affixing of the common seal of the Council.
2. Advise the Council to authorise the accountable Director to publish in one or more local newspapers a notice of the Council's intention to apply for confirmation of the byelaw.
3. Advise the Council to authorise the accountable Director to submit the byelaw for confirmation.
4. In the event that the making of the byelaw is confirmed, recommend the Council to approve the revocation of the existing byelaw relating to the employment of Children made on 16 December 1998.

1.0 Purpose

- 1.1 To recommend that the Standards Committee advise Council to make byelaws that replace those made on 16 December 1998 and to revoke those made on 16 December 1998.

2.0 Background

- 2.1 The laws which govern the employment of children under school leaving age are mainly contained in the Children and Young Persons Act 1933. The Act gives Local Authorities the power to make byelaws which provide additional controls regarding the employment of children. Many authorities make byelaws which broadly follow the model published by the Department of Health but some do depart from it, to varying degrees, to suit local circumstances.
- 2.2 The Children (Protection at Work) Regulations 1998 outlines amendments to the 1933 Act to include providing for the employment of children by the parents or guardians in light agricultural/ horticultural work on an occasional basis only. It is this provision the Council now wish to appear in the byelaw and this addition can be seen in the document attached at appendix 1 with the proposed addition marked in red.
- 2.3 On 16 December 1998 Wolverhampton City Council approved byelaws to regulate the employment of children however, these now need to be revoked and replaced by those proposed as attached at Appendix 1 to reflect a change in legislation.

3.0 Progress, options, discussion, etc.

- 3.1 Section 236 of the Local Government Act 1972 sets out the procedure to be followed by a Council when making byelaws. Full Council has authority to make and revoke byelaws and it is the role of Standards Committee to advise the Council on the making and revoking of those byelaws.

4.0 Financial implications

- 4.1 There are no direct implications arising from this report.

5.0 Legal implications

- 5.1 These are contained within the body of the report.
[SH/19112015/0]

6.0 Equalities implications

- 6.1 There are no direct implications arising from this report.

7.0 Environmental implications

7.1 There are no direct implications arising from this report.

8.0 Human resources implications

8.1 There are no direct implications arising from this report.

9.0 Corporate landlord implications

9.1 There are no corporate landlord implications arising from this report.

10.0 Schedule of background papers

10.1 Children and Young Persons Act 1933.
The Children (Protection at Work) Regulations 1998
Section 236 of the Local Government Act 1972