

## **Retention of Byelaws relating to the employment of children approved.**

**5** There was submitted a report by the Director of Legal and Administration regarding a review of the Byelaws Relating to the Employment of Children, advising that

- (1) the Employment of Children Byelaws set out restrictions on the different ages at which children may be employed and the types of work they could and could not do;
- (2) a child may only be employed in accordance with the terms of an Employment Permit issued by the Council ("a Permit"), if the Council was satisfied that the employment was in accordance with the requirements of the Byelaws and was not detrimental to the child's health, welfare or education and once granted, a Permit may be amended or revoked by the Council in accordance with the provisions of the Byelaws;
- (3) 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, however there were no fixed statutory process for the completion of a review of byelaws and the Scottish Government had confirmed that local authorities had the discretion to determine how best to review their byelaws and decide whether they wished to consult with any other bodies in the process;
- (4) to coincide with the 10-year anniversary of the current Byelaws coming into force, an initial review was carried out by Legal Services, in consultation with Education Services, Licensing and Social Work Services as internal Council stakeholders 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;
- (5) of the responses from Police Scotland, the Crown Office and the Procurator Fiscal Service (COPFS) and the Glasgow BGE Schools Forum who were also consulted to obtain their views as to whether there was a continued need to retain the Byelaws and their responses; and
- (6) as a result of the responses from internal consultees, Police Scotland, the COPFS and the Glasgow BGE Schools Forum, it was proposed that the Byelaws be retained and that no changes were required and as no changes were proposed, confirmation of the Byelaws was not required from the Scottish Government.

After consideration, the committee

- (a) noted the outcome of the Byelaw review process and the feedback received from internal and external consultees including the Glasgow BGE Schools Forum; and

- (b) agreed that the Byelaws should be retained and that no changes were required to their terms.