

# Guidance on employing workers aged 16 and 17

It's both legal and beneficial to employ young people (aged 16 and 17), in social care services, including home care and community-based services. Employing young people gives them the opportunity to start a career in care. The right employee, who has the right values and behaviours, can provide fresh thinking, challenge status quo and support with succession planning. They may also bring with them 'lived experience' that reflects the people employers are supporting.

## To employ workers aged 16 and 17, an employer should:

- ✓ ensure they're undertaking a social care learning programme<sup>1</sup>. This is commonly via the apprenticeship pathway. Undertaking the Care Certificate is important for all new employees including those aged 16 and 17, however, it can't be classed as a learning programme to cover this requirement
- ✓ where possible treat them as an additional worker within a team. This gives the employee an opportunity to learn from an experienced staff team
- ✓ ensure that appropriate support is offered to them; this could be in the form of coaching, peer support, buddying or mentoring
- ✓ ensure that the registered manager (or a delegated person) will assess their competency and confidence to carry out all the tasks required of them. This may include personal care. Once the employee is assessed as competent and confident, they could begin to work out of sight of experienced colleagues
- ✓ obtain consent from the person (or their advocate) who will be accessing care or support directly from the young person
- ✓ ensure that inexperienced workers are never left in charge of a care setting or to work on their own
- ✓ not require the employee to work when they are supposed to be learning
- ✓ not ask young employees to work between 22:00 and 06:00 (although there are some exceptions to this rule). In some roles employers can ask a young employee to work at night if all the following apply:
  - ✓ no-one 18 or over is available to do the work
  - ✓ it's suddenly busy or the person is needed to keep the service running



<sup>1</sup> A formal, approved learning programme is strongly recommended and will support employers meet best practice within [government guidance](#) and [CQC regulations](#).

- ✓ the young employee's education or training won't be affected by the work
- ✓ they're supervised by an adult - if it's necessary for their safety
- ✓ the person is given time to rest to make up for it - [find out more](#) about compensatory rest on GOV.UK
- ✓ ensure that young employees receive a 30-minute break once they're working 4.5 hours or more in a shift
- ✓ allow the employee to have at least 12 hours break between shifts and at least one 48 hour break each week
- ✓ not ask young employees to carry out work they're not physically or mentally suited to
- ✓ ensure that they're not required to carry out work that may carry a risk to it, either through equipment or environmental considerations
- ✓ make sure that young employees are being paid the [right amount](#).

As a young person, my first paid job was in social care and the opportunities it opened up to me have shaped the rest of my life and career. Supporting people to live full, independent lives and have their voices heard in all aspects of decision-making is what drew me to a career in social care and continues to drive me. As leaders we are in the privileged position to give young people the opportunity to start a career in care and to champion this path.



CQC fully supports the view of Skills for Care that 16 and 17 year olds can make a valuable contribution to adult social care and encourage regulated services to embrace the guidance. It is vital that, when working with this age group, providers meet the fundamental standards of safety and quality as well as following best practice guidelines. This updated guidance from Skills for Care is a welcome addition to that.

Kate Terroni, Chief Inspector for Adult Social Care, Care Quality Commission (CQC)

Younger people, including 16 and 17 year olds, can be a valuable part of the caring workforce and may have caring experience which make them suitable to do the job. United Kingdom Homecare Association (UKHCA) have produced guidance for its members on employing 16 and 17 year olds setting out the legal obligations for homecare employers in all four UK administrations. This is available via UKHCA's website at <https://www.ukhca.co.uk/downloads.aspx?ID=140#bk1>

## Find out more:

For more information on recruiting for your workplace visit

[www.skillsforcare.org.uk/recruitment](http://www.skillsforcare.org.uk/recruitment)

To find out more about apprenticeships in adult social care visit

[www.skillsforcare.org.uk/apprenticeships](http://www.skillsforcare.org.uk/apprenticeships)

