

SAFEGUARDING CHILDREN
on
Work Experience
And
Work Related Learning

INFORMATION AND PROCEDURES

TAMAR EDUCATION BUSINESS PARTNERSHIP

November 2008

In full Consultation with Plymouth City Council's Legal, Health & Safety,
Insurance and Child Protection Teams.

FOREWORD

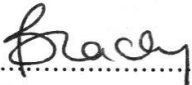
These Work Experience Guidelines combine legislation, guidance, experience, updates from practitioners and the accrued knowledge of Tamar Education Business Partnership working with other work experience agencies.

The **endorsing authority** require schools and colleges to ensure the document remains current by (a) inserting revision material that will be provided by Tamar Education Business Partnership and (b) keeping their own procedures and practice in line with national developments. Revisions will be referenced and dated and a registered person in each establishment will be recorded as the recipient. It is important to note these **GUIDELINES ARE NOT OPTIONAL** for Local Authority schools. Other schools are welcome to adopt them.

Tamar Education Business Partnership would like to acknowledge the work of Anthony Johns, who contributed much of the substance of this publication and whose help and expertise were invaluable in its production.

There has been an enormous increase in demand for work related learning opportunities in recent years. Work experience placements offer a myriad of learning and self-assessment opportunities for students. Understanding the importance of Key Skills for employability is an entitlement of all young people about to make the transition from adolescent to adult working life. In making arrangements for the important contribution work experience can make, all the partners, including schools, colleges, agencies, parents and students, **must pay attention to both the personal development and health and safety issues involved.**

These guidelines aim to further the quality of the experiences gained from the real world of work and to establish the endorsing authorities "duty of care" to the next generation of employable young people.


.....
Bronwen Lacey
Director of Children and Young Peoples Services

17/7/09
.....
Date

CONTENTS

	Page
Introduction	5
SECTION I The Legal Framework	7
1 The Law	
2 Legislation Affecting Post 16 Students	
3 Excluded Students	
4 Other Work Related Activities	
5 Insurance and Work Experience	
6 Indemnities	
SECTION II Health & Safety & Responsibilities	15
1 Key Partners and Roles	
A Education Employers	
B Education Establishment	
C Work Experience Organiser	
• Placement Suitability Assessment of Placement Provider / Employer	
D Placement Providers	
E Parent & Carers	
F Students & Learners	
SECTION III Restrictions and Medical Information	31
1 Restrictions on the Activities Students Carry Out on Work Experience	
2 MSLA (Minimum School Leaving Age)	
3 Working On Water	
4 Prohibited Employments and Legislation/By Laws	
5 Specialist Health & Safety Briefings	
6 Risk Assessments	
7 Medical Information	
• List of Common Health Defects	

SECTION IV Child Protection in the Work Place

39

- 1 To which Students Does Safeguarding Children in Education Apply?
- 2 What is the difference between Short and Long Term Extended Work Placements
- 3 Additional Safeguards
- 4 When are Criminal Records Bureau Checks Necessary?
- 5 What is a CRB check?
- 6 School/College Responsibilities and CRB checks
- 7 Tamar EBP/Plymouth City Councils' Responsibilities
- 8 Student Suitability for Work Experience
- 9 Extended Work Experience CRB check and Risk Assessment Guidance
- 10 Child Protection Incident Procedure
- 11 Child Protection Guidance for Placement Providers
- 12 Child Protection Flow Chart (PD)

SECTION V Approval Procedures and Documentation

52

- 1 Approval of Work Experience Programmes (**Tamar EBP**)
- 2 Work Related Learning/Education with Training Providers (**TVC**) or Through Placement
 - Examples of different kinds of work-related learning activities
- 3 Hours of Work and Payment
- 4 Timing of Work Experience
- 5 Out of County Placements
- 6 Work Experience Abroad
- 7 Travel to Offsite Provision

SECTION VI Extended Work Experience

60

- 1 What is Extended Work Experience ?
- 2 Organisation
- 3 What is the difference between short-term and long-term work experience?
- 4 Monitoring and Definitions Relating To Extended Work Experience
- 5 Checklist for organizers of Extended Work Experience

SECTION VII	Work Related Learning	65
1	Employers Supporting Work Related Learning	
2	Table of Examples	
3	Procedures	
SECTION VIII	Preparation and Contact with Students on Placement	70
1	Placement Preparation and Arrangements	
2	Contact with Student on Placement	
3	Tutors Visits to the Placement	
4	Students Travel Costs to and From Placement	
5	Lunch Time Supervision	
6	Learning Frameworks	
7	Work Experience Logbook	
SECTION IX	Accident Reporting Procedures	74
1	Accident Reporting Procedures	
2	Media Reporting (PCC)	
APPENDIX I	List of Publications	76
APPENDIX 2	Management of Health & Safety Regulations (1999)	77
APPENDIX 3	RIDDOR Reporting Form (Sample)	78
APPENDIX 4	Work Experience Accident Flow Chart Tamar EBP	79
APPENDIX 5	Training Providers Accident Flow Chart TVC	80
APPENDIX 6	Student Health & Safety Questionnaire Induction	81

WORK PLACEMENTS AND THE LAW

INTRODUCTION

Young people and work experience

These Guidelines are intended to help schools and colleges in their running of Work Experience programmes. They spell out the current legal and insurance requirements as well as the procedures.

Schools and colleges should ensure their procedures take into account amendments to legislation and good practice endorsed by the relevant regulatory bodies. Clear guidance cannot be definitive in all aspects that may be needed by schools and colleges and further information can be sought from the Education Business Partnership/Trident and the Local Authority. (Work Experience and the Law – Tony Johns)

Work experience involves arranging work experience placements, fully preparing and briefing students at school before they are placed and debriefing them afterwards. Students will be placed with an employer to carry out a range of tasks defined in a job description, with an emphasis on the learning aspects of the work experience. It is one of the most important link activities between employers and secondary schools and colleges. It involves more students, more employers and more days of practical experience than any other activity. This exposure to work is a significant step in preparing young people for adult and working life. It provides an opportunity to foster an early understanding of the importance of health and safety and to influence the attitudes of the future workforce.

Information is provided for all parties involved in work experience for secondary school students below minimum school leaving age (MSLA). A wider range of work experience opportunities for children under MSLA is made possible by the 1996 Education Act. This Act enables children in Years 10 and 11 to assume the temporary status of a Young Person in employment law, otherwise they would be prohibited by Child Employment Legislation from engaging in activities such as factories, motor vehicle repair workshops and construction.

Those organising work experience for students between the ages of 16 and 18 who are in sixth form colleges or colleges of further education will also find useful information. A specific aim is to promote good practice in assessing health and safety arrangements when making decisions about the suitability of work experience placements.

Given the wide variation in the organisation of work experience, clearly defined responsibilities and good communications between all the partners concerned are essential regardless of how the work placement is set up. The successful management of health and safety on work experience placements and the provision of a safe and supportive environment for the learner relies on close co-operation between various partners.

Section I

The Legal Framework

1 THE LAW

The Education (Work Experience) Act 1973 and 1996 Education Act

Section 560 of The Education Act 1996, as amended by section 112 of the School Standards and Framework Act 1998, enables students of compulsory school age to participate in schemes of work experience where arrangements have been made by the Local Authority (LA), or school governing body on its behalf with a view to providing work experience as part of a student's education. Section 560 as amended applies to students at any time in the last two years of compulsory education.

Under the Health and Safety (Training for Employment) Regulations 1990 those receiving relevant training should be treated as employees for the purposes of health and safety legislation. Relevant training means work experience provided as part of a training course or programme, or training for employment or both.

Under the 1973 Act, provision for work experience must be approved by the Local Authority. The Authority endorsing these guidelines may delegate approval of the scheme to the governing body and head teacher, providing the scheme adheres to the Law, the DCSF and LA guidelines. (The LA will need to satisfy themselves that adequate arrangements are in place to ensure that the obligations placed upon the LA are being met). In the case of Independent schools it is for the governing body and head teacher to arrange and approve its own plans for work experience.

The Schools Standard and Framework Act 1998 amended the Education Act 1996 extends the period during which students can undertake work experience as part of their education. It permits work experience “**from the beginning of the last two years of compulsory schooling**”, ie from the beginning of Year 10. This became effective on 1 October 1998.

Work Experience Placements are governed by Management of the Health & Safety Regulations 1999 which superseded the Health and Safety (Young Persons) Regulations 1997.

When assessing the risks associated with a placement it is wise to consider the particular relevance of any local byelaws and where specific age restrictions are mentioned these should be followed.

The Education Act 1996 Section 8(4) set the single school leaving date for 1998 and all subsequent years. This is the **last Friday in June in the school year in which a child reaches age 16**. (DfEE Circular 11/97)

If a student has been placed into Year 10 ahead of time, then that student should not be considered eligible, because of age, for work experience until the following year.

Compulsory Learning Age – In November 2008, a new Act raised the education leaving age, when young people can leave learning. This will be increased in two stages, at 17 in 2013 and 18 in 2015. The first to benefit from these changes began in Year 7 in September 2008. These changes will not affect work experience at this stage.

Students Following Vocational Courses at Key Stage 4

Students following vocational courses at Key Stage 4 may also benefit from extended placements. Extended work experience may be offered to students as part of a programme of work-related learning seeking to re-motivate those who have grown disaffected with their current curriculum. Further opportunities for work experience may be available under a range of work related programmes. (see *Section VI*)

Work experience should form part of an overall programme for the student and is not a panacea for tackling disaffection. Schools, employers, colleges and local link agencies need to collaborate closely in building successful programmes for disaffected students. Much depends on the attitudes of those in the workplace, the quality of briefing of supervisors, and teacher and close monitoring of the placement.

Duty of Care

Schools retain the duty of care for pupils undertaking courses at further education colleges, or placements with training providers or employers. They need to ensure that the work-related learning programme meets health and safety and child protection regulations and that suitable insurance arrangements are in place.

2 LEGISLATION AFFECTING POST 16 STUDENTS

Work experience schemes for students post 16 do not need LA approval, but **Insurance and Health & Safety arrangements should be in place for every student irrespective of age.**

Post 16 students who are entering placements where there is substantial unsupervised contact with children will need to be vetted and the necessary checks made by the school/college through the Criminal Records Bureau. (*Please see section IV Child Protection*).

Employers should notify their insurers that they host work experience students and communicate further with their insurers if work placements are substantially longer than two weeks, thus ensuring that their Public and Employer Liability Policies are not invalidated by the employer's non-disclosure of this fact. It is the responsibility of the Placement Organiser (whether this is the school or the EBP) to make employers aware of this need.

3 EXCLUDED STUDENTS

Schools may wish to continue to include in their Work Experience Programme students who have been excluded (either fixed term or permanent). If they do wish to do so, then the appropriate Education Officers of the endorsing Authorities should be informed, and provision may be made in certain instances. Otherwise excluded students will not be able to take advantage of work experience.

Employers should be fully briefed about the needs of individual students so that employers can take account of these in their risk assessments.

4 OTHER WORK RELATED ACTIVITIES

Work Experience may be defined as a placement on an employer's premises in which a student carries out a particular task or duty, or a range of tasks or duties, more or less as would an employee but with the emphasis on the learning aspects of the experience. In considering the suitability of matching students to placements, schools should give due consideration to the age, experience and maturity of individual students and to the nature of the particular workplace environment.

Visits, work observation, work-based projects, and community service do not normally come within the scope of work experience legislation. For work related activities that take place outside school premises, tutors must be familiar with their own school's requirements in respect of off-site activities and risk assessments.

5 INSURANCE AND WORK EXPERIENCE

The Association of British Insurers (ABI) – March 2007 state that:

1. The principal risks, which may arise as a result of work experience and other visits are:
 - a. Injury to the students themselves;
 - b. Injury to others on the premises (employees, visitors, customers, etc);

- c. Injury to others who are not on the premises (including customers and members of the general public);
 - d. Damage to, or loss of, employers' property; and;
 - e. Damage to, or loss of, other property (e.g. the student's or a customer's property).
2. Most employers will carry insurance policies that cover most risks arising from work experience and other visits, provided that the work experience is in accordance with the normal business practices of the employer. Employers' Liability insurance covers the employer's liability in respect of work-related injuries to employees. This insurance is compulsory by law. The Health & Safety Executive guidance on employers' liability provides further useful information: www.hse.gov.uk.

Policies must provide cover of at least £5 million per occurrence, although most policies cover up to £10 million. Policies normally cover all conventional employees, contract, casual and seasonal staff as well as temporary staff, including workplace students. Public Liability insurance provides cover for injuries to the public or damage to, or loss of, their property. The term 'public' means anyone other than an employee, so it includes students on work experience, volunteers, activity participants, spectators and visitors. Typically, policies offer cover of between £2 million and £5 million.

3. The Association of British Insurers (ABI), the British Insurance Brokers Association (BIBA), and Lloyds of London have agreed that, as a matter of convention, students on work experience placements should be treated as employees for the purposes of insurance against bodily injury (that is, they will always be covered by the Employers' Liability policy). Such placements must conform to the requirements of the Education Act 1996.

(This Agreement is based on the assumption that placements will last up to two weeks. For placements lasting longer than two weeks the ABI have confirmed that extended placements are acceptable as long as the insurer has been notified of the placement details, including the duration).

4. Student injury arising from other visits would normally be covered by the employer's Public Liability policy. Any injuries caused to

employees by students on work experience should normally be covered by the Employers' Liability policy.

5. In summary, any injuries caused to employees or students, provided they arise out of activities undertaken in the employer's name, should normally be covered by the employer's Public Liability policy or Employer's Liability policy.
6. Damage to the employer's property may be covered by the employer's material damage policy. Damage to anyone else's property on the premises should normally be covered by the employer's Public Liability policy.

Notification of Risk

7. Employers should notify their insurers of the sorts of activities which students will undertake if those activities are onerous or different from the normal business activities of the employer. In these circumstances employers should make sure they obtain written confirmation that the risk has been accepted.

Placements lasting longer than two weeks

8. There has been some concern that employers' insurance policies may not cover students on longer work placements. The agreement referred to above (Para. 3) was based on the assumption that placements will last for about two weeks. However, in the light of new measures to motivate disaffected young people through extended work experience, the Department for Children, Schools and Families (DCFS) contacted the ABI to discuss the insurance implications of longer placements. The ABI has confirmed that there should be no problem with extended work experience placements.
9. Longer attachments, including those associated with Extended placements, NVQs, GNVQs etc, will inevitably call for more detailed information. In those cases, employers are advised to submit relevant details to their insurer. Even if the activity is likely to be recurring, it should be enough to inform the insurer on one occasion. There may be some adjustment to premiums, but the ABI advise it is still likely to be very small in relation to the overall size of the premium.

Work experience organisers are not expected to check the fine print of employers' insurance policies but they should check, in broad terms, that relevant cover is in place.

The endorsing Local Authorities insure against their own liability in the event of a student being injured whilst on work experience.

The endorsing Local Authorities do not however insure individual students against accidents for which neither the LA nor employers could be held responsible i.e. where the student is negligent through ignoring instructions or behaving irresponsibly.

The endorsing Local Authorities follow best practice and require employers offering work experience placements to have both current Public and Employer Liability Insurance.

Employers' Liability Insurance

All employers must have insurance covering their liability for injury or disease suffered by employees, including young people, during the course of their employment.

The insurer will issue a certificate of insurance and an up-to-date copy must be displayed at all places of business so that employees can see that insurance cover is in place.

Students on work experience placements should be treated as employees for the purposes of insurance.

Placements with employers who do not have both Public and Employer Liability cover cannot be approved by the endorsing Local Authority except where the employer is its own insurer, eg Crown and government departments. Where employers, other than the Crown or UK government departments declare that they underwrite

their own liabilities, specialist advice from the endorsing Local Authority insurance department should be sought.

Where students are required to travel whilst on placement (eg in vans, lorries etc) steps should be taken to ensure that adequate insurance is in place, that takes account of the student's activities.

Independent schools have responsibility for their own insurance arrangements and governing bodies must formally approve work experience schemes.

6 INDEMNITIES

Teachers should not independently sign any form of indemnity without first referring it to the Local Authority (Insurance) who in turn may need to take legal/insurance advice. Some employers may ask for indemnities to be signed. In most cases this does not cause any difficulty. Indemnities should not seek to transfer the legal liability of the firm to the Local Education Authority or any other party. The responsibility for the day-to-day supervision of the student must remain with the company and cannot be transferred through an indemnity. Thus a form of wording that should appear in any indemnity request before it can be signed by the relevant Education Authority, should read:

Provided that this indemnity shall not apply, if any claim arises through the negligence of this company or its employees, servants or agents.

Other enquiries on insurance-related matters should be directed to the insurance section of the Local Authority.

Section II

Health and Safety & Responsibilities

KEY PARTNERS

1. Education Employers
2. Education Establishments
3. Work Experience Organisers
4. Placement Providers
5. Parent & Carers
6. Students & Learners

1 WHO IS THE EDUCATION EMPLOYER?

In England and Wales, the range of bodies which employ or contract with others to manage and organise work experience are:

- The Local Authority (Plymouth City Council)
- Governing bodies of certain categories of maintained schools such as foundation and voluntary aided schools, and those in the private sector.

What is their Role?

The Local Authority, schools and colleges have a common law duty to look after children and young people in their care and that clearly extends to the arrangements of work placements. Local authorities have a duty, under section 3 of the Health & Safety at Work Act (HSW) 1974, to carry out their undertaking in such a way as to ensure, so far as is reasonably practicable, that they do not expose students to risks to their health and safety. (DfES 2002).

The education employer may additionally act as a **Placement Organiser** usually through **Educational Establishments** such as schools and colleges.

The Law

The Health and Safety at Work etc Act 1974

The **Education Employer** must ensure, so far as is reasonably practicable, that employees – eg teachers, non-employees, and students on work experience – are not exposed to significant risks to their health and safety.

These legal health and safety responsibilities cannot be delegated.

The Education Act 2002

Arrangements must be in place to safeguard and promote the welfare of children. Specific guidance is available relating to work experience in England, Scotland and Wales.

Health & Safety Responsibilities

Education employers have the following responsibilities:

- To ensure, so far as is reasonably practicable:
 - **Partners** involved in arranging work experience, such as placement providers, contractors and sub-contractors, comply with health and safety law;
 - **Students** on work experience are not exposed to risks to their health and safety;
 - **Work experience placements** are suitable in terms of welfare and health and safety, whether identified and arranged by organisers, or by the students themselves;
 - **The organiser** is competent, and will make the necessary arrangements for assessing the suitability of placements;

- **Employers** such as visiting staff are not exposed to risk.

2 WHO IS THE EDUCATION ESTABLISHMENT?

The student or learner's school or college.

What is their Role?

Depending on the type of school, they may be classed as the **Education Employer**, eg certain categories of maintained schools or private schools. They may act as **The Organiser** to arrange work experience placements on behalf of the **Education Employer**.

They may act as an administrator and liaise with **The Organiser**.

The Law

The Health and Safety at Work etc Act 1974

Health & Safety Responsibilities

Learners often undertake work placements at a school, college or training provider, in which case the education establishment becomes a **Placement Provider**.

The schools/colleges (**Education Establishment**) should ensure that:

- **The Local Authority (Education Employer's)** policy on work experience is followed, and procedures monitored.
- **Students** are properly briefed before taking part in work experience, including their own responsibilities for health and safety. Students should be effectively supported during the placement and debriefed afterwards.
- **Placement Providers** are provided with relevant information about:

- i) **Students** for example relating to health or factors which might be expected to affect their ability to understand and respond to information and instructions about health and safety at work;
- **Organisers** are informed where health and safety standards feedback indicates that risks are not properly controlled within the workplace.
- **Staff** eg teachers who make monitoring visits to students on placement should be properly briefed in health and safety and take reasonable care of themselves and of others who may be affected by what they do.

Further Guidance

Work Experience – A guide for secondary schools (DfES issued February 2002).

3 WHO IS THE WORK EXPERIENCE ORGANISER?

The organiser can be:

- A school or college
- An independent placing agency, eg Education Business Partnership (EBP), Training Provider etc
- A specialist work experience organisation
- A local authority

What is their Role?

Organisers arrange placements on behalf of **Education Employers.**

The Law

The organiser must ensure, so far as is reasonably practicable:

- the health and safety of their employees; and
- that non-employees, including students/learners on work placement, are not placed in a work environment where they are exposed to significant risks to their health and safety.
 - **The Employment of Women, Young Persons and Children Act**
 - **The Health and Safety (Training for Employment) Regulations 1990**
 - **The Health and Safety at Work etc Act 1974**
 - **The Management of Health and Safety at Work Regulations 1999**
 - **The Employers Liability Compulsory Insurance Act 1969**
 - **The Working Time Regulations 1998**

The number of hours worked and the pattern of work is normally a matter for agreement by the placement provider, school and students. Local Authorities and schools should take steps to ensure that students on work experience placements are not asked to work excessively long hours or unnecessarily unsocial hours. (see Section V)

Health & Safety Responsibilities

- **Suitability of working environment – Organisers** must do all that is reasonably practicable to ensure students are not placed in a working environment where there are significant risks to their health and safety. Organisers should be competent in health and safety, or have access to competent assistance, to decide on the suitability of a placement with regard to health and safety. The organiser needs to be reasonably satisfied that placement providers have:
 - **systems** in place to ensure the health, safety and welfare, so far as is reasonably practicable, of the student while under their control;
 - **competence** to manage health and safety in relation to the placement;
 - **supervision** of work experience by competent people.
- **Self-placement – Organisers** have the same duties towards students who find their own placements or are placed within their own family business.

- **Health, safety and welfare arrangements – Organisers** need to take reasonably practicable measures to arrive at an informed opinion about the health, safety and welfare arrangements at the placement and to assess the suitability of a placement provider. The main duty to ensure the health and safety of learners rests with the placement provider.

- **Limitations** – Work experience placements and the specific activities that learners undertake must take into account any:
 - restrictions on work for young people;
 - prohibited work for young people;
 - working time requirements specific to young people.

- **Employees' duties** – Employees of **The Organiser** who visit placements should take reasonable care of themselves and of others who may be affected by what they do – or fail to do. To accept reasonable instruction.

- **Liaison – The Organiser** should liaise with the **Education Establishment** about what health and safety information is provided to students about their work experience placement. They should ensure that students know who to contact if they have concerns about their health and safety during the placement.

- **Liaison – The Organiser** should liaise with the **Education Establishment** about what health and safety information is provided to students about their work experience placement. They should ensure that students know who to contact if they have concerns about their health and safety during the placement.

- **Information for placement providers/employers** – The **Education Establishment** should ensure that the placement provider/employer possesses relevant information about the student (for example about their health, learning disabilities, language difficulties) so job descriptions, risk assessments, supervision etc can be adjusted accordingly.

Placement Suitability Assessment of placement Provider/Employer

The organiser should take into account any contractual requirements which may prescribe particular systems for assessing and monitoring the suitability of placements.

Visits to the Work Place

Visits to employers should be undertaken by a competent person who has experience and appropriate training in health and safety. (Regulation 6 of the Management of Health and Safety at Work Regulations 1999, refers to appointing competent persons to assist with measures that must be taken to comply with health and safety laws).

The ***Tamar Education Business Partnership*** has been approved by the Local Authority to be responsible for approving pre-16 work experience placements. The Tamar EBP will avail themselves of training to ensure they can be deemed competent to make these decisions. This may be a local or national provision and will include appropriate accreditation. Placement Suitability Visits need to:

- identify any hazards that those taking up placements may face;
- explore health and safety issues with the provider at the workplace;
- view the practical application of the provider's management system for ensuring occupational health, safety and welfare;
- observe physical conditions, working environment and practice;
- make contact with employee safety representatives who can also be a useful source of information;
- clarify issues identified in preliminary enquiries, eg arrangements for covering the absence of the designated supervisor, or who has responsibility for reporting accidents.

Where the work activity is peripatetic, it may not be possible to visit all the sites to be used for the student's work experience. In these circumstances the provider must ensure the health, safety and

supervision arrangements for the student are in place at all placement sites.

(Individual contracts may specify the nature and frequency of visits).

A written record (Job Description) of the arrangements for a placement should be produced to:

- Identify who has overall responsibility for students on placement;
- Clarify and agree respective roles;
- Reduce the potential for misunderstandings, particularly about health and safety responsibilities;
- Clearly define and plan the nature of the work the student will be experiencing;
- Any Personal Protective Equipment (PPE);
- Arrangements for students needs, such as disabilities or learning difficulties;
- Identify the supervisor and specify the arrangements for supervision;
- Registered with the appropriate authority – this will be HSE or Local Authority according to the nature of the business at the placement;
- Procedures to deal with any accidents and emergencies (including evaluation) that may arise;
- Adequate insurance, including Employer's liability insurance and Public Liability Insurance and Motor vehicle insurance where required, and that cover extends to work experience students and non-employed trainees.

Review / Evaluations

Once a placement has been arranged, the initial assessment should be checked to ensure it is still valid. The organiser does not necessarily have to make further checks every time a new student is placed with a particular provider.

The information that has been gathered should be reviewed regularly, and as new information is brought to the organiser's attention. The frequency of any subsequent checks of the initial assessment will depend on factors such as:

- the outcome of preliminary enquiries, initial visit etc;
- the nature of the work activity and the level of risks identified at the placement – higher risk would require more frequent contact;
- whether the student has any specific need relating, for example, to health, disability or learning difficulties;
- the standards of health and safety management;
- any changes or variations in the work undertaken by students;
- feedback from the students via their schools.

The higher the risk, the more frequent and detailed the reviews will need to be, and the higher the likelihood will be that revisits will be required.

There should be mechanisms in place to feed back information on placements from all involved, ie placement providers, teachers who have visited students during placements, and students themselves. If feedback indicates that health and safety arrangements at a placement are no longer satisfactory:

- raise the concerns with the placement provider immediately;
- establish what the provider will do to rectify the situation, and by when;
- consider whether to withdraw the student from the placement;
- if there are significant health and safety risks, contact the relevant enforcing authority (HSE or the environmental health department of the local council) for further advice.

Further Guidance

Work Experience and the Law – Tony Johns

4 WHO IS THE PLACEMENT PROVIDER?

An Employer or other organisation which offers work experience placements ie *Training Provider*.

What is their Role?

To provide safe and supportive work placements. (The placement provider needs to be aware that they are responsible for students on work experience in exactly the same way as for any other young person they employ. Co-operation and co-ordination between organisers will improve the knowledge of standards of a provider, particularly when students are placed outside the area).

The Law

The placement provider must ensure, so far as is reasonably practicable, that their employees, including students on work experience, are not exposed to risks to their health and safety.

Further Guidance

- **The Employment of Women, Young Persons and Children Act**
- **The Health and Safety (Training for Employment) Regulations 1990**
- **The Health and Safety at Work etc Act 1974**
- **The Employers Liability Compulsory Insurance Act 1969**
- **The Management of Health and Safety at Work Regulations 1999**
- **The Working Time Regulations 1998**

Health & Safety Responsibilities

Students participating in work experience are regarded as the placement provider's employees for the purpose of health and safety. Placement providers should take account of any extra precautions required for young persons.

- The placement provider must comply with the Health and Safety at Work etc Act and its relevant statutory provisions.
- The placement provider must assess the risks to the health and safety of students/employees (taking particular account of any young people) arising from their work, and take measures to control the risks identified in the risk assessment and inform

young workers on work experience, about the significant risks to their health and safety identified by the assessment and the measures put in place to control them.

- The risk assessment surrounding the placement for pre-16 students must be carried out **before** the work experience placement commences and parents/carers informed of the key findings.
- Schools/Colleges should inform the placement provider in advance about any individual students who may be at greater risk, for example because of health conditions or learning difficulties, so these factors can be taken into account. (Whilst it may not be necessary to repeatedly review a risk assessment if a succession of learners will be undertaking work experience under the same job description, it should take into account the typical characteristics of a young person and the likelihood that they will be entering the work environment for the first time).
- The risk assessment must take into account specific factors such as immaturity, inexperience and lack of awareness, and medical conditions, physical and learning disabilities of the student.
- The placement provider must comply with any restrictions or prohibitions work for young people.
- The placement provider should carry out induction training, including information on:
 - work activities and any associated significant risks;
 - health and safety instruction and training;
 - names of supervisors, health and safety representatives, and any other people taking overall responsibility for health and safety during the placement.
- The placement provider must comply with requirements under the Working Time Regulations.
- The placement provider must notify insurers, that a work experience student has been employed.

5 PARENTS & CARERS

The law

Parents and carers have no specific responsibilities under health and safety law, except when they provide work experience for members of their own family. In that case they will have the same health and safety responsibilities as other **Placement Providers**.

What information should parents and carers provide?

Parents and carers should:

- provide the **Educational Establishment** with relevant information about their child's medical or behavioural conditions, which may make the placement unsuitable for them. It may be necessary to provide consent for any approach required to the school medical service. This information will be supplied to the placement provider, so it can be taken into account in the risk assessment for the student's work placement;
- inform **Educational Establishment** and organisers of any actual or potential health and safety problems in the placement which their children may tell them about;
- provide their consent to the work experience placement, normally by signing a form which includes the company details, duties to be undertaken, and the risk assessment and control measures.

What information should parents and carers receive?

Parents and carers should receive:

- the significant findings of the placement provider's risk assessment for the work experience placement and of the control measures to eliminate/control the identified risks;
- a copy of the consent form for the work experience placement. This may include further information on the placement, for example a plan of work during the placement, training and supervision.
- information showing that it is a condition of work experience that students do not receive payment. They will therefore not be entitled to industrial injuries benefits if they are involved in an accident while taking part in work experience.

Students should be properly prepared before the placement.

Further Advice

Young worker safety – advice for parents, produced by the European Agency for Safety and Health at Work, provides further advice for parents.

6 STUDENTS & LEARNERS

The law

The Health and Safety (Training for Employment) Regulations 1990

Students and trainees, including children, on work experience are regarded in health and safety law as employees. Students on work experience placements must be provided with the same health, safety and welfare protection given to other employees. Restrictions may apply to the types of work which young people, including pupils below the MSLA on work experience, are allowed to do.

The Education (Work Experience) Act 1996

Children in their last two years of compulsory schooling (from the start of year 10) take part in work experience schemes approved by the LA or, in Scotland, the education authority. No distinction is made between special schools and other schools, or between schools maintained by LAs and those not so maintained. Children in their last two years of compulsory schooling will be allowed to participate in properly authorised work experience schemes in industrial as well as non-industrial undertakings. This arrangement was extended to provide all pupils with at least two weeks curriculum-based workplace activity before they leave school.

(In November 2008, a new Act raised the education leaving age, when young people can leave learning. This will be increased in two stages, at 17 in 2013 and 18 in 2015. The first to benefit from these changes began in Year 7 in September 2008. These changes will not affect work experience at this stage).

The Health and Safety (Training for Employment) Regulations 1990

Anyone receiving relevant training (work experience provided as part of a training course or programme, or training for employment or both) should be treated as employees for the purposes of health and safety legislation.

- **The Health and Safety at Work etc Act 1974**

Employer's duties

- Every employer shall ensure, so far as is reasonably practicable, the health, safety and welfare at work of their employees. The duty extends to the provision of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health, and the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of employees (*Section 2 of the Act*).
- Every employer shall conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in their employment who may be affected thereby are not exposed to risks to their health or safety (*Section 3 of the Act*).

Employee's duties

Every employee has a duty, while at work:

- to take reasonable care for their own health and safety and of other persons who may be affected by their acts or omissions at work.
- to co-operate with the employer so far as is necessary to enable the employer or any other person to comply with a duty or requirement imposed by health and safety law (Section 7).

'So far as is reasonably practicable'

is a term encountered throughout health and safety laws. It recognises that a balance needs to be achieved between the degree of risk in a particular job or workplace against the time, cost and physical difficulty of taking measures to avoid or reduce the risk. However, except where these factors are out of proportion

compared to the degree of risk, the measures should always be taken.

Health and safety responsibilities

Within the context of their knowledge and status, students have a duty to:

- take care of their own health and safety and that of others who may be affected by their actions.
- co-operate with the placement provider in complying with the provider's legal duties, for example by complying with instructions and training;
- never intentionally interfere with or misuse anything that has been provided in the interests of health, safety or welfare;
- work in accordance with the instruction and training provided to them, particularly in relation to the use of any machinery, work equipment, transport equipment, dangerous substances, means of production or safety device;
- inform their employer/placement provider, without delay, of any work situation, work equipment, etc which might present a serious and imminent danger, or of any shortcoming in the protection arrangements in place for health and safety.

Students should also report all accidents, work related ill health conditions and 'near miss' incidents to their employer/placement provider.

Preparing for the placement

Students should be:

- Briefed by the **Education Establishment** before the work experience placement begins about the importance of health and safety controls in the workplace, and the student's own responsibilities for health and safety. This all needs to be appropriately timetabled.
- Told by the **Placement Provider** about:
 - the work activities involved and any associated significant risks;
 - any necessary health and safety instructions and training;

- who has day to day responsibility at the workplace for supervising them, and who (if different) has overall responsibility for their health and safety during their work experience. Students will also need to know who their health and safety representative is.
- Given clear understandable advice by **The Organiser** about who to contact if they, or their parents or carers, have serious concerns about their health and safety while on the placement.

If a student or learner is unclear about any of these matters they should ask.

During the placement

Students should be effectively supported during the placement. It is required by the Local Authority for teachers or other suitably experienced staff to visit students during their work experience placement to monitor and review their progress. This provides a useful opportunity to ask students if they have any health and safety concerns and discuss practical ways in which risks are controlled.

After the placement

Students should be debriefed following their work experience. This is another opportunity for health and safety knowledge to be reinforced, and for students to raise any health and safety concerns. The education establishment should alert the organiser if students report that risks were not properly controlled.

Section III

Restrictions and Medical Information

1 RESTRICTIONS ON THE ACTIVITIES STUDENTS MAY CARRY OUT ON WORK EXPERIENCE

Local By-Laws and Prohibitions in the Work Place

Local employment by-laws normally regulate the part-time employment of children. These by-laws were 'expressly dis-applied' in relation to work experience by a local authority circular (LAC/76/2) issued in 1976 by the Department of Health and Social Security (DHSS).

Although by-laws that relate to the employment of a 'child' do not apply, the Local Authority retain an expectation that the spirit and intention of their by-laws, in protecting children from undesirable occupations, be given appropriate regard when arranging placements. In practice by-laws can be useful in drawing attention to local job placements that are undesirable for children, or young people and should, therefore, not be made available for work experience. Relevant examples include the following: collecting or sorting rags, scrap metal or refuse, slaughterhouse; any agricultural work involving heavy strain; and touting from door to door. (Work Experience and The Law – Tony Johns).

Depending on availability, students should be able to secure placements that enable them to engage in the enhancement of key skills for employability in areas of most value to them in relation to their transition plans.

2 MINIMUM SCHOOL LEAVING AGE (MSLA)

Health and safety law defines people by age:

- a **young person** is anyone under eighteen years of age (young people);
- a **child** is anyone who is not over compulsory school age. He or she has not yet reached the official age at which they may leave school, also referred to as the minimum school leaving age (**MSLA**). (NB the oldest pupils of compulsory school age, those born in September for example, may be as old as 16 years and 10 months in year 11 before they leave school on the last Friday in June.)

The law on working time defines a **young worker** as being below 18 years of age and above the MSLA.

HSE and local authorities enforce weekly working hours, restrictions on night work and health assessments. The total weekly hours worked, whilst on placement, should not exceed 37 hours in Plymouth.

Entitlements such as daily/weekly rest periods, in-work breaks and paid annual leave are enforced through complaint to Employment Tribunals. An Advisory, Conciliation and Arbitration Service (ACAS) public enquiry point will provide advice on entitlements.

The Working Time Regulations 1999 (as amended) apply to all workers, with some additional provisions available for young workers (below 18 years but currently above the MSLA). This guidance contains a full list of local ACAS telephone numbers.

Briefly, young workers have special rights under the Working Time Regulations. The rights of young workers - those over the minimum school leaving age but under 18 and those under the minimum school leaving age on approved work experience schemes - differ in the following ways:

- a limit of eight hours working time a day and 37 hours a week (unless there are special circumstances);
- not to work either between 10pm and 6am
- 12 hours' rest between each working day;

- *two days' weekly rest and a 30-minute in-work rest break when working longer than four and a half hours.*

If, on any day, or, as the case may be, during any week, a young worker is employed by more than one employer, his working time shall be determined by aggregating the number of hours worked by him for each employer. For these purposes a week starts at midnight between Sunday and Monday (NB school or college time does not count as work).

Consent from parents/carers

Employers do not need parental consent to employ young people above the MSLA, and the local authority does require employers to obtain parental consent before they employ a child of compulsory school age. Parent/Carers must provide the local authority with relevant information on the child so that he/she can be issued with an employment permit. The local authority will advise you on your full responsibilities, these include providing written confirmation that you have completed a risk assessment and have written approval from the parents or carers. When you are offering a work experience placement for school pupils/students, the work experience organiser will deal with parental consent.

3 WORKING ON WATER

Work Experience on seagoing vessels is not allowed under the age of 16 years. However, work shadowing – when the student observes but does not participate in the operation of the ship – is not subject to these restrictions. Providing a ship operator has carried out appropriate risk assessments and taken any appropriate safety measures, as required by the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997. In such circumstances the student will effectively be a passenger on the ship concerned but can nevertheless have the opportunity to see and learn about work onboard the ship. For those students who are over 16 years old, there are no restrictions on work experience, provided always that the appropriate health and safety requirements are met.

The Merchant Shipping Act was not put on the statute books to prohibit young people from working on the water in situations managed by organisations (clubs) like the Royal Yachting Association (RHY) and the

British Canoe Union (BCU). A recommended safeguard is that clubs be regulated and inspected by the RYA or BCU or the Adventure Activity Licensing Authority. Those organising activities such as kayaking and sailing should, in their planning and risk assessment, take account of the presence of, and the need to safeguard, young people on work experience. Such young people should not be counted as members of staff when considering the number of members of staff required for an activity to be conducted safely. (*Ian Hughes WRL & Enterprise Unit, Work Experience and 'Working' on Navigable Craft DCSF 23/10/07*)

4 PROHIBITED EMPLOYMENTS AND LEGISLATION

Students should not be placed into:

- in a cinema, theatre, discotheque, dance hall or night club, except in connection with a performance given entirely by children
- to collect or sort refuse
- to collect money or to sell or canvass door to door, except under the supervision of an adult
- in work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children
- 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
- certain work using radioactive substances and manipulating red light
- vitreous enamelling on metal or glass
- blasting, asbestos manufacture or working with asbestos, certain chemical processes, chromium plating, rubber manufacture, certain occupations involving lead processes
- locomotive driving and the driving of cranes in docks
- work in agriculture which may cause injury through handling heavy weights and which may involve handling poisonous substances
- work in mines and quarries
- work in betting and gaming
- cleaning of machinery in motion
- work with circular saws
- work on any sea going ship or boat – please see Working on Water.
- work in or in connection with the sale of intoxicating liquors, except in places where such liquors are sold exclusively in sealed vessels and

provided that such sales are supervised by the licence holder or an adult on his/her behalf.

- The sale of or delivery of cigarettes, tobacco or dangerous drugs.
- work on ladders is prohibited above 2 metres high. Special dispensation may be given to uniformed organisations where proper instruction and training has been given. **HSE's key message** is that ladders should only be used for low-risk, short-duration work. The term short duration is considered to be between 15 and 30 minutes **depending upon the task**.
- work on roofs.
- in any premises or fairground or other place licensed for games used wholly or partly for the purpose of public amusement, or in any amusement arcade or registered club.

Students should not handle unguarded machinery with moving parts, unless fully instructed in accordance with regulatory body or HSE guidance and should be under constant close supervision. Such machinery includes:

- hand or power operated guillotines and platter grinders, power operation brick and tile presses, dough brakes and mixers, warm pressure extruders, hydro extractors, calenders, washing machines and presses in laundries, meat mincers, milling machines, hydraulic and pneumatic presses, semi-automated wood turning lathes, wire stitchers and loose knife punchers.

Areas of prohibition for students on work experience which have been highlighted - identified in the HSE publication "Young People at Work":

- work "which is beyond their physical or psychological capacity"
- work involving harmful exposure to agents which are toxic, carcinogenic, cause heritable genetic damage or harm to the unborn child, or which in any other way chronically affect human health
- work involving "harmful exposure to radiation"
- work involving the risk of accidents, which will not be recognised or avoided by young people because of their carelessness or lack of experience or training
- work involving risk to health from extreme heat or cold
- work involving risk to health from vibration

- work involving risks to health from noise

5 SPECIALIST HEALTH AND SAFETY BRIEFINGS:

Plymouth students seeking placements in Agriculture and Construction must have specialist health and safety briefing/training prior to undertaking a placement. Increasing concern is being expressed about the safety of placing students in these working environments and additional preparation and training must take place. Should the student not attend such additional training, their placement will not be approved. *(Further advice may be sought from the Education Business Partnership on behalf of the Local Authority).*

6 RISK ASSESSMENTS

Employers are required to make a suitable and sufficient assessment of the risks to the health and safety of all employees and identify groups of workers who might be particularly at risk, eg young or inexperienced workers. Their assessment of the risk to the health and safety of young workers must take into account their inexperience, lack of awareness of existing or potential risks, and immaturity.

For very small businesses with four or less employees there is still an obligation to complete risk assessments, but no requirement for them to write down the significant findings.

Where a provider (employer) employs young people or takes any on work experience, students must be informed about the risks to their health & safety identified by the employer's risk assessments, and the measures put into place to control them. Where students are below compulsory school leaving age, the provider must provide their parents/guardians with the key findings of the risk assessment and the control measures introduced to minimise, or ideally eliminate any significant risks. There is no requirement to provide any of this information in writing. (for further reference see Work Experience: A guide for secondary schools February 2002 ref SPD/WES/01/02/02).

Schools/colleges will be updated with further guidance if further information becomes available.

7 MEDICAL INFORMATION

Age / Literacy / Physical / Health Considerations

Where literacy levels and other special needs could endanger students and others because, for example of an inability to read instructions or warnings, employers should be similarly informed, by the relevant School/College/Training Provider, and placements carefully selected.

Schools and colleges should take care to negotiate with students and parents/guardians, how this information will be communicated.

Some placements are limited to students of 16 years and above. Where limits apply there are no exceptions.

List of Common Health Defects which have occupational significance

HEALTH CONDITION		THEREFORE AVOID
(i)	Hernia, slipped disc, defects to or lack of limbs, heart or lung difficulties	Heavy manual work or heavy lifting (eg warehouse, building, transport)
(ii)	Asthma, chronic bronchitis, respiratory allergies, throat, eye or ear infections	Work involving exposure to dust and fumes (e.g. brick or clay works box making, chemical processing, horticulture, farming, painting) working with animals
(iii)	Chest complaints, rheumatism, spinal deformity	Work demanding continual exposure to weather (e.g. farming, building)
(iv)	Uncontrolled vertigo, uncontrolled epilepsy, substantial hearing defects	Work requiring fine or accurate vision
(v)	Chronic eye infections, migraine, serious eye defects	Work requiring fine or accurate vision
(vi)	Substantial colour vision defects on wire selection testing	Work requiring normal colour vision (eg electrical, transport).
(vii)	Severe skin complaints, allergies	Work with high dermatitis hazard (eg work which is greasy, chemicals)
(viii)	Substantial hearing defects	Work requiring normal hearing (eg any with mobile machinery)
(ix)	Contagious or infectious diseases, skin complaints, eye or ear infections	Work involving handling or preparation of food (eg catering or food shops), working with animals.

Privileged and confidential issues regarding medical information. Disclosure of this must be negotiated with both student and parent/guardian and parental consent obtained.

Section IV

Child Protection In The Workplace

Guidance on Safeguarding Children on Work Based Learning and Work Experience Placements

New guidance has been issued by the DCSF with regard to Safeguarding Children in Education while on Work Experience and Work Based Learning.

1 TO WHICH STUDENTS DOES SAFEGUARDING CHILDREN IN EDUCATION APPLY?

The Safeguarding Children in Education guidance applies in particular to long-term extended work placements in Key Stage 4. However, the guidance is also relevant to other work experience programmes in Key Stage 4 and a placement organiser will want to consider the welfare of the children and young persons they are placing. Where community or business volunteers work with students on a one-to-one basis, a Enhanced CRB check must be carried out before mentoring can start. It also applies to placements that are a component of a course of study at a Further Education institution and to under-16 Young Apprenticeships. The Education Act 1996 enables students on work experience in Key Stage 4 to assume the temporary status of a 'young person', as this allows them to undertake work tasks which are prohibited for children. However, in child protection legislation, and generally in law as 18 is the age of majority a child is defined as anyone under 18. The Safeguarding Children in Education guidance does not apply to training schemes where day release or its equivalent is part of the scheme or to employed status apprenticeships.

2 WHAT IS THE DIFFERENCE BETWEEN SHORT-TERM AND LONG-TERM EXTENDED WORK PLACEMENTS?

Short-term extended work experience placements are an alternative to a block placement, when students go out for half a day or a day per week for a term. The amount of time spent on such placements is broadly equivalent to a block placement that is typically for 5 or 10 working days, but it could be for 15 days. Such short-term extended placements would not normally require the additional safeguards to be in place. However, placement organisers should still take child protection into account when assessing the general suitability of the placements.

Long-Term extended placements have become common as part of programmes of extended work-related learning, which accompanied the disapplication of the National Curriculum regulations. Students may be on extended work experience, say one day a week, as part of alternative curriculum programmes, which may last for the whole of Year 10 and/or Year 11. Students taking NVQs or other vocational courses as part of Increased Flexibility programmes may also have long-term extended work experience placements.

Students on Long-term placements are at greater risk than those on short-term placements because of the greater amount of time, and the spread of time that children will be spending in the company of adults. Hence *additional safeguards* are necessary.

3 ADDITIONAL SAFEGUARDS

When:-

Additional safeguards will be necessary when one or more of the following conditions apply **(in short or long term placements)**:

- For more than one day per week
- For longer than one term in any academic year
- Aimed at children who may be vulnerable, eg those who have special needs or are young (aged under 16)

- One where the workplace supervisor or a colleague will have substantial unsupervised access to the child, because of the nature of the business (i.e. micro business, sole trader or journeyman).
- Includes a residential component.
- If any of the above conditions apply, the following safeguards should be in place:

What:-

- Staff of the LA, school or others, who arrange, vet, or monitor work placements should have had training in child protection.
- Children who are placed in these settings should also be given clear advice about who to contact if they are worried or uncomfortable about their surroundings or if they suffer abuse. They should have a continuing point of regular contact within the school and be given opportunities to raise any concerns they may have.
- School should have clear procedures to define what actions need to be taken by whom and when if any child protection issues are raised prior, during or after the placement.
- In some cases it is also important to ensure that the child/student concerned is suitable for the placement (for example, when placing children in environments involving them working with younger children or the elderly, ie nursing homes, nurseries, schools etc) and in some circumstances an employer may request CRB checks on the student. **(NB CRB checks would not be appropriate for students taking Applied GCSE in Health and Social Care *but a Risk Assessment should still be undertaken before any placement is agreed*).** There is no legal requirement at present for students in full time education to undergo a CRB check prior to their placement. To give assurance to any school hosting students (from other schools) on work experience, that a student is suitable to work with children, a thorough risk assessment should be undertaken and written confirmation given to the hosting school before a hosting school accepts any students on placement. Time needs to be allowed for this.

- Training providers or employers taking responsibility for a child or children on a long term placement should be asked to make a commitment to safeguarding their welfare by endorsing an agreed child protection policy or statement of principles.
- Training providers or employers should have their awareness raised about the need for child protection by being asked to endorse a child protection policy or statement of principles.
- Additional measures that need to be in place are common-sense policies and procedures. In some circumstances they should include obtaining CRB Enhanced Disclosures on individuals working with a child as part of the placement.
- Procedures need to be in place concerning what action will be taken and by whom, should a child protection issue be raised before, during or after the placement. This should be written down along with essential and useful contacts, ie the relevant education /social work department.

4 WHEN ARE CRIMINAL RECORDS BUREAU CHECKS NECESSARY?

Currently CRB checks are not compulsory by law in this area. Under section 175 of the Education Act 2002 Local Authorities and governing bodies must have regard to guidance issued by the DCSF in drawing up the arrangements they are required to have for safeguarding the welfare of children. LAs/schools/colleges/training providers arrangements for long-term extended work placements must include arrangements for CRB checks.

The assessment of the general suitability of the placement will now need to include consideration of whether any additional safeguards are necessary, and if so whether there is someone who is eligible for a CRB check. Placement organisers are required to make a judgement in each case as to whether someone meets the criteria for the CRB check.

The law governs eligibility for CRB checks and only those people who meet defined criteria can be checked. People will be eligible for an enhanced CRB check if 'they are in a position, where the normal duties of which include regularly caring for, training, supervising, or being in

sole charge of a child.’ The training provider should ensure at all times the young person is not left alone with an employee when they know, for whatever reason, is not suitable to undertake training guidance instruction.

This does not mean that every person coming into contact with the child during the placement must be CRB checked. In other circumstances the student may move around different departments or workstations so that s/he interacts with a number of people during the placement, who each take some responsibility for supervising him/her. In this case there may be no single individual who meets the criterion, and a CRB check on all of the staff who might come into contact with the child would not be appropriate. However, wherever possible there should be a person in every provider organisation who formerly has the responsibility for that student. In these circumstances it is this lead person who should be vetted.

The LA or college/school will advise whether or not a CRB check is necessary on an employer/employee, in the circumstances pertaining in each long-term extended placement. Where this function is delegated to a placement organiser, any decision on whether or not an Enhanced CRB check is appropriate should still be discussed with the LA or school with the prime duty of care for the student paramount in all cases. The rationale behind any decision not to have a CRB disclosure should be recorded.

Any person whose normal duties will include regularly caring, training looking after or supervising a child in the workplace should be vetted and subject to an Enhanced Criminal Record Bureau check to ensure s/he is not disqualified from working with children, or otherwise unsuitable to be responsible for them.

5 WHAT IS A CRB CHECK?

A Standard CRB check involves an interrogation of the Police National Computer System for details of convictions, cautions, warnings and reprimands involving the said individual, together, if requested, with a check of the List 99 (those unsuitable for working in educational settings with children) POCA (Protection of Children Act List) for those not

suitable to work with all children and POVA (Protection of Vulnerable Adults List) for those not suitable for working with vulnerable adults.

Enhanced CRB checks contain the same information as standard checks, but with the addition of any locally held police force information considered relevant to the job role by the Chief Police Officer(s).

Should an Enhanced CRB check be required, particularly sensitive local intelligence, such as details of a Police Investigation, about the individual may also be disclosed by the Chief Police officer and will be sent under separate cover to the Registered Body only. In these circumstances the employer's copy of the CRB Disclosure will indicate that the police are sending further information by letter. This information must not be passed onto the applicant/individual concerned and nor should the applicant/individual be alerted to its existence.

A CRB check will involve the named employee having to disclose the following information on a Disclosure Application Form.

- Name
- Address
- Date of Birth
- National Insurance Number
- Gender
- Details of position = student support in the work place
- Changes in surname
- Place of birth
- Nationality
- Telephone numbers
- Address details going back 5 years (if applicable)
- Declaration and Consent Signatures
- ID check using 3 different documents (details will come with the form)
- Vetting is revisited every 3 years.

If an Enhanced CRB check is returned to the Local Authority with a 'trace' on the employee/individual due to host a student, the LA will discuss matters with the appropriate Work Experience Representative at Tamar EBP, TVC, College etc in order to reach a decision on suitability for the placement.

Should a placement not be approved, the Local Authority has a duty of care to notify the Managing Director of that organisation, that the individual is not suitable for working with children. It will be strongly recommended to employers that should this situation arise, the employing organisation should obtain their own Enhanced CRB Disclosure in order to obtain the full disclosure information, which may be relevant to ongoing employment and/or directly impacting on the business of the employer.

6 SCHOOL / COLLEGE RESPONSIBILITIES AND CRB CHECKS:

Heads and Governors should ensure that all work experience programmes take account of this legislation. Since schools in Plymouth are responsible for matching students to placements, they should satisfy themselves via the risk assessment process, that the procedures they have in place are sufficient to safeguard children and vulnerable adults at work places (eg playgroups, crèches, nurseries, care homes etc) who may come in to contact with students on work experience. In practice, schools should ensure that students are suitable to be placed in an environment where access to children or vulnerable adults is a feature of that employment. This includes being placed with a Training Provider.

Schools should give careful consideration to preparing students to deal with and report incidents that they feel uncomfortable with during their work placement.

7 Tamar EBP/Plymouth City Council's responsibilities:

Guidance has been written in response to child protection legislation and the Criminal Justice and Court Services Act 2000. This is for employers who provide a placement for a young person on work experience. The guidance spells out the steps employers should take to avoid incidents of abuse in the work place. When undertaking

Placement Suitability Visits on behalf of schools, the Tamar EBP will record that CRB advice has been given to the employer on the visit check list and a signed copy will be retained in the office as evidence.

When undertaking Placement Suitability visits for pre-16 students, Tamar EBP will advise schools, when an Enhanced CRB check will need to be carried out on the employer/employee. The school will need to request the Local Authority to undertake a CRB check **before** a placement can be endorsed.

The Tamar EBP incident procedure for dealing with alleged incidents of abuse is included in annex C. (*See flow chart*).

Employer responsibility Employers should take care of child protection issues under the Criminal Justice and Court Services Act 2000.

8 STUDENT SUITABILITY FOR WORK EXPERIENCE

(Undertaking Work Experience within nurseries, schools, care homes etc)

SCHOOL RISK ASSESSMENT GUIDANCE

CRB Checks and Risk Assessments on Students in the Work Place.

There is currently no legal requirement for a CRB check to be undertaken on a student likely to be working with young children or vulnerable person whilst on work experience. However, some employers are currently considering the requirement for a CRB check to be carried out on students prior to taking up a placement.

Plymouth City Council have confirmed that for any student in full time education, an individual Risk Assessment carried out by the Senior Management within school, on an individual who wishes to work with children or vulnerable adults must be undertaken (schools, nurseries, care homes etc).

The outcome of the Risk Assessment should be conveyed to the school, nursery, care home or employer prior to the placement. It is not

intended that the actual content of the Risk Assessment be conveyed to the employer, just the findings. This could be done in a reference format.

Employers within these areas will feel more confident if a reference is received from schools, concerning a specific individual and hopefully reduce/eliminate the route some employers are currently considering. (This risk assessment route will suit most employers needs, but there may be an occasion, an employer may will still insist on a CRB check).

9 EXTENDED WORK EXPERIENCE - CRB CHECKS and RISK ASSESSMENT GUIDANCE

Sole Trader and One To One Situations in the Work Place

Current legislation requires Sole Traders or employees who would be working in a one to one situation with a student on a long term work experience placement (*one day a week for in excess of one term*) to undertake a CRB check prior to the student taking up the placement.

There is currently no legal requirement for any checks to be undertaken on employers who host students on Block Placements (*one week block, or one day per week for up to a term*).

CRB Checks can take between 4 – 6 weeks to clear, which would preclude some students from taking up their long term placements given the 'last minute' placement nature within the Extended Placement scheme.

- ❑ All applications for Long-term placements are subject to *Enhanced* CRB checks. Where necessary to assist schools, once placements have been visited, students should be offered as a block placement which will commence for **one term** only, but will be subject to CRB check clearance (*this will allow the placement to be underway while awaiting the outcome of a CRB check during the first term*)
- ❑ Employers will be visited by Tamar EBP/Trident and providing the placement can be endorsed, the TWE4 Contract will be issued to school, with the stipulation that the school request a CRB check on the relevant employer during the first term.
- ❑ The placement ceases to be endorsed if any of the following apply:

- *A CRB check is returned with a 'trace' and it is determined the Provider isn't suitable to work with children.*
- *A CRB check is not returned by the end of the term.*
- *A CRB check was not requested by school in the first place.*
- School to put additional monitoring visits in place on the student during the first term
- Once CRB clearance is received, placement will be extended to Long Term
- Employers will be classed as Volunteers and therefore for the purpose of a CRB Disclosure, there should be no cost to the school.

Schools will need to ensure they look at the existing structuring of the extended work experience programme in school to ensure that students find their placements in good time and are not prevented from taking up their placements awaiting the outcome of an Enhanced CRB check. Ideally, students commencing their extended placement in September need to be securing their placements in the July or earlier, and the details forwarded to the Tamar EBP/Trident to enable a visit and CRB request to be underway before September.

Where employers are family members or friends of the family.

There are so many occasions, where schools are very keen to take advantage of placements offered from relatives or family friends. In these circumstances, the same consideration to a student's well being and vulnerability must be given. Unless a student is working directly with their parents (which should be discouraged), an Enhanced CRB check will still be required, whether it is with an uncle/auntie or family friend.

10 CHILD PROTECTION INCIDENT PROCEDURE – WORK EXPERIENCE

Incidents reported to the Tamar EBP by a school / parent/employer or young person will trigger the following procedure for the Tamar EBP to carry out:

1. Once an incident has been reported, from the very start, details of telephone calls/discussions must be recorded.

2. Student must be immediately withdrawn from the placement. Schools will take responsibility for undertaking this task.
3. Head of the educational establishment must be immediately informed by Tamar EBP.
4. No further action is to be taken by Tamar EBP until requested to do so by the head teacher, principal or equivalent.
5. Liaison with the police or social services must only be instigated by the head teacher/principal or LA Designated Officer in accordance with multi agency child protection procedures (see www.swcpp.org.uk)
6. The placement must be designated as 'unsuitable' and remain so throughout the investigation. The placement must not be used, until the outcome is known.
7. If the investigation proves that no incident took place, then the placement may be designated as 'approved' and continue to be available.
8. If the incident is proved or there is sufficient uncertainty about the suitability of the placement, then the placement must remain as 'unsuitable' and be removed from any further availability.

11 CHILD PROTECTION GUIDANCE FOR PLACEMENT PROVIDERS

Introduction

For adults working with young people it is important to feel confident in the relationship but at the same time be aware of potential problems that may arise. The following guidelines have been written to help employers provide a secure and productive work experience placement for students and employers alike.

Physical Contact

There may be occasions when you need to touch a young person (eg.. when you are guiding them in carrying out a technical operation) but these should be kept to a minimum. *It is good practice to tell them what you are going to do before you do it to avoid misinterpretation.*

Behaviour

Whilst it is important to reassure a young person who may be nervous in a new placement and reliant on your guidance, you should avoid

being over familiar. Never permit 'horseplay' which may cause embarrassment or fear.

Environment

Where possible avoid being on your own in an isolated or closed environment with a young person. If one to one contact is *necessary and unavoidable*, either do this in a public area or in a room with the door open so you are visible from outside.

Travel

Ensure that there is a known destination and check-in times with a third party in situations where a young person will be travelling alone with an adult during the placement. It is a good idea to make available a mobile phone (or equivalent) in such situations and to agree a 'code' word to indicate the young person is in danger or in need of assistance.

Mentor

Those placed immediately in charge of young people should be competent in their work-role, mature in their attitudes, and yet, at the same time, be at ease with them.

Disclosure

Occasionally young people may disclose confidential information to a work colleague that gives rise to concern for their physical or emotional safety. In such situations you should speak to your line manager *immediately* and share your concern with an appropriate representative of the education provider (usually this will be a school's work experience co-ordinator or the head teacher).

Disqualification

You are reminded that you are required by law to protect children from harm and that any employees are required, under the **Criminal Justice and Court Services Act** , to declare that they are disqualified from working with children.

Work Experience Child Protection Procedure

Flowchart

**Student discloses concern whilst on placement
to employee etc**



Employer/employee involved discusses disclosure/concern with Tamar EBP Work Experience team. Tamar EBP advise employer that concerns will be taken forward to school and relevant parties



Tamar EBP pass on details of the concern to the School's Headteacher/Child Protection Officer immediately, who will act in accordance with school procedures



Tamar EBP must keep a record of what was reported. This must be confirmed by e-mail with a copy to the Safeguarding Business Manager and placed on file

IN AN EMERGENCY, IF THE SCHOOL CANNOT BE CONTACTED, THEN CONTACT THE PLYMOUTH CITY COUNCIL SAFEGUARDING BUSINESS MANAGER, MR SIMON WHITE ON 01752 307144

Section V

Approval Procedures

1 APPROVAL OF WORK EXPERIENCE PROGRAMMES WITHIN PLYMOUTH CITY COUNCIL

The educational aims of work experience placements are for students to experience new environments, which result in independent realistic assessments and target setting.

It is a legal requirement that the programmes receive approval prior to the placements taking place. **Tamar Education Business Partnership (Trident)**, have been designated by Plymouth City Council to undertake this approval process for all pre-16 students to ensure the relevant parties are aware of their responsibilities whilst hosting a student on placement with an employer.

This has been done to improve the co-ordination and quality of placements, to minimise the duplication of effort by schools/colleges and other organisations, and the administrative burden on local businesses and other organisations.

The Tamar EBP will:

- ensure Employers are aware of their duties whilst hosting a student ie Health, Safety and Welfare of each student, Risk Assessment, Prohibitions, Accident Procedures, Insurance, Supervision / Training etc.
- centrally mail local employers requesting on behalf of schools a pool of placement opportunities for students

- Record placement confirmation on WebView (a database) individual school allocations, which are transferred electronically.
- Issue individual student contracts for each and every placement
- Issue certificates to those students who successfully complete their placements
- Ensure that all placements meet minimum health and safety standards and are approved in accordance with laid down procedures
- Offer a help Line for schools and employers during process

Duties of Schools / Colleges:-

In order for the Tamar EBP work experience team to operate effectively and provide a consistent level of service across the city, schools/colleges must:-

- Follow the time scales issued to individual schools for submitting placement information.
- Name a Senior Manager responsible for work experience
- Name a person responsible for the overall delivery of the work experience scheme
- Name a person for the administration of work experience and communicating with Tamar EBP over placement details.
- Ensure students are prepared prior to the start of their placement eg during PSHE or tutorial sessions.
- Ensure account is taken of specific needs of individual students relating to their health or learning including factors which might affect their ability to understand and respond to information and instructions about health and safety at work.
- Informing employers/providers of health, behavioural and learning factors (including information on students recognised by the school as being at greater risk in the work place) that may affect or influence their risk assessment, prior to the placement commencing.
- Provide support during the placement, specifically the incident procedure (*See Section IX Accident Reporting Flow Chart*).
- Carry out monitoring visits to students during their placement and evidence (*see Tutor Visit Form Appendix V*).
- Debrief and follow up work with students after the placement period.

- Annually review and evaluate the work experience scheme, to identify good practice and to adapt policy where necessary with Tamar EBP on behalf of the local authority.

NB

Student names should be checked with the school/college Special Educational Needs Co-ordinator.

(Medical problems such as partial hearing could be cited as evidence of negligence in litigation should a student not hear an instruction). Special Educational Needs Co-ordinators (SENCOS) should countersign the list to show that issues relating to students with Special Educational Needs have been taken into consideration when organising placements and any relevant information communicated directly to the employer and workplace supervisors after negotiation with students and their parents/guardians

Those organising programmes should take the following steps:

- i) agree dates and procedures for work experience programmes with senior management in school/college
- ii) plan thoroughly the programme at least three terms in advance
- iii) use the appropriate checking agency (Tamar EBP/Trident) for all pre 16 students) for health and safety approval and use only approved placements
- iv) follow school schedule for progressing quality work experience placements
- v) provide early clarification of pre and post 16 placements, essential to allow Tamar EBP to provide the Placement Suitability checking service (see Service Guide)
- vi) Attend the Best Practice workshops run by Tamar EBP.

Upon the completion of placing students with employers, Schools/ Colleges/Providers should provide a detailed list for the Local Authority of placement information on each student to confirm the following :

- i) Pupil name
- ii) Date of Birth
- iii) Ethnic Origin
- iv) Pupil Address
- v) Telephone Number

- iii) Start and Finish Date
- iv) Times of attendance on placement
- v) Name of organisation
- vi) Type of work to be undertaken
- vii) Schools Emergency Out of Hours Telephone Number
- viii) All employers listed have been checked and have both Public and Employer Liability Insurance cover

NB For those schools/colleges using Tamar EBP, this will be collated by Tamar EBP and sent to school for signature. A copy should then be kept in a safe place.

This documentation should be signed by the Head teacher/ Principal/Governors and forwarded to the Tamar Education Business Partnership to hold on behalf of the Plymouth City Council, prior to students placement commencing.

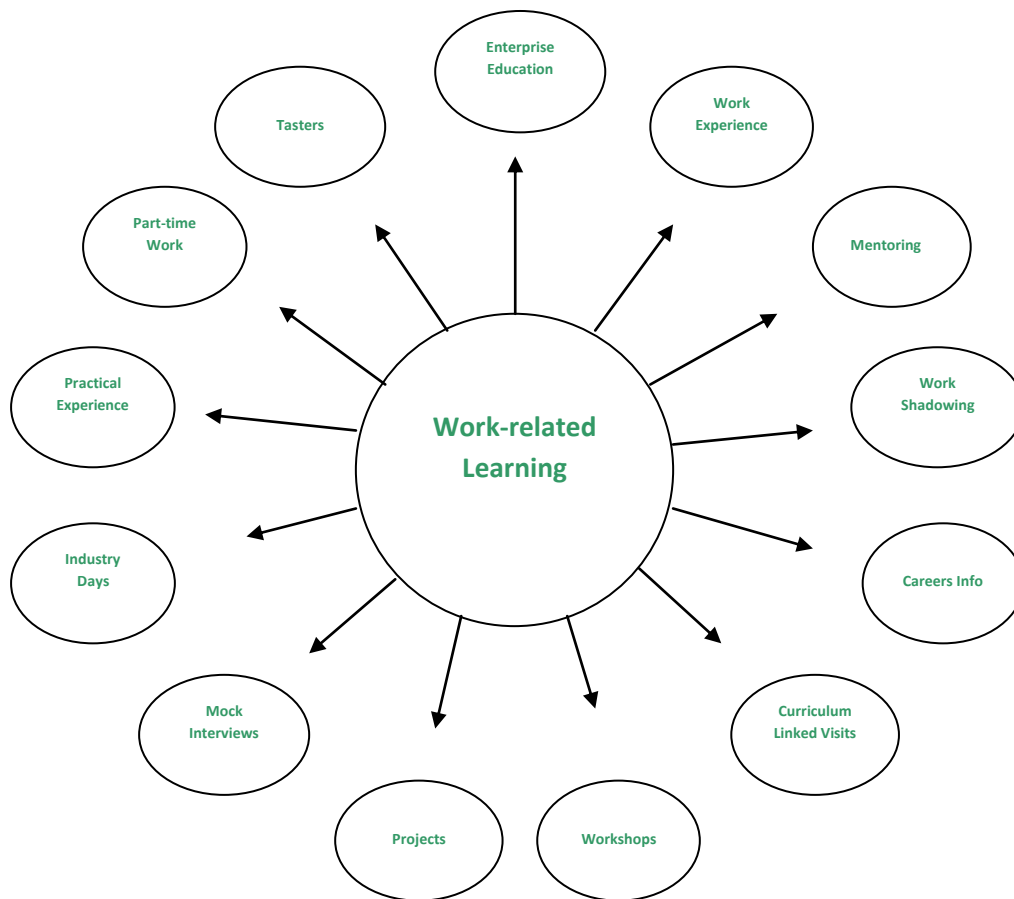
Please ensure that where possible work placement should be used to extend experiences of work and not repeat previous experience, for example, part-time employment or working with parents or close relatives.

2 WORK RELATED LEARNING/EDUCATION WITH TRAINING PROVIDERS (TVC), OR THROUGH WORK PLACEMENT

Work-related learning (DCSF definition 2008) is planned activity that uses the context of work to develop knowledge, skills and understanding useful in work, including learning through the experience of work, learning about work and working practices, and learning the skills for work.

All students experience work-related learning at some point in their education – although sometimes they might not know it! They will certainly take part in it during the last two years of their compulsory education (KS4) because it is a statutory part of the curriculum at that stage. It is also a vital component of the new Diplomas.

Examples of different kinds of work-related learning activities:-



Changes to the curriculum and the new Diplomas mean more work-related learning, greater employer involvement, more contact with different people and increased movement of young people between locations.

Tamar Education Business Partnership (Tamar EBP) supports schools/ colleges in their delivery of work-related and enterprise learning and student work placement. It provides systems and procedures that meet the LA's duty of care standards and assists schools in meeting the Investors in Work-Related and Enterprise Learning quality standards.

Further education colleges, employers and other training providers have responsibility for the health, safety and welfare of everyone on their premises, including any students attending or engaging in activities which they organise. Their responsibilities are no less than those schools and colleges have and they include:

- Complying with child protection legislation
- Checking their insurers are aware of the implications of their involvement with work-related learning and, in particular 14-16 year-old students.
- Agreeing and implementing workable attendance, reporting, progress monitoring and emergency procedures in partnership with school and employers.
- Supporting their staff in adjusting to teaching young people by organising training and establishing workable and effective policies.
- Complying with legislation and good practice on data protection.

The regulations and requirements that must be observed surrounding health and safety, child protection, insurance and data protection are there to ensure that young people are protected during their learning in particular during their placement with training providers and on placement with an employee. The Tamar Valley Consortium (TVC) Office administer/manage/commission/quality assures Training Provider Programmes for all schools and colleges. Tamar EBP carries out the placement suitability visits with employers, before work placements are undertaken.

Scheduling of TVC programmes concur with school and community college days. The majority of post 16 courses take place on Mondays or Wednesdays, pre 16 programmes on Thursdays and follow school/college hours.

3 HOURS OF WORK AND PAYMENT

Briefly, young workers have special rights under the Working Time Regulations. The rights of young workers - those over the minimum school leaving age but under 18 and those under the minimum school age on approved work experience schemes.

Wherever possible students should work the normal hours of the firm (providing they do not exceed the exceptions laid down below). The guidance of the Local authority stipulate that:

- No more than a total of **thirty seven hours** in one week may be worked by any pupil of statutory school age.
- Students are not permitted to work night shifts.
- No work experience may begin before 6 am.
- No work experience may continue beyond 10 pm.
- Students employed on a part-time basis should give up that employment whilst on placement where the 37 hours limit would be exceeded unless other arrangements are deemed to be in the best interests of all concerned.
- No payment should be made to students whilst they are on work experience. An employer may wish to help with travel, clothing and / or subsistence costs.

Further Guidance

The **Working Time Regulations 1999 (as amended)** apply to all workers, with some additional provisions available for young workers (below 18 years but above the MSLA). This guidance contains a full list of local ACAS telephone numbers.

4 TIMING OF WORK EXPERIENCE

All students should be visited by schools/colleges whilst on placement. There are facilities during school term time to respond to any issues that could arise, whilst a student is on placement including emergencies. Such cover is not available during holidays and weekends, therefore placements during these times are **not** approved by the endorsing authority.

The work experience entitlement for any pupil should not normally exceed 10 days with one employer. The endorsing authorities allow up

to 15 days in one academic year on placement. Arrangements for extended work experience are described in *Section V*.

5 OUT OF COUNTY PLACEMENTS

Schools should endeavour to ensure that learners undertake placements within the County, the only exception being where checking arrangements have been agreed with reciprocal agencies through the Tamar Education Business Partnership/Trident. For information contact the Tamar EBP.

The school is responsible for ensuring that an out of county employer and the EBP has the school and councils' **Emergency Out of Hours contact number**. (*see flow chart Section IX*)

6 WORK EXPERIENCE ABROAD

Work Experience overseas cannot be endorsed by the local authority.

7 TRAVEL TO OFFSITE PROVISION

It is more difficult to identify responsibilities when students are travelling to or from the offsite provision.

If the school or LA arrange transport, it is likely they will be deemed responsible for the safety of the student. However, in certain situations, the responsibility may fall to the parent or guardian.

The public liability policy held by the Local Authority extends to cover students against negligence by the Authority or Staff in connection with work placements. In addition, the Schools Off-Site Activities policy, which provides certain benefits in the event of injury or loss, applies to work placements and includes travel to and from the location.

It should be made clear to students and parents what the travel and route options to and from the provider are. They should be made aware when this involves any significant increase in risks to their health and safety (over and above their normal journey to school) and whether the parents to offer, or suggest, any safer alternatives. (*Tony Johns, Work Experience and The Law Page 43*).

SECTION VI

Extended Work Experience

1 WHAT IS EXTENDED WORK EXPERIENCE? (EWE)

The aim of Extended Work Experience (EWE) is to provide students with an opportunity to experience the world of work and develop employability and vocational skills recognised and valued by employers. Students should take part in work experience schemes as part of a *balanced curriculum*. 'Schools wishing to take advantage of the new regulations must ensure that they comply with the criteria that are designed to safeguard students' entitlement to a broad and balanced curriculum.

The Key Partners (Section II) involved in the organisation, delivery, approval and monitoring of the placement will need to understand their own roles, the roles of others and the need to co-operate, communicate and comply with the procedures explained in this document. These guidelines do not cover in detail all the procedures, policies and laws associated with work experience. The law as it applies to general work experience still applies to Extended Work Experience (EWE).

2 ORGANISATION

Tamar Education Business Partnership has been appointed as the placement-approving agent on behalf of the Local Authority to undertake placement visits for those students who are still in Yr 10 and

Yr 11 (ie pre 16). Only designated Tamar EBP staff, suitably trained and authorised by the Local Authority have the authority to vet and approve placements. Tamar EBP also provides advice and support to educational establishments and employers.

The Employer has the same health and safety responsibilities to school work experience students, as they have to other young employees whilst under their control, even though the students are not permitted to receive a salary.

The School has a responsibility to ensure that any health problems and/or barriers to learning are communicated to the provider to which the young person has been placed. In order to communicate this information to providers, the Tamar EBP TWE4 Contract, meets this requirement and each student wishing to take part in EWE should ensure they have been issued with this contract before taking up their placement.

In addition, the school retains the duty of care for each student whilst they are at an alternative establishment to receive part of their education. As part of fulfilling this duty of care the school is responsible for the programme of learning during all of the different stages. The programme is expected to include preparation and matching the student to a suitable placement. Schools need to demonstrate adequate arrangements for monitoring individual students in all elements of the programme including educational progress and their health, safety and welfare at the work or learning place.

A Tutor Visit monitoring form is included (*Appendix V*) which will be issued for each student by Tamar EBP and should be completed by staff making visits to students at the work place. Monitoring visit forms should be completed at the end of each term by the school and sent to the Tamar EBP in order to monitor the current status of students.

Please note – Schools/Colleges should include a Monitoring procedure with the Employer for every student on Extended WEX. For example, this needs to incorporate a form of registration and perhaps a faxing arrangement between the employer and school/college/training provider to a designated person, who will be responsible to act immediately and notify school/college of a ‘no show’.

3 WHAT IS THE DIFFERENCE BETWEEN SHORT-TERM

AND LONG-TERM EXTENDED WORK PLACEMENTS?

Short-term extended work experience placements are an alternative to a block placement, when students go out for half a day or a day per week for a term. The amount of time spent on such placements is broadly equivalent to a block placement that is typically for 5 or 10 working days, but it could be for 15 days. Such short-term extended placements would not normally require the additional safeguards to be in place. However, placement organisers should still take child protection into account when assessing the general suitability of the placements.

Long-Term extended placements have become common as part of programmes of extended work-related learning, which accompanied the disapplication of the National Curriculum regulations. Students may be on extended work experience, say one day a week, as part of alternative curriculum programmes, which may last for the whole of Year 10 and/or Year 11. Students taking NVQs or other vocational courses as part of a range of work related programmes may also have long-term extended work experience.

Students on Long-term placements are at greater risk than those on short-term placements because of the greater amount of time, and the spread of time that children will be spending in the company of adults. Hence *additional safeguards* are necessary for example Enhanced CRB Checks.

4 MONITORING AND DEFINITIONS RELATING TO EXTENDED WORK EXPERIENCE:

Learners – an adult, young person or child on a training, work experience or similar learning programme regardless of employment status.

Short-term work experience – *a learning activity undertaken with an employer which does not exceed a block of 4 weeks duration or 1 or 2 days a week for up to 3 months.*

Monitoring Visit – teachers (or other suitably experienced staff) visit students during their work experience placement to monitor and review their progress.

<p>High Risk Environment – Learners should be monitored at their workplace at least every 3 months</p>

Medium Risk Environment – Learners should be monitored at their workplace at least every 6 months

Low Risk Environment – Learners should be monitored at their workplace at least every 12 months.

It is recommended that schools apply a set of general principles when making arrangements for students to go on extended work experience. These take into account the needs and behaviour of students when making decisions on matching and support required. They are based on guidance issued to schools when the regulations on disapplication from the National Curriculum were first introduced (Work Related Learning and the Law – Tony Johns.)

5 CHECK LIST FOR ORGANISERS OF EXTENDED WORK EXPERIENCE

1. Summarise students' needs and significant factors like their attendance, attitudes, abilities, achievements, special needs, behaviour etc. This allows the employer to modify their risk assessments in the light of information provided.
2. Arrange a meeting with a personal adviser from the Connexions Service in order to determine aspirations, potential progression routes and accreditation requirements.
3. Arrange a consultation with student(s) and parent/carer(s) to outline the aims and objectives of the scheme. Explain the costs and consequences of the programme, in those cases where students will not gain quite so many GCSEs. Obtain parental and student agreement to participate in the programme, either through an initial consent form or an agreement.
4. Arrange a work experience preparation programme to enable the student to be able to gain maximum benefit from their experience and to work safely (including a pre-placement visit).
5. Ensure that all relevant parties, including the student and parent/carer(s), know the pattern of the students' on-and off school site programmes, supervision and named contact details and arrangements for when students are ill or cannot attend.
6. Identify a named person to support and visit the student at their placement at regular intervals to monitor progress, continued suitability and assist with Key

Skills and any other accreditation possibilities.

- 7. Ensure employer comments and reports are included in the student's Progress File and that the student has regular contact with their Personal Adviser from the Connexions Service.*

(adapted with permission from Simulus Education)

Schools must comply with Child Protection guidance (please see Section IV), as children may be more vulnerable to abuse or harm in extended placements than on block work experience.

SECTION VII

Work Related Learning

Work Related learning – a planned activity designed to use the context of work to develop knowledge, skills and understanding useful in work, including learning through the experience of work, learning about work and working practices, and learning the skills for work.

1 EMPLOYERS SUPPORTING WORK-RELATED LEARNING

The involvement of business people and other community members can greatly enhance young people’s learning and experience.

Work-related learning may involve young people being placed into companies to gain real work experience or it could involve a company visit or a site investigation. Alternatively, it could involve the business/community person coming into school to give advice, to coach or to mentor young people. This may support an enterprise or vocational activity, set a business project, provide a specialist talk, inform students about job roles/career paths/skills/progression and perhaps offer practise interviews and guidance etc.

- The support sought from employers is wide ranging and is rapidly increasing.
- Where schools, colleges, training providers, HE institutions and businesses are in close proximity to each other there is a real possibility of employers being overwhelmed by the requests for support. A co-ordinated approach will help.
- When employers are involved we really need to make sure it is a very positive experience for them and that they are left wanting to do more.

- There are many different ways in which business people can enhance learning for young people – but often they are not aware of these. Therefore, it is up to education to be very clear about what support it is looking for, to brief the employer, to work with the employer, to let the employer know how their contribution has made a difference and that they are really appreciated.
- Business people giving their time want to feel they are well prepared in advance and know what is being asked of them, so tghat they can do a good job.
- The recognition of employer support can be a real benefit for the business – eg the image of business in the local community, understanding the world of education, contribution to CPD, motivating for employees, demonstrating their corporate responsibility etc.

2 Examples of Work-Related Experience/Activity
Work experience placement in vocational context (formal, organised by provider, and/or through part-time work – paid or unpaid)
Work experience through part-time work in non-related vocational context – could link to an assignment investigating a variety of issues in any work setting such as health & safety, ICT solutions, management structures, marketing & sales strategies, etc.
Contact with and input from, business people who can provide career information/work preparation – job roles, career pathways & progression, skills, attributes and competences required, training and qualifications, job applications and preparation for interviews (including practise interviews).
Participation in an organised ‘challenge’ / competition / scheme / problem-solving activity. This is likely to use a ‘team approach’ and may incorporate links between the specific vocational area and design, technology, communications, mathematics, ICT, etc.
Participation in company or community visits / opportunities to view a variety of vocational contexts. This can include both real visits to companies/organisations and virtual visits using film, DVD and other audio media. Use of internet and e-learning resources.
Field work and site investigation.
Occupational tasters/workshops
Contact with a range of business people, especially from the related sector, who can provide information, advice, demonstration, judgements etc.
Individual work-related projects with employer support – planning, research, presentation of findings in various forms, using internet, local witnesses, historical evidence, etc.

Group activities – involving planning, allocation of roles and activities, joint investigation, and group presentation of findings.
Creating designs, models, drawings and other representations related to the vocational area.
Researching and evaluating new materials, processes, approaches, practices, job roles, career pathways, skills/attributes/competences/qualifications and training related to the vocational area.
Take part in enterprise project related to the vocational area (eg design/make,/problem-solve, cost, market, make convincing presentations etc)

3 PROCEDURES

□ Recruiting Employers

- A number of people/organisations will have a range of employer contacts and may be able to help you. These may include
 - Education Business Partnership
 - Employers who already work with the school (for work experience and other activities)
 - Governors
 - Sector Skills Councils
 - Chamber of Commerce
 - Connexions
 - Rotary Club
 - Personal contacts etc

□ Contacting Employers

- When you contact an employer, make sure that you are very clear about what help you are looking for
 - Purpose of the activity
 - Timing and venue
 - What benefit you feel the input of an employer would bring together with the potential benefits to the employer

- Your telephone number and at what times you can be contacted

□ Briefing Employers

- Make sure employers have all the information they need
 - How to find you (or an external venue)
 - When to arrive and where to park their car
 - Where to go when they arrive
 - Who to ask for
 - The size, age, ability range, relevant background knowledge or experience of the group
 - The length of the session
 - The type of format that might work best e.g. lecture, informal talk, question and answer session, workshop activity etc

□ Preparation

- Make sure you have the information you need from the employer
 - Is any equipment going to be needed?
 - What type of presentation will it be?
 - What sort of layout of the classroom would they like?
 - If they have not spoken in a classroom before do they have any concerns you can reassure them about.
 - Do they have any other questions?
 - Prepare the students to receive the visitor – eg explain the purpose and ask students to prepare questions they might like to ask.

□ Hospitality

- Ensure that school office staff are aware when a visitor is coming into school so that they are made to feel welcome
- Ensure that suitable refreshments are available for the employer (coffee/tea, water, lunch)

- Introduce the employer to the class, giving some background information
- At the end of the session, ensure the employer is thanked
- Ensure the employer is escorted from the school. This is a good opportunity to ask whether they would be willing to help out again in the future

□ Evaluation

- It is useful to involve the employer in evaluating the activity. It will help you plan for the future and it will help the visitor to know that the time given up to support you was worthwhile.
 - How well prepared was the group?
 - Are there any suggestions for improvement?
 - How well did the group respond?
 - Were any important areas of questioning left out?
 - Would they be happy to come and see this group again?
 - Would they be happy to come and speak to next year's group?
- Activities should also be evaluated by the group to help you with future planning and to give feedback to the employer:
 - What did they find most interesting?
 - What else would they like to know?
 - Was there the right amount of information? -too little? -too much?
 - What did they learn?
 - Could the class have improved their contribution? -questions?

□ Keeping in Touch

- Ensure that a thank you letter is sent to the employer
- Ensure that the employer's name is included in any publicity generated
- Invite the employer to any follow up activity

- Invite the employer to other school events
- Include the employer on the distribution of any relevant information, e.g. school newsletter, so that they continue to be involved and interested in the school
- Consider sending an annual certificate to all employers who have helped the school during the year
- Mention the company in the school's annual report - "Connections with the Local Community"
- Give the employer as much notice as possible of any future activity you would like them to be involved in.

Section VIII

Preparation and contact with students on placement

1 PLACEMENT PREPARATION AND ARRANGEMENTS

Pre Placement Health & Safety Briefing

The thorough preparation of pupils for all aspects of their work placement is one of the key responsibilities of schools. A briefing on the health and safety aspects of the work placement can either take place in specifically designed training sessions, or can be integrated into the overall curriculum (or preferably both). A pre-placement health & safety briefing should ensure a minimum of the following points are covered:-

- The difference between hazards and risks;
- How to identify hazards and risks;
- How risks can be reduced;
- Their own limitations;
- The need for disciplined behaviour in the workplace;
- Accident procedures;
- First aid provisions;
- Procedures in the event of a fire;

- Evacuation procedures;
 - The meaning of safety signs;
 - The use of personal protective equipment;
 - The need for safety precautions and safe systems of work;
- and
- Key safety hazards in the workplace.
(Please note, this list is not exhaustive)

In addition to the above health and safety briefings, Students seeking placements in Agriculture and Construction must have additional specialist health and safety briefing/training prior to undertaking a placement within these areas. Should additional training be offered to the school for a specific student by the EBP/Trident, and should the student not attend the training, the placement will not be endorsed by the Local Authority.

There should be a central point of contact within school (or other organisation) with the duty of the general day to day running of the work experience programme.

Each school should appoint one school contact who may be telephoned at any time by students, parents or employers on matters arising from difficulty encountered whilst a student is on placement.

Students should

- * *know the name and telephone number of the school contact*
- * *be fully aware of arrangements in the case of sickness*
- * *be briefed on conduct and dress for placement*
- * *be familiar with the details of their programme and any placement project work to be undertaken*
- * *know the name and address of the company/organisation*
- * *know the name of the person responsible for them whilst on placement*
- * *have clarified the travel arrangements to and from the placement*
- * *be aware of all other relevant considerations outlined in these guidelines*
- * *have a job description*

2 CONTACT WITH STUDENTS ON PLACEMENT

Students must be visited **at least once** during each placement to ensure maximum benefit is gained. Visits to students on placement should be **pre-arranged** with the Employer. For out of county placements, it may be difficult to visit, and contact must be made by telephone. *(For Extended Work Experience, see Section VI).*

It will be beneficial to ask subject teachers, form tutors, year heads, senior management and careers teachers to be released from their normal timetable to assist in visiting and supporting students. In some schools, Governors have happily offered to visit. The contact helps to enhance education/industry links, the integration of work experience into the curriculum and provides evidence of the student's achievements. The school has a legal duty of care for all students on and off site during the school day.

Staff visiting students on placements should monitor the health, safety and welfare of students and have a mechanism for reporting any concerns. These visits should be evidenced. *(Please see Appendix V Tutor Visit Form).*

The school is responsible for ensuring that the **Employer** and the **EBP** has an **Emergency Out of Hours Contact Number**.

3 TUTOR VISITS TO THE PLACEMENT

Teachers / staff visiting students on placement at employers premises whilst on school duties, are normally covered by the Local Authority or college for personal accident. If teachers use their own transport they should notify their insurers that their vehicle is being used " in pursuance of an approved educational activity as an alternative to public transport". This does not normally imply a higher premium, particularly if the insurer is a member of the Association of British Insurers, The British Insurance and Investment Brokers Association or Lloyds of London.

4 STUDENT TRAVEL / COSTS TO AND FROM PLACEMENT

Fares should be borne through voluntary contributions sought from parents on a non-attributable basis. There is no current provision for the endorsing Authorities to meet travel costs.

Local bus companies may permit students to use a concessionary rate. Schools need to follow this up individually.

The public liability policy held by the Local Authority extends to cover students against negligence by the authority, or staff in connection with work placements. In addition, Schools Off-Site Activities policy, which provides certain benefits in the event of injury or loss, applies to work placements and includes travel to and from the location. Not normally from the home to the placement.

5 LUNCH TIME SUPERVISION

Schools need to assess the risk of a student leaving the employers premises at lunchtimes whilst on placement. Communication between all parties involved is paramount, and clear direction should be given. It is suggested, that parental consent is obtained for students to leave the employers premises or educational establishment at lunchtime, in the same way they would need to give permission to leave school premises at this time.

6 LEARNING FRAMEWORKS

The Learning frameworks were designed to help students to identify individual learning objectives and outcomes from work experience in particular work environments. They cover in excess of 26 different job areas from clerical to laboratory. The frameworks are for use with students aged 14-19 who are going on work experience. Each framework is produced in a pre-16 and post-16 version. The frameworks aim to help teachers and students to visualise the learning opportunities covering the following three elements:- Work tasks, Work skills and Key skills. Where possible, these frameworks should be used with individual logbooks to form part of the work experience preparation and debrief. *(The frameworks can be obtained from DCSF or Tamar EBP)*

7 WORK EXPERIENCE LOGBOOK

There are many log books that have been produced to support students on work experience placements, and the host organisations concerned. The EBP is able to provide a logbook for students. Please contact Tamar EBP for details.

SECTION IX

Accident/ Reporting and Media Procedures

1 ACCIDENT / REPORTING PROCEDURES

As procedures may vary slightly from one Local Authority to another, the guidance provided by the Local Authority Office should be followed but in all cases:

ALL ACCIDENTS, NEAR MISSES AND DANGEROUS OCCURRENCES MUST BE REPORTED PROMPTLY ACCORDING TO THE INSTRUCTIONS ISSUED

- RIDDOR REPORTING FORM F2508 (Report of an Injury or dangerous occurrence)
- RIDDOR REPORTING FORM F2508A (Report of a Case of Disease)

2 ACCIDENT PROCEDURE FLOW CHARTS

Please see the relevant flow chart.

- **Work Experience Accident Flow Chart Tamar EBP - see *appendix 3***
- **Training Providers TVC – see *appendix 4***

- **Educational Establishment** (*held by individual school/college*)

3 MEDIA REPORTING

It is Council policy for all media enquiries to be routed to the Corporate Communications Unit in the first instance. If you receive a media enquiry then redirect the call to the unit, even if you are on the list of officers authorised to speak to the media. The Corporate Communications Unit will contact the appropriate officer or a member to agree a response or to carry out an interview.

All media enquiries received by the Corporate Communications Unit are logged on a Newsflash database. The time of call, the nature of the enquiry and the length of time taken to respond are recorded. A record of what information is given to the reporter is also kept.

Media Reporting In an Emergency

What the Council and its staff say in the minutes, hours and days following an emergency could have a long-lasting impact on the public and media's perception of the authority.

Informing the Corporate Communications Unit at an early stage will enable it to pass on agreed information to the public via the media and prevent inaccurate information from becoming popular 'fact'. It will also prevent other officers from being hindered in their own roles by having to deal with the media.

- No member of council staff should make any statement at all unless they are on their service's approved list of approved spokespersons.
- All members of staff should alert the Corporate Communications Unit (whether out of hours or not) that the media are present at an incident and they are being asked to provide a statement.

Please refer to Plymouth City Council's 'Communications Toolkit Handbook' for full guidance or telephone 01752 307816 or the Out of Hours Emergency Number.

APPENDIX I

LIST OF PUBLICATIONS

BIBLIOGRAPHY

- DCSF (DfES 2004) Work Experience: A Guide for Employers
- DCSF (DfES 2002) Work Experience: A Guide for Secondary Schools
- DCSF (Rev 3) Be Safe! : A Guide to Health & Safety in Training
- DCSF (DfES Guidance Paper 12 May 1999): Work Experience - Legal Responsibility and Health and Safety - Reference WELRHS
- DCSF Safeguarding Children and Safer Recruitment in Education - Every Child Matters 2007
- DCSF Key Stage 4 Disapplication Rules/Guidance (July 2000)
- DCSF The Work-Related Learning Guide – First Edition (2008)
- Johns, A. with Miller A, (2002 3rd Edition) Work Experience and the Law, Centre for Education and Industry
- DCSF Johns, A (2006) Work-Related Learning and the Law
- HSE (2000) Young People at Work: A Guide for Employers, HSG165
- HSE (2000) A Guide for Organisers HSG 199
- HSE The Health and Safety at Work etc Act 1974
- Education (Work Experience) Act 1973 and Education Act 1996 Chapter 56
- Schools Standards Framework Act 1998

Regulations: The Management of Health & Safety at Work Regulations (1999)

Useful WebSites:

Dcsf www.dcsf.gov.uk

HSE www.hse.gov.uk

QCA www.qca.org.uk

OFSTED www.ofsted.gov.uk

CRB www.crb.gov.uk

Every Child Matters www.everychildmatters.gov.uk/aims

APPENDIX 2

Management of Health and Safety at Work Regulations 1999 (previously Health & Safety (Young Persons) Regulations 1997 - frequently referenced "European Directive")

1. The Regulations came into force on 29 December 1999.

The HSE followed up with a guidance document "Young People at Work - a Guide for Employers HS(G)165". The information covers areas employers are required to adhere to:

- * assess risk to young people, under 18 years old, before they start work*
- * take into account their inexperience, lack of awareness of existing or potential risks and immaturity*
- * address specific factors in the risk assessment*
- * provide information to parents of school age children about the risk and the control measures introduced*
- * take account of the risk assessment in determining whether the young person should be prohibited from certain work activities; except where they are over minimum school leaving age (MSLA) and it is necessary for their training and:*

** where risks are reduced so far as is reasonable*

- practicable; and*
- * *where proper supervision is provided by a competent person*

Status on work experience

The guidance stresses that the Health and Safety (Training for Employment) Regulations 1990 designates children and young persons on work experience as employees for the purposes of health and safety legislation. They must, therefore, be provided with at least the same health and safety and welfare protection as other employees.

APPENDIX 3 - SAMPLE RIDDOR REPORTING FORM

Health and Safety at Work Act 1974
The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

Click here for report guidance

Report of an injury or dangerous occurrence

Filling in this form
This form must be filled in by an employer or other responsible person.

Part A

About you

1 What is your full name?

2 What is your job title?

3 What is your telephone number?

About your organisation

4 What is the name of your organisation?

5 What is its address and postcode?

6 What type of work does the organisation do?

Part B

About the incident

1 On what date did the incident happen?

2 At what time did the incident happen?
(Please use the 24-hour clock eg 0600)

3 Did the incident happen at the above address?
Yes Go to question 4
No Where did the incident happen?
 elsewhere in your organisation – give the name, address and postcode
 at someone else's premises – give the name, address and postcode
 in a public place – give details of where it happened

If you do not know the postcode, what is the name of the local authority?

4 In which department, or where on the premises, did the incident happen?

F398 (05/06)

Part C

About the injured person
If you are reporting a dangerous occurrence, go to Part F. If more than one person was injured in the same incident, please attach the details asked for in Part C and Part D for each injured person.

1 What is their full name?

2 What is their home address and postcode?

3 What is their home phone number?

4 How old are they?

5 Are they
 male?
 female?

6 What is their job title?

7 Was the injured person (tick only one box)
 one of your employees?
 on a training scheme? Give details:

on work experience?
 employed by someone else? Give details of the employer:

self-employed and at work?
 a member of the public?

Part D

About the injury

1 What was the injury? (eg fracture, laceration)

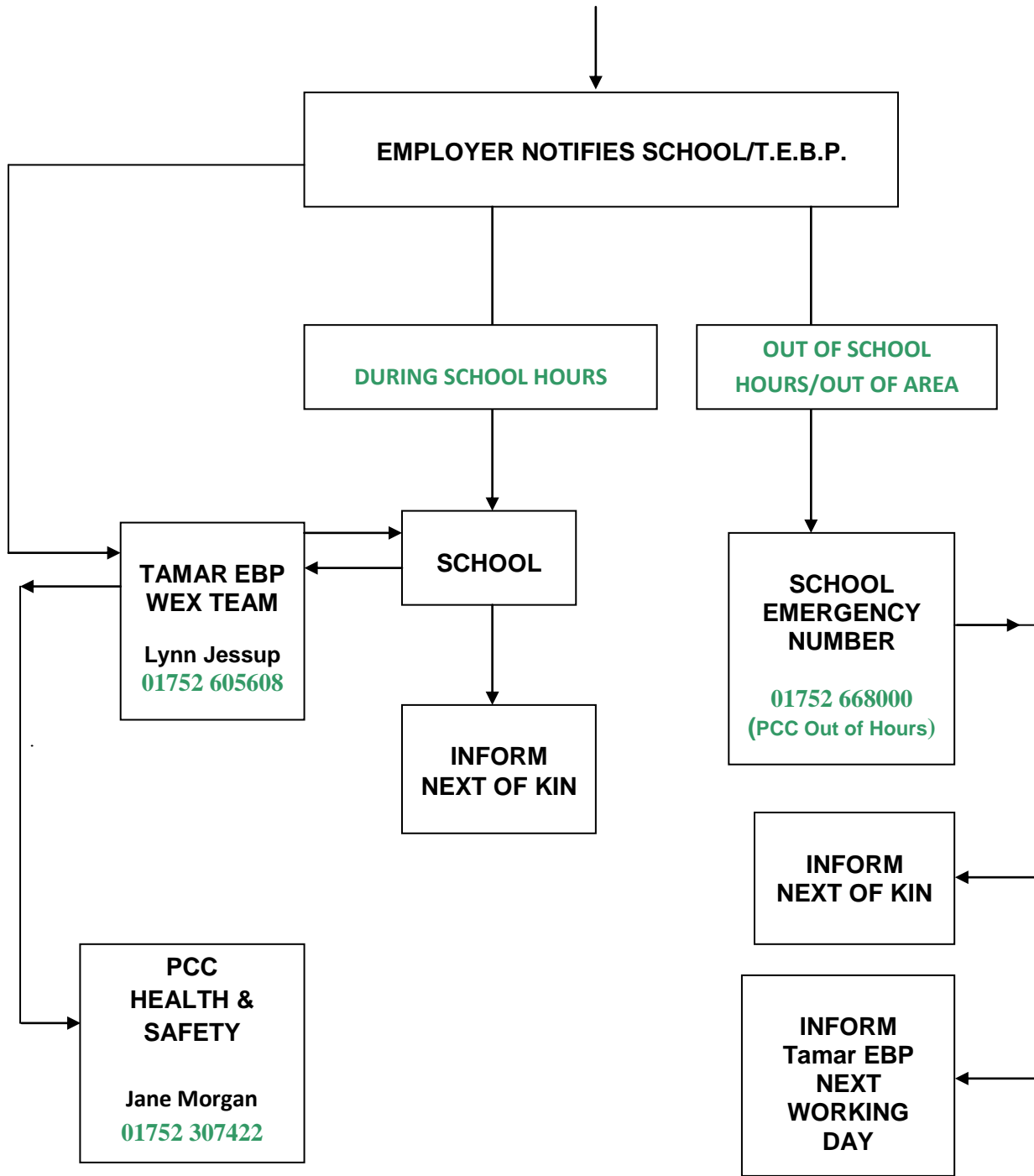
2 What part of the body was injured?

[Next Page](#)

APPENDIX 4 Work Experience Accident Flow Sheet (Tamar EBP)

TAMAR EDUCATION BUSINESS PARTNERSHIP

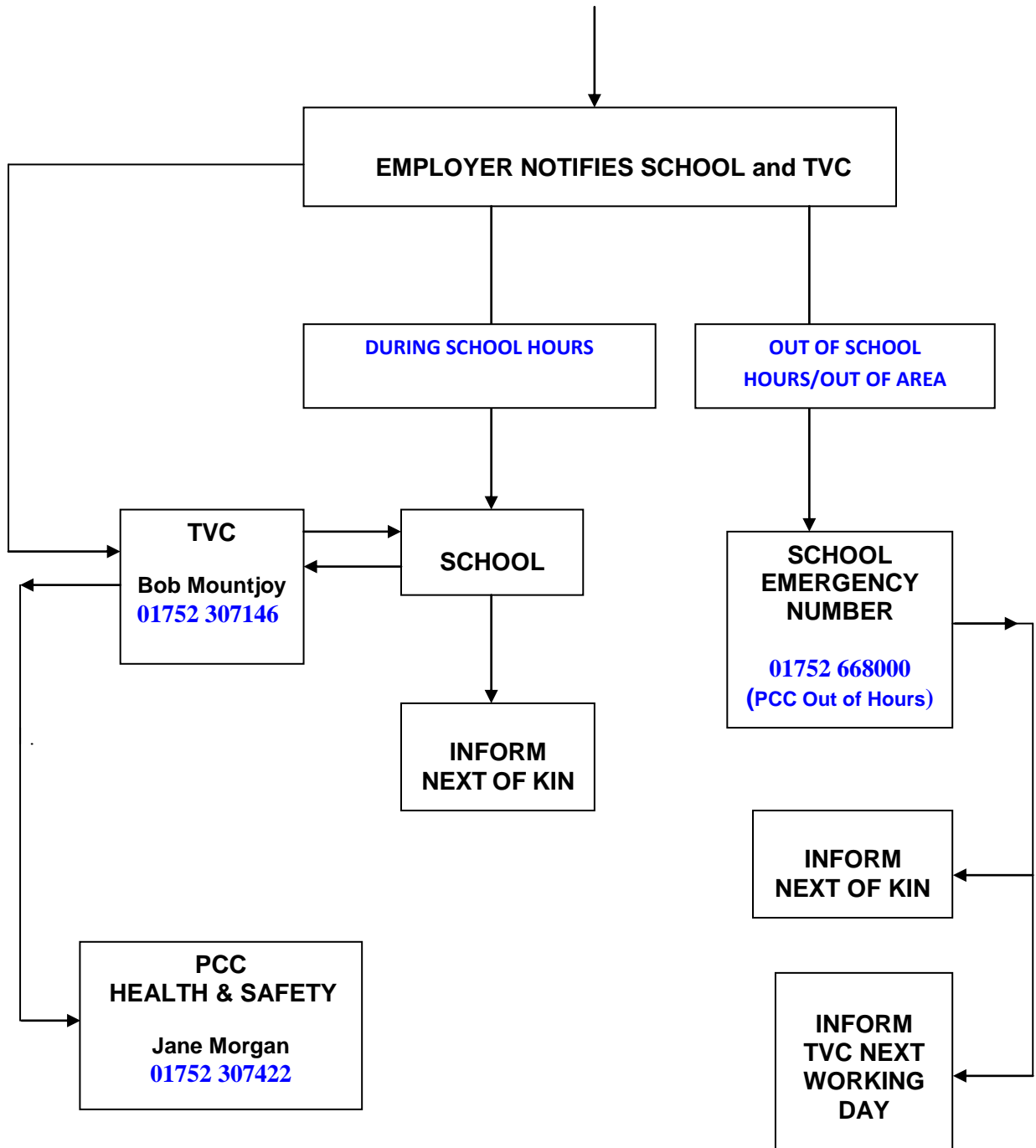
ACCIDENT



APPENDIX 5 Training Providers Accident Reporting Flow Chart (TVC)

TAMAR VALLEY CONSORTIUM

ACCIDENT



HEALTH & SAFETY QUESTIONNAIRE

Before you commence your Work Experience duties your employer or supervisor will advise you on relevant Health & Safety issues. Completion of the following questionnaire will help you to remember the information you have been given. Please ensure you complete this questionnaire on the FIRST DAY with the employer. The employer may wish to copy this form for their records.

Name of student	
Company Name	

Supervision

What is the name of your supervisor	
Have you been told of any activities that need supervision	
Make a list of these activities	
Have you been instructed in manual handling techniques?	

Prohibitions (things you cannot do)

Which machines are you not allowed to use?	
Which substances are you not allowed to use? e.g. chemicals	
Is there anywhere you are NOT allowed to go?	

P.P.E. (Personal Protection Equipment)

Which activities at work require you to wear protective clothing and footwear?	
--	--

Machinery/Equipment (instruction must be given before using any equipment)

What machinery/equipment will you need to receive instruction on before you begin your work experience? E.g. hand tools, photocopier, computer, etc	
---	--

Emergency and Fire arrangements

What alarm system is used to warn of fire or other emergency?	
How would you raise the alarm if you discovered a fire?	
Are you aware of the location of the fire exits and fire fighting equipment	
Where do you assemble if you have to evacuate from the building?	

Accidents

To whom do you report an accident or injury?	
Where is the accident book kept?	

First Aid

How do you get first aid treatment if needed?	
Where is the first aid box situated?	
Name the first aider(s)	

Other Issues

Any Other Issues?	
-------------------	--

Remember whilst on work experience you are considered an employee and you must follow these basic rules:-

- Always follow the instructions and training given and ask if unsure.
- **Do not engage in horseplay at any time.**
- **Do not interfere with anything that is provided for safety.**
- **Do not do anything that might harm yourself or any other person.**
- **Always co-operate with the employer and follow safe systems of work.**
- Always report any hazard or anything you are not happy with.
- Always follow instructions given by warning signs and notices.
- Always keep work areas clean and tidy.
- Report any accidents

I have completed the exercise above and understand my Health & Safety responsibilities in the workplace.

Name of Student Signature of Student

date

Name of Supervisor Signature of Supervisor

date