



# **Work Based Learning & Work Experience Policy**

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**To be reviewed:**

# **WORK BASED LEARNING/WORK EXPERIENCE**

## **Main Applicable Legislation**

- Health & Safety at Work etc. Act 1974
- Management of Health & Safety at Work Regulations 1999

## **Safe Learner Concept**

The safe learner concept was first introduced by the LSC in 2002. The LSC defined the safe learner concept as the situation in which:

*“the learner through the quality of their learning experience:*

- *gains an understanding of the importance of health and safety*
- *understands how hazards are identified, risks are assessed and the principles of control measures*
- *develops a set of safe behaviours, so that they play an active part in the process and acquire practical, transferable skills from their experience”*

The key components of the safe learner framework for students on work placement comprises:

- the student
- the student’s supervision arrangements
- the tasks, the associated risks and what goes on in the working environment
- the school
- the employer

Da Vinci Studio School (DVS) has embraced the safe learner concept, wherever possible and practicable, and revised its Health and Safety Policy accordingly.

## **Applicability**

This procedure applies whenever a student undertakes external work placement activities as part of their programme of studies at DVS. In the context of this procedure work placement includes work experience, work preparation, tasters and work based learning. This procedure is to be applied regardless of the duration of the placement or whether the work is paid, unpaid or in the voluntary sector.

## **Statement of Intent**

DVS is committed to ensuring that, so far as is reasonably practicable, all learning takes place in a safe, healthy and supportive environment. This commitment extends to learning in the workplace and, although DVS may have little direct control over the day to day work of the student once they are placed with an employer, DVS will take all reasonably practicable steps to ensure that the student's health, safety and welfare are managed by the employer. DVS will achieve this by:

1. Rigorous implementation of this procedure through a process of awareness, training, quality assurance, monitoring and auditing
2. Providing competent workplace assessors
3. Ensuring all workplaces meet health and safety procurement standards as defined by the Skills Funding Agency (SFA) and the Young Person's Learning Agency (YPLA)
4. Ensuring all workplaces meet health and safety statutory requirements
5. Actively promoting the safe learner concept through effectively preparing students for a healthier and safer working life and monitoring, reviewing and assessing their acquisition of health and safety knowledge, understanding and behaviour
6. Ensuring all parties involved – workplace assessors, tutors, employers, workplace supervisors and students are aware of their health and safety responsibilities. This will be achieved by effective communications, information, training and briefings

## **Workplace Assessors**

The Management of Health and Safety at Work Regulations define a “*competent*” person as:

*“A person shall be regarded as competent where they have sufficient training and experience or knowledge and other qualities to enable them to assist in undertaking the measures necessary to comply with health and safety legislation.”*

DVS requires all workplace assessors to be competent in both the occupational area they are assessing and in health and safety itself in order to make informed judgements on the suitability of workplace locations and employers.

DVS seeks to enhance the competence levels of all workplace assessors and ensure the scope and rigour of the assessments meet SFA and YPLA standards.

All DVS workplace assessors must:

1. Understand and be able to identify the main risks and control measures for the environment and occupational area being assessed
2. Understand health and safety legislative requirements applying to the employer and the learning or working environment and industry
3. If applicable, understand the legislative requirements relating to young people

4. Fully understand the Health and Safety Procurement Standards and DVS's procedure for assessing the suitability of placements
5. Be aware of their own limitations and know when and where to seek advice or information
6. Have competencies such as interview techniques, communication and planning skills

Managers of workplace assessors must ensure:

1. Risk assessments are in place for work assessment activities
2. All assessors are provided with sufficient information, instruction and training to enable them to undertake competent assessments
3. Assessors are provided with all necessary personal protective equipment/clothing

### **Workplace Assessment**

All workplaces, regardless of the duration of the placement, must be assessed for reasons of health and safety. Workplace assessors are required to make informed judgements about the health and safety suitability of the workplace and the employer prior to learning taking place in that environment. Where the student is already in employment the assessment should take place as soon as is reasonably practicable. Assessors may also be required to make an informed judgement about the suitability of the workplace for a particular student and their needs. Judgements must be based on physical workplace inspection, inspection of documentation, discussions with the employer and/or supervisor and knowledge of the occupational area and the student to be placed there.

Occasionally, for specific reasons, a student may wish to undertake their placement in a workplace remote from the college. Where it would not be reasonably practicable for the workplace to be physically inspected and assessed, guidance must be sought from the School Health & Safety Advisor.

All workplaces will be assessed in accordance with specific health and safety procurement standards. The standards reflect the main health and safety legal requirements that exist to protect persons at work and others affected by work, and should be no more than employers do already. There are nine core standards relating to the general health and safety suitability of the workplace and the employer. The tenth standard is specific to the student and will need to be agreed for each student taking into account any individual needs:

### **Procurement Standards**

1. Health and Safety Policy
2. Risk assessment and risk control
3. Accidents, incidents and first aid
4. Supervision, training, information and instruction

5. Equipment and machinery
6. Personal protective equipment and clothing
7. Emergencies
8. Safe and healthy environment/workplace
9. Health and safety management
10. Management of students'/young persons' health, safety and welfare

**Standards 1 to 9** – These standards are concerned with the general health and safety suitability of the workplace and the employer. Assessment against these standards must include:

- Tour of the workplace
- Examination of documentation – policy, risk assessments, insurance certificates, accident book, training records etc.
- Observation of conditions and activities
- Interview with the employer
- If there are fewer than 5 employees, where neither a policy nor written risk assessments are a statutory requirement, more detailed observations and discussions are required

### **Documentation**

All workplace assessments must be recorded using either:

1. Employer/Location Health and Safety Assessment Record      **OR**
2. Work Experience Assessment Form

Both forms mirror the procurement standards and should be used as follows:

#### ***Employer Location Health and Safety Assessment Record***

- **All** work based learning
- **All** placements in high risk occupational areas eg: motor vehicle repair (whatever the duration)

#### ***Work Experience Assessment Form***

- Work experience, tasters, etc, in low or medium risk occupational areas

All sections of the record are to be completed in full – non applicable sections should be recorded as such on the form itself. Assessment Records are to be kept for three years – they could be applicable as evidence in case of accident or civil claim. The College Health and Safety Advisor can provide guidance and advice on completing the Assessment Record.

<b>OCCUPATIONAL AREAS - RISK RATINGS</b>	
Administration	LOW
Care	MEDIUM
Catering	HIGH
Construction	HIGH
Education	LOW
Electronics	MEDIUM
Engineering (Mechanical & Electrical)	HIGH
Equestrian	HIGH
Hair and beauty	MEDIUM
Hotels and Restaurants (Non Catering)	MEDIUM
Manufacturing/craft	HIGH
Printing	MEDIUM
Repair of motor vehicles including cycles	HIGH
Retail Trade	LOW
Sales	LOW
Security	HIGH
Sport recreation and leisure	MEDIUM
Textiles and clothing	MEDIUM
Transport	HIGH
Wholesale and warehousing	MEDIUM

### **Review**

All workplaces must have an annual health and safety review. The extent and nature of this review can be determined by the application of normal risk assessment considerations ie: proportionate to the risk.

## Action Plans

On completion of the assessment the assessor will recommend one of the following:

- Accept
- Accept with action plan
- Reject

If an action plan is put in place the assessor must judge whether students can be placed in the workplace prior to completion of the actions. The judgement will be based on factors such as the nature of the business, the evaluation of risk, discussion with the employer, physical inspection of the workplace etc.

Whilst assessors can direct employers to sources of information to assist them, DVS have no legal responsibility to ensure that they comply with health and safety law – that is the role of the enforcing authorities such as the HSE and local authorities. If an assessor has serious concerns regarding matters of health, safety or welfare the workplace is to be rejected and no student is to be placed there or be accepted/continue on a work based learning programme. Guidance can be sought from the School Health and Safety Advisor if required.

It is important that action plans are agreed by all parties, time bound, with review dates and sign off when actions are completed. Actions must not be left outstanding beyond their due date without justifiable reasons which must be noted on the form with an amended due date if necessary. Action plans will be audited as part of the quality assurance and health and safety audit process.

**Standard 10** - Standard 10 is about ensuring that the right student is placed in the right environment and that specific control measures are in place to ensure their health, safety and welfare. This standard may need to be assessed for **each individual student** because of their differing needs (physical, medical, behavioural, learning style etc). Acceptance of a workplace and employer as generally suitable for reasons of health and safety (standards 1 – 9) does not infer that the workplace will be suitable for all students. Physical layout, location – accessibility, remoteness and hours of work, nature of work, specific skills and qualities required may determine its unsuitability for a specific student. Standard 10 for individual students must be assessed by all parties involved:

- Student
- Workplace assessor
- Tutor
- Employer and/or supervisor
- Parent/guardian (if necessary)
- External agencies/support workers etc. as appropriate

Standard 10 must be assessed even if the student is already in employment to ensure that all necessary controls are in place. The management of the individual student's health, safety and welfare must be agreed and assessed and include competent supervision and/or a designated person to take overall responsibility for them.

### **Home Assessments**

Where students undertake work placements in private homes use of the procurement standards and associated documentation is not appropriate. In the case of home placements a separate assessment must be conducted. The assessment will consider those procurement standards which are relevant and others which are unique to the home placement scenario. As the assessment will be unique to the individual student the requirements of standard 10 will be fulfilled. The School Health and Safety Advisor can provide the necessary guidance and training in completion of the assessment. **See also section on Child Protection.**

### **Disclosure and Consent**

DVS must ensure that not only are all students adequately protected in the workplace but also that we do not, knowingly, expose any other persons to a risk to their health and safety through the acts or omissions of any DVS student. Employers have a duty to assess the capabilities of their employees in health and safety terms and inform DVS of any health-based or other limitations on the type of person who may be appropriate for the placement. DVS has a duty to inform the employer of any known medical, physical or behavioural issue which may negatively impact on the health and safety of the student at work or any other person who may be affected. In some cases special arrangements or reasonable adjustments may be needed for students with disabilities and it is important that employers are given full information, and any necessary advice, well in advance of the placement. It may also be necessary for the tutor/assessor to arrange a pre-visit to the employer's premises with the student so that all parties are aware of some of the adaptations, extra support etc. which may be required.

Where the student is not already in employment a work placement consent form must be completed and signed by either the student and/or parent/guardian. In some cases students under 18 years may not have a parent or guardian. In such instances it is acceptable for a member of staff to sign on their behalf provided:

- The staff member has personal knowledge of the student
- The form is completed in conjunction with the student
- The Health and Safety Advisor is informed

As the information on this form is of a personal nature consent must be obtained if any details need to be disclosed to the employer. Only information which could have a direct bearing on the health, safety and welfare at work of the student or others affected should be disclosed. The form is confidential and is to be held in the student's personal file.

When assessing Standard 10 it is important that all parties involved abide by the requirements of the Disability Discrimination Act (DDA) and the Data Protection Act.

Blanket exclusions on health and safety grounds could be deemed discriminatory under the DDA. Individual risk assessments must be conducted and used, wherever possible, to include rather than exclude a student.

### **Child Protection**

Where a student undertaking a work placement is under 18 years of age or is considered to be vulnerable, due thought must be given to child protection issues – see chart Safeguarding and Work Experience. Aspects to be considered include:

- Duration of placement
- Susceptibility/vulnerability of student
- Extent of workplace supervision
- One-to-one student contact

Where a student who is under 18 years of age or considered to be vulnerable undertakes a work placement in a private home an enhanced Disclosure and Barring Service (DBS) check **must** be undertaken.

In some circumstances it may be necessary for DVS students to undergo DBS checks before undertaking work placement. It is the responsibility of the student's tutor to judge when a check is necessary, for example when:

- the placement involves one-to-one contact with children or vulnerable adults
- it is a requirement of the employer eg: crèches, schools
- the work involves substantive physical contact eg: sports coaching, certain beauty treatments

Further guidance can be sought, if required, from the Principal who is the nominated DVS member of staff with responsibility for child protection.

### **Safe Learner**

In order for students to become safe and healthy workers their capabilities and competencies in health and safety must be developed. The provision of adequate and appropriate information, instruction and training is an essential part of this development. The duration of the placement will determine the need for refresher and on-going training.

***Pre-Work Experience Briefing*** – All students not already in employment must have a briefing prior to work placement. The briefing should raise awareness and general understanding of:

- Occupational health and safety – what it is, why it is important and the benefits
- Hazard and risk
- Responsibilities of students, employees and employers

- Accidents, ill health and first aid
- Causes of most work related harm
- Emergencies including fire
- Safety signs and notices
- Personal protective equipment
- Control measures and safe systems of work
- Applicable health and safety hazards, risk and control

For students already in employment checks should be conducted by relevant DVS staff that the students have an appropriate understanding of the above. Following the work placement a debriefing session should be held where students can share experiences and lessons learnt.

**Workplace Induction** – all students should be given an initial induction and, depending on the placement duration, a refresher if appropriate. For students already in employment DVS staff must ensure that appropriate information, instruction and training was given and understood on recruitment. An action plan must be agreed with the employer if an appropriate induction has not been delivered. The induction should include:

- Emergency arrangements
- Significant risks and their control measures
- Supervision arrangements (health and safety contact if applicable)
- Restrictions and prohibitions
- Personal protective equipment
- Welfare arrangements
- Safety policy
- Workplace rules
- Tour of the premises/work area noting health and safety points

The induction is to be repeated if the student is placed in a new working area or undertakes new tasks.

**On-going Progression and Foundation** – Work based students require continuous development of their capabilities and competencies in health and safety. The nature and depth of this will vary according to the occupational risk, curriculum content, learning outcomes and the individual student's ability. Health and safety must form part of the on-going monitoring and assessing of work based students and must be recorded with any concerns discussed with the student and the employer.

## **Monitoring**

For work based students or other long term placements on-going monitoring of the employer, the location and the student are mandatory. DVS must assess, monitor and review each student's understanding of the practical application of health and safety, including the effectiveness of induction and on-going information, instruction and training. Quarterly progress reviews should involve all parties affected – workplace assessor, tutor, employer, workplace supervisor and student. The review should be recorded and, as a minimum, should cover the following:

1. Discuss and assess the student's progress
2. Identify any additional training or support needs
3. Agree and record actions and targets

Appropriate monitoring of students on shorter term placements must also be conducted. The frequency, nature & scope of this monitoring will be dependent on:

- Occupational risk
- Placement duration
- Individual student needs

It is not acceptable for a student to undertake a work placement, whatever the duration, without some degree of monitoring activity being undertaken by DVS.

## **Supervision**

All students on work placement require adequate supervision. The supervisor could be the employer, team leader or mentor and could change over time. Depending on the length of the placement and the occupational risk supervisors should:

- Be able to assess the student's abilities/competence for tasks
- Understand their legal responsibility for the health and safety of students
- Have supervising and mentoring skills
- Have appropriate health and safety training
- Have the time, resources and support to carry out their duties effectively
- Be competent in delivering any required information, instruction or training
- Act as a role model in health and safety matters

Close working is essential to ensure that all parties (employers, supervisors, assessors, tutors and students) understand their and each other's role and contribution to the student and their programme.

## **Accidents and Incidents**

Workplace assessors must ensure that all employers, supervisors and students are aware of what action DVS requires in the event of any accident, incident, near miss or disease involving a DVS student. In addition to the employer's legal obligation to report certain injuries, diseases or dangerous occurrences the following applies:

1. Employers to be given DVS point of contact for reporting student incidents
2. Employers to notify reportable incidents to DVS immediately
3. School Health and Safety Advisor to be notified of reportable incidents as soon as possible
4. Accident Report Form (ACC1) to be completed by assessor or tutor for all incidents
5. An investigation should be conducted, if necessary, by one of the above in conjunction with the employer. The investigation will determine causation factors and remedial actions required to prevent a recurrence.

## **Further Information Sources and Publications**

1. Assessing the Workplace CD-RoM - available for loan from the School Health & Safety Co-ordinator
2. Excellence in Workplace Health and Safety Assessment – priced publication available from ENTO
3. Young People at Work – A Guide for Employers (HSE)
4. Managing Health and Safety on Work Experience – A Guide for Organisers (HSE)
5. Work – Related Learning and the Law (DfES)
6. Educating for Health and Safety – Preparing Young People for a Healthier and Safer Working Life (IOSH)
7. Learner Health, Safety and Welfare – Safe Learner Blueprint (Skills Funding Agency)
8. A Guide to Supervising (Skills Funding Agency)
9. Pocket Guide to Supervising Learner Health and Safety & Aide Memoir
10. Resources for Students
  - Check it Out video – Risk Assessment for Young People on Work Placement (HSE)
  - <http://www.young-worker.co.uk>