



Glasgow City Council

City Administration Committee

Report by Mairi Millar, Director of Legal and Administration

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Item 5

4th December 2025

REVIEW OF BYELAWS RELATING TO THE EMPLOYMENT OF CHILDREN

Purpose of Report:

To advise the Committee on the outcome of the 10-year statutory review of the Council's Byelaws on the Employment of Children which were made by Glasgow City Council on 28 April 2015 and came into force on 1 June 2015.

Recommendations:

The City Administration Committee is requested to:

1. note the outcome of the Byelaw review process and the feedback received from internal and external consultees including the Glasgow BGE Schools Forum; and
2. agree that the Byelaws should be retained and that no changes are required to their terms.

Ward No(s):

Citywide: ✓

Local member(s) advised: Yes ☐ No ☐ consulted: Yes ☐ No ☐

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1 Background

- 1.1 The Council's Education Committee approved the introduction of byelaws governing the arrangements in respect of the Employment of Children on 17 September 1998¹.
- 1.2 Following a statutory review of the above byelaws, it was identified that amendments were required to reflect the provisions of the Children (Protection at Work)(Scotland) Regulations 2000. As a result, amendments were proposed to the byelaws relating to (i) the employment of children under 13 and (ii) employment during school term time and a report was made to the Council's Executive Committee on 20 March 2014. The report sought approval of the changes to the byelaws and authority to proceed with the advertisement and confirmation of new byelaws. The statutory process was completed in May 2015 and the current version of the byelaws ("the Byelaws") came into force on 1 June 2015.
- 1.3 This report sets out the findings of a recent review of the Byelaws and the recommendations which have arisen from that review.

2 Employment of Children Byelaws

- 2.1 The Byelaws were originally enacted following the introduction of European and UK laws intended to protect children by regulating the types and hours of work they could do. For the purposes of the Byelaws, a '*child*' is defined as someone who is not over school leaving age.
- 2.2 The Byelaws set out restrictions on the different ages at which children may be employed and the types of work they can and cannot do. In summary:
 - children under 13 cannot be employed;
 - children of any age cannot be employed in the types of work which are prohibited by the Byelaws. Examples include working at height or in jobs that involve harmful exposure;
 - children aged 13 can only be employed in work of the types specified in the Byelaws. Examples include shop work, in hairdressing salons or delivering newspapers;
 - children aged 14 and over can only be employed in work that is unlikely to be harmful to their health, safety or development and will not harm their attendance at school, training programmes or work experience. The Byelaws define this as 'light work'; and
 - there are specific restrictions in respect of children engaging in street trading and the grant of street traders' licences to children. In addition to those restrictions, as with other employment, the Council must also

¹ The 1998 byelaws were the first byelaws relating to the employment of children made by Glasgow City Council. These byelaws revoked and replaced existing byelaws which had previously been made for the area by the former Strathclyde Regional Council.

be satisfied that the grant of such a licence will not be detrimental to the child's health, safety or development and will not harm their educational attainment.

- 2.3 A child may only be employed in accordance with the terms of an employment permit issued by the Council ("a Permit"). Within a week of employing a child, the employer must supply the Council with the required information set out in the Byelaws. On receipt of this information, the Council may issue a Permit if it is satisfied that the employment is in accordance with the requirements of the Byelaws and is not detrimental to the child's health, welfare or education. Once granted, a Permit may be amended or revoked by the Council in accordance with the provisions of the Byelaws.
- 2.3 The full text of the current Byelaws can be accessed via the Council's website: https://www.glasgow.gov.uk/media/6096/Employment-of-Children-Byelaws/pdf/Employment_of_Children_Byelaws.pdf?m=1702657356947.

3 Review Process

- 3.1 In terms of section 202A of the Local Government (Scotland) Act 1973, local authorities must carry out a review of their byelaws 10 years after they come into force and every 10 years thereafter. There is no fixed statutory process for the completion of a review of byelaws. The Scottish Government has confirmed that local authorities have the discretion to determine how best to review their byelaws and decide whether they wish to consult with any other bodies in the process.
- 3.2 To coincide with the 10-year anniversary of the current Byelaws coming into force, an initial review was carried out to determine:
- if there was still a requirement for the Byelaws; and,
 - if the Byelaws were still required, whether any changes to their terms were necessary.

This initial review was undertaken by Legal Services in consultation with Education Services, Licensing and Social Work Services as internal Council stakeholders.

- 3.3 Following the above internal review, Police Scotland, the Crown Office and Procurator Fiscal Service ("COPFS") and Glasgow BGE Schools Forum ("the Forum") were also consulted to obtain their views as to whether there was a continued need to retain the Byelaws.

4 Responses from Consultees

- 4.1 GCC Education Services
Education Services agreed that the Byelaws are still required, that they were satisfied with the existing scope and proposed no amendments to the terms of the Byelaws.

4.2 GCC Licensing

Licensing confirmed that the regulatory position in respect of the Byelaws remains unchanged and, as such, proposed no amendments to the terms of the Byelaws.

4.3 GCC Social Work Services/Glasgow Health and Social Care Partnership (HSCP)

Social Work Services/HSCP agreed that the Byelaws are still required, that they were satisfied with the existing scope and proposed no amendments to the terms of the Byelaws.

4.4 Police Scotland

Police Scotland confirmed that they are of the opinion that the Byelaws continue to be necessary, offered no amendments and were satisfied with the proposed terms of the Byelaws.

4.5 Crown Office and Procurator Fiscal Service

COPFS did not recommend any changes to the terms of the Byelaws or make any other proposals.

5. **Glasgow Schools BGE Forum Consultation**

As part of the review of the Byelaws and to satisfy the requirements of United Nations Convention on the Rights of the Child (“UNCRC”), members of the Forum were consulted in order to offer young people who attend school in Glasgow the opportunity to express their views and opinions on the Byelaws which affect them. This consultation took the form of a presentation and workshop sessions at a meeting of the Forum in June 2025.

The Forum attendees participated in activities where they were asked to identify the restrictions the Byelaws place on work that can be undertaken by children and what they thought the reason(s) for this were. This included consideration of:

- the types of work that children are and are not able to do;
- the number of hours that children are allowed to work; and
- at what times children are permitted to work.

The participants were also given an opportunity to identify any provisions of the Byelaws that they did not agree with and suggest any changes they considered necessary.

The Forum attendees were in agreement that the Byelaws continue to be required and that the existing terms were fair overall. The young people consulted also acknowledged that, while some young people may wish to work to help support their family’s needs, the aim of the Byelaws is to balance this consideration alongside the need to maintain the safety of children; allow them to focus on their education; and to provide them with enough time to play, relax and maintain their physical and mental wellbeing.

6 Recommendations from Review

- 6.1 As a result of the responses from internal consultees, Police Scotland and COPFS, and in light of the views expressed by the Glasgow BGE Schools Forum, it is recommended that the Byelaws are retained and that no changes are required.
- 6.2 As no changes are proposed, confirmation of the Byelaws is not required from the Scottish Government.

7. Policy and Resource Implications

Resource Implications:

<i>Financial:</i>	There are no new financial implications arising from the report.
<i>Legal:</i>	The review of the Byelaws has been undertaken in accordance with the requirements of section 202A of the Local Government (Scotland) Act 1973.
<i>Personnel:</i>	There are no personnel issues arising from the report.
<i>Procurement:</i>	There are no procurement issues arising from the report.

Council Strategic Plan:

The Byelaws support a number of key priorities in the Council Strategic Plan, specifically under the themes of:

Raising attainment amongst Glasgow's children and young people (Grand Challenge 2, Mission 3)

The Byelaws will help to support the Council's approach to raising attainment amongst Glasgow's children and young people by promoting school attendance, attainment and positive destinations.

Running an open, well governed council in partnership with all our communities (Grand Challenge 4, Mission 2)

In making the recommendations within this report, the Council has taken on board the views of its citizens and consultees. In particular, the Council has via the Glasgow

BGE Schools Forum sought the views of young people and children whom the Byelaws will directly impact.

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2021-25? Please specify.

Yes. The Byelaws support the Council's Equality Outcomes through **Outcome 14** which prioritises improving outcomes in relation to attainment and achievement for children and young people including those experiencing socio-economic disadvantage, those for whom English is not their first language, those who identify as black and minority ethnic, and disabled children and young people.

What are the potential equality impacts as a result of this report?

The need to improve attainment and achievement is the core aim of the Council's Education Services. The Byelaws support this by putting measures in place to reduce the impact of extracurricular work on school attendance and attainment.

Please highlight if the policy/proposal will help address socio-economic disadvantage.

Improved school attendance and educational attainment helps promote positive destinations beyond school leaving age.

Climate Impacts:

Does the proposal support any Climate Plan actions? Please specify:

No significant impact on Climate Plan actions.

What are the potential climate impacts as a result of this proposal?

Not Applicable.

Will the proposal contribute to Glasgow's net zero carbon target?

Not Applicable.

**Privacy and Data
Protection Impacts:**

Are there any potential
data protection impacts
as a result of this report None.

If Yes, please confirm that
a Data Protection Impact
Assessment (DPIA) has
been carried out Not Applicable.

8 Recommendations

8.1 Committee is requested to:

1. note the outcomes of the Byelaws review process including the consultation with internal and external stakeholders; and
2. agree that the Byelaws should be retained and that no changes to their terms are required.