Department for Education

Child employment: regulatory framework

Government consultation

Launch date 2 November 2026

Respond by 13 December 2026

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Introduction

The Children's Wellbeing and Schools Act 2026[1] made changes to the legal framework governing the employment of children of compulsory school age in England. These changes included amendments to permitted working hours and replacing the power of local authorities to make child employment byelaws with a national regulatory framework. They also included a statutory requirement for a child employment permit.

The changes will give children more opportunities to take up suitable employment while strengthening the approach overall and maintaining many of the current safeguards. The changes ensure a greater emphasis on safeguarding and clearer, more consistent expectations across England, to support children to engage in safe, appropriate work.

The changes are, subject to Parliamentary time, expected to come into force, alongside regulations, in early 2028. Most current local authority child employment byelaws are based on model byelaws issued by the Department for Health in 1998, with some local adaptations. Once in force, the new regulatory framework will ultimately replace these local authority byelaws.

This consultation seeks views to inform the new regulatory framework for child employment. Responses will also inform what might be covered in any supporting guidance.

Unless otherwise stated, all references to local authority byelaws in this document are to byelaws issued under section 18 of the Children and Young Persons Act 1933.

Who this consultation is for

This consultation is for anyone with an interest in improving outcomes and opportunities for children and families. This may include children and young people, parents and carers, employers, local authority councillors and officers, and educational establishments.

Issue date

The consultation was launched on 2 November 2026.

Enquiries

For enquiries related to the policy content of the consultation, you can contact the team by email at childemployment.consultation@education.gov.uk. For enquiries about the DfE

[1] Children's Wellbeing and Schools Act 2026

consultation website or process, contact coordinator.consultations@education.gov.uk or the DfE Contact us page.

Additional copies

Additional copies can be downloaded from GOV.UK DfE consultations.

What will happen after the consultation?

DfE's response will be to develop regulations for parliamentary scrutiny. We expect the revised regulatory framework to come into force in 2028, subject to parliamentary timings.

About this consultation

Children can benefit from employment opportunities where they are suitable for their age and circumstances. Child employment law is designed to ensure that employment is beneficial and does not have a harmful effect on a child's health, safety, welfare, development or education.

Sections 28 and 29 of the Children's Wellbeing and Schools Act 2026 will provide more flexibility to children and employers in relation to when children can work. This gives children more opportunities to take up suitable employment while ensuring their health, development and education are not adversely affected. Instead of the current system of applicable local authority byelaws, the Secretary of State will make regulations in relation to the employment of children in England. Welsh and Scottish ministers have similar powers in relation to Wales and Scotland respectively.

Child employment legislation applies until a child reaches the school leaving age. In England, a child reaches the school leaving age on the last Friday in June in the school year in which they reach the age of 16. Once a young person reaches the school leaving age, a work permit is no longer required for them to work part time and different employment laws and protections apply. This consultation applies to England only.

What this consultation does not cover

This consultation does not cover:

- the employment of young people over compulsory school age or who have reached school leaving age;
- street trading under section 20 of the Children and Young Persons Act 1933;
- child performance legislation and licensing requirements;
- general employment law, except where it specifically relates to the employment of children;
- work experience (for young people, who have not yet reached the end of compulsory school age);
- individual cases or specific employment arrangements. Whether a particular arrangement complies with the law will depend on the facts and circumstances of the case; or
- child employment regulations in Wales or Scotland. The legislation allows for Welsh and Scottish ministers to make separate regulations for their nations.

Respond Online

To help us analyse the responses, use the online system wherever possible. Visit DfE consultations on GOV.UK to submit your response.

Other ways to respond

If for exceptional reasons you are unable to use the online system – for example, because you use specialist accessibility software that is not compatible with the system – you may request an alternative format of the form.

By email

- Childemployment.consultation@education.gov.uk

By post

Claire Spalding / Rob Myers
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Deadline

The consultation closes on 13 December 2026.

What we are consulting on now

This consultation document makes 5 proposals.

We want to understand views on the new regulatory framework for child employment. We will carefully consider all responses and use them to make the regulations, and to strengthen and ensure greater consistency in any supporting guidance.

Background

Once fully in force, section 28 of the Children's Wellbeing and Schools Act 2026 (the 2026 Act) will replace section 18 of the Children and Young Persons Act 1933[2] (the 1933 Act) and insert a new section 18A into that Act.

The changes will modernise the child employment framework while largely retaining the core protections that have existed under the 1933 Act. Most of the existing safeguards on working hours, weekly limits, rest breaks, annual breaks from employment, and the requirement that children only undertake "light work" (as defined in the 1933 Act, as amended by 2026 Act), remain unchanged.

The main changes are that a child will be permitted to work, within existing limits:

- until 20:00 (as opposed to 19:00) on any given day;
- for up to an hour before school; and
- for more than two hours on a Sunday (it will be treated the same as a Saturday).

The new legislation also places greater emphasis on safeguarding and consistency. Previously, much of the detail governing child employment was set through local authority byelaws, giving the potential for different rules to operate in different areas. The 2026 Act will replace this approach with a national system where the Secretary of State in England can make regulations setting out detailed requirements. Once in force, the new regulations will ultimately replace local authority byelaws made under section 18 of the 1933 Act.

The general minimum age for employment remains 14. There will be limited scope for 13-year-olds to undertake specified descriptions of light work, as will be set out in national regulations (rather than local authority byelaws).

A statutory child employment permit system will be introduced. This will mean that children will generally only be able to work if the local authority has granted a child employment permit. While many local authorities required permits through local byelaws, the new approach will bring greater consistency. Regulations are expected to govern various aspects of the permit system including the application process and the information

[2] Children and Young Persons Act 1933

employers must provide, the variation and revocation of issued permits and how appeals can be made.

It is currently an offence under section 21 of the 1933 Act to employ a child in contravention of section 18 (or in contravention of any byelaws made thereunder). Once the relevant provisions of the 2026 Act are in force, employing a child without a required permit will therefore also become an offence alongside employing a child in contravention of the regulations. Local authorities are responsible for monitoring compliance with child employment legislation. Where a local authority identifies non-compliance, it may take appropriate enforcement action.

We would like to hear your views on our proposals.

Section 1

Prohibited Work

The changes in the 2026 Act allow the Secretary of State in England to make national regulations to prohibit children from undertaking specified descriptions of work. These regulations will replace existing prohibitions in separate local authority byelaws.

In England, the main restrictions contained in the 1933 Act will remain. In particular, children will still only be permitted to do light work which, under the slightly amended definition in the 2026 Act, means work that is not likely to be harmful to their safety, health or development and is not harmful to their education or participation in work experience.

In 1998, the Department of Health issued model byelaws[3] for local authorities, setting out prohibited employment for all children. These model byelaws, where adopted by local authorities, already restrict children from the following types of employment:

- in a cinema, theatre, discotheque, dance hall or night club, except in connection with a performance given entirely by children;
- sale or delivery of alcohol, except in sealed containers;
- delivery of milk;
- delivery of fuel oils;
- work in commercial kitchens;
- work collecting or sorting refuse;
- work involving gambling activities;
- work in industrial undertakings, including manufacturing, construction, mining, quarrying and the transport of passengers or goods or the use of heavy machinery;
- ork involving age-restricted products, services or activities where this is prohibited by law;
- work involving door-to-door sales or collections, except where permitted by law;
- work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children;
- telephone sales;
- work in any slaughterhouse or in that part of any butcher's shop or other premises connected with the killing of livestock, butchery, or the preparation of carcasses or meat for sale;

[3] House of Commons Library, Employment of Children (Standard Note SN/BT/653, 12 March 2009), SN00653.pdf

- as an attendant or assistant in a fairground or amusement arcade or in any other premises used for the purpose of public amusement by means of automatic machines, games of chance or skill or similar devices; or
- in the personal care of residents of any residential care home or nursing home unless under the supervision of a responsible adult.

We intend to adopt a similar list within the regulations and to use this as a starting point (subject to the consultation).

Question 1: **Are there any additional categories that should be added to the list of prohibited types of employment or any amendments which should be made to any types of work in the list?** Free text 250 words

In addition, we intend to add to this list:

- the sale of tobacco and vapes, unless supervised by an adult; and
- the sale or provision of services relating to sunbeds, unless supervised by an adult.

This would bring the sale of tobacco and vapes and the sale and provision of services related to sunbeds into line with work involving other age restricted products, such as the sale of alcohol by children.

Question 2: Do you agree with adding the sale of tobacco and vapes and the sale or provision of services relating to sunbeds, unless supervised by an adult, to the list of prohibited types of employment? Y / N / Don’t know

Section 2

Regulations for Permits

The changes in the 2026 Act allow the Secretary of State to make provision in regulations relating to child employment permits in England. Such provision will ultimately replace the permit provisions contained in local authority byelaws made under section 18 of the 1933 Act.

The purpose of the permit system is to enable local authorities to satisfy themselves that the proposed employment complies with child employment legislation, including ensuring that the child's health, welfare and education will not be adversely affected.

Regulations are expected to govern various aspects of the permit system including the application process, the variation and revocation of issued permits, and appeals.

Permit applications

We are proposing that regulations should largely mirror most existing byelaws and set out the following:

- An employer must apply to the local authority in which the child will work for a child employment permit before the start of the child's employment;
- A child employment permit application must contain:
- the employer's name and address;
- the name, address and date of birth of the child;
- the hours and days on which the child is to be employed;
- the occupation in which the child is to be employed, including details of the task(s) involved; and
- the child's place of employment (if different to the employer's address);
- a statement of the child's fitness to work, and of approval for the child to be employed, completed by the child's parent or guardian;
- (where a child is registered as a pupil) the name and address of the school at which the child is a registered pupil; and
- written confirmation that an appropriate risk assessment has been carried out by the employer.

Question 3: **Do you agree with the above list?** [strongly agree, agree, neutral, disagree, strongly disagree]

Question 4: Are there any other elements of the application process that should be set out in regulations? [free text 250 words]

Question 5: Are there any elements of the proposed application requirements that should not be set out in regulations or should be altered or amended? [free text 250 words]

Issuing of permits

We are proposing that regulations should largely mirror most existing byelaws and set out:

- The local authority must not issue the child with an employment permit unless, on receipt of an application, it is satisfied that:
- the proposed employment is lawful**,** including that it does not jeopardise the child's health, welfare or ability to take full advantage of his education; and
- the child is fit to undertake the work for which he is to be employed.
- Before issuing an employment permit a local authority may require a child to have a medical examination;
- A local authority may issue a child employment permit subject to any conditions it deems appropriate to safeguard and promote the welfare of the child;
- A child employment permit must set out:
- the name, address and date of birth of the child;
- where the child is educated, including the name and address of the child's school, if applicable;
- the hours and days on which the child is to be employed;
- the occupation in which the child is to be employed;
- details of the task or tasks involved; and
- the child's place of employment.
- A local authority may vary a child's employment permit from time to time on the application of an employer, or in order to safeguard and promote the welfare of the child**;**
- The local authority may at any time suspend or revoke a child's employment permit if it has reasonable grounds to believe:
- that the child is being unlawfully employed; or
- that the child's health, welfare or ability to take advantage of their education are suffering or likely to suffer as a result of the employment.
- A local authority may disclose information about a child employment permit to another local authority in England or Wales or to a local authority in Scotland where it believes it is necessary to do so to safeguard and promote the child's welfare;
- The local authority must set out and publish the details of its procedures for dealing with appeals against a decision to reject a child employment permit application or in relation to the varying, suspending or revoking of child employment permits; and
- Permits are not transferable to other children, employers or roles.

Question 6: Do you agree with the above list? [strongly agree, agree, neutral, disagree, strongly disagree]

Question 7: Should local authorities be required to share information when a child lives in one local authority area but works in another? [Yes/No/Don't know]

Question 8: Should any aspect of the local authority appeals process be mandated through the regulations? [Yes/No/Don't know]

If yes, please specify [free text 250 words]

Question 9: Are there any other elements of the permit process that should be set out in regulations? [free text 250 words]

Question 10: Are there any elements of the proposed permit requirements that should not be set out in regulations or should be altered or amended? [Yes/No/Don't know]

If yes, please specify [free text 250 words]

Section 3

Specific Conditions for 13-year-olds

The changes in the 2026 Act allow the Secretary of State to make regulations authorising the employment of children aged 13 to do specified descriptions of light work. We propose that regulations in this area will largely mirror the 1998 model byelaws. Once in force, the regulations would ultimately replace any provision made for the employment of 13-year-olds in local authority byelaws issued under section 18 of the 1933 Act.

The model byelaws state that a child of 13 may only be employed in light work in one or more of the following specified categories:

- Agricultural or horticulture work;
- Delivery of newspapers, journals and other printed material;
- Shop work, including shelf stacking;
- Hairdressing salons;
- Office work;
- In a café or restaurant (but not a commercial kitchen);
- In riding stables;
- Domestic work in hotels and other establishments offering accommodation; and/or
- Car washing by hand on a private residential setting.

For the avoidance of doubt, the above list or any similar list ultimately adopted, is not intended to indicate that all work falling in the specified categories is authorised. The work itself must still fall within the statutory definition of 'light work' and all other restrictions and conditions relating to the employment of children contained in section 18 of the 1933 Act (as amended by the 2026 Act, once the provisions are fully brought into force), would equally apply to any 13-year-olds employed to undertake specified descriptions of light work.

Question 11: Should 13-year-olds be permitted to undertake any other forms of light work? Y/N/Don't Know

If yes, please specify [free text 250 words]

Question 12: Are there any types of light work currently on the list that 13-year-olds should not be permitted to undertake? Y/N/Don't Know

If yes, please specify 250 words

Section 4

Hours and breaks

Once the provisions of the 2026 Act are fully in force, the law will already provide that a child may not be employed to work:

- before 07:00 or after 20:00 on any day;
- on any day on which the child is required to attend school:
- for more than one hour before the start of school hours,
- during school hours, or
- for more than two hours in total in the day;
- for more than 12 hours in any week in which the child is required to attend school;
- for more than eight hours or, if the child is under 15, for more than five hours in any day on which the child is not required to attend school;
- for more than 35 hours or, if the child is under 15, for more than 25 hours in any week in which the child is not required to attend school;
- for more than four hours in any day without a break of one hour; or
- at any time in a year unless at that time a person employing the child is satisfied that the child has had, or could still have, a period of at least two consecutive weeks without employment during a period in the year in which the child is not required to attend school.

The changes in the 2026 Act then allow the Secretary of State to make regulations specifying, amongst other things and subject to the provisions above: the number of hours in each day, or in each week, for which children may be employed, and the times of day at which they may be employed; the intervals to be allowed to children for meals and breaks, when in employment; and, other conditions to be met in relation to the employment of children.

In terms of breaks specifically, we propose to adopt similar provisions to The Working Time Regulations 1998[4], which set out expectations for young workers, (individuals who have reached the minimum school leaving age but are under the age of 18) in terms of breaks from work. We propose that the child employment regulations should set out that a child who has not reached the minimum school leaving age must have, as a minimum:

- 12 hours' rest in any 24-hour period in which they work (for example, between one working day and the next); and

[4] The Working Time Regulations 1998

- 48 hours' (2 days) rest taken together, each week or – if there is a good business reason why this is not possible – at least 36 hours' rest, with the remaining 12 hours taken as soon as possible afterwards.

Question 13: Do you agree that these requirements should be included in the child employment regulations? [Y/N/Don't know]

Question 14: Are there any further requirements around breaks that should be included in the child employment regulations? [Y/N/Don't know]

Question 14: **If so, what additional requirements should be included?** [Free text 250 words]

Section 5

Other conditions

We want to ensure that the regulations set out clear expectations for the child employment regulatory framework.

Question 16: **Are there other conditions related to child employment that should be set out in the regulations that are not covered in the above?**

[free text 250 words]

Section 6

Equalities Impact Assessment

Section 149 of the Equality Act 2010 requires the Secretary of State, when exercising the functions of the Secretary of State, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

Government is carefully considering how these revisions might have an impact, whether positive or negative on individuals and groups who share protected characteristics and those who do not. We will undertake a full equality impact assessment as part of our response to this consultation.

Question 17: Do you have any overall comments about the potential impact, whether positive or negative, of our proposed changes on those who share protected characteristics under the Equality Act 2010?

Where you identify any negative impacts, we would also welcome suggestions of how you think these might be mitigated [free text 250 words]

Personal Data

To help us analyse the responses, please use the online system wherever possible.

Visit www.education.gov.uk/consultations to submit your response.

Please note that this consultation applies to England only.

We know that not everyone will wish or feel able to answer all of the questions in this consultation.

You are encouraged to answer the questions you would like to respond to, but you do not have to respond to all of them.

Privacy Notice

The personal data (name and address and any other identifying material) that you provide in response to this consultation is processed by the Department for Education as a data controller in accordance with the UK GDPR and Data Protection Act 2018, and your personal information will only be used for the purposes of this consultation. The Department for Education relies upon the lawful basis of article 6 (1) (e) of the UK GDPR, which allows us to process personal data when this is necessary for conducting consultations as part of our function.

We may share information we hold about you with certain organisations, where the law allows it or we have a legal obligation to do so. There may be some circumstances where we'll need to share information about you with others without your consent. For example, this might be to prevent or detect a crime, or to produce anonymised statistics for research purposes. In all cases, we'll comply with the Data Protection Act 2018.

The personal information will be retained for a period of 12 months following the closure of the consultation period, after which it will be securely destroyed.
You can read more about what the Department for Education does when we ask for and hold your personal information in our personal information charter, which can be found here: Personal information charter - Department for Education - GOV.UK (www.gov.uk)

Confidentiality Notice

Information provided in response to consultations, including personal information, may be subject to publication or disclosure under the Freedom of Information Act 2000, the Data Protection Act 2018 or the Environmental Information Regulations 2004.

If you want all, or any part, of a response to be treated as confidential, please explain why you consider it to be confidential. If a request for disclosure of the information you have provided is received, your explanation about why you consider it confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

Personal Information

The following questions are about your personal details and contact preferences. They help us to understand themes in the responses we receive.

1. What is your name?

2. What is your email address?

3. Would you like us to keep your responses confidential?

4. Are you responding:

- As an individual
- In a professional capacity
- On behalf of an organisation

5. [If as an individual] Which of the following best describes the perspective from which you are responding to this consultation?

- A child or young person
- Parent
- Adoptive parent
- Kinship carer
- Foster carer
- Special Guardian
- Other
- Prefer not to say

7. [If in a professional capacity] Which of the following best describes your professional role?

- Employer
- Local authority
- Social worker
- Teacher/Designated Safeguarding Lead
- Health professional
- Police
- Justice
- Family support worker
- Youth worker
- Academic
- Other practitioner

10. [If in a professional capacity] Which of the following best describes your organisation?

- Employer – small to medium enterprise
- Employer – large enterprise
- Local authority
- Education organisation
- Health organisation
- Policing organisation
- Justice organisation
- Professional body
- Research organisation
- Voluntary, community or social enterprise
- Charity
- Other

Diversity Questions

How old are you?

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+
- Prefer not to say

What is your gender?

- Male
- Female
- Non-binary
- Prefer to self-describe
- Prefer not to say

What is your ethnic group?

- White
- Mixed or Multiple ethnic groups
- Asian or Asian British
- Black, Black British, Caribbean or African
- Other ethnic group
- Prefer not to say

Do you have an impairment, health condition or learning difference that has a substantial or long-term impact on your ability to carry out day-to-day activities?

- Yes
- No
- Prefer not to say

Consent and Contact Preferences

In sharing findings from this consultation, may we quote from your response?

- Yes
- No

May we contact you if we have any follow-up questions about your response?

- Yes
- No

Department for Education

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