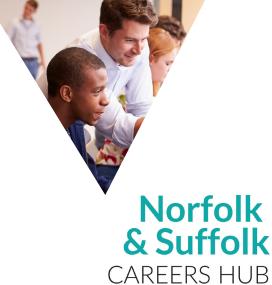


Work experience guide













Contents

- 3 Introduction
- 4 Health and safety, and risk management
- 8 Safeguarding
- Students aged 16 plus at school or college doing work experience as part of their course
- Data Protection and General Data Protection Regulation (GDPR)
- 13 Insurance
- 14 Quality policies and processes
- 15 References



Introduction

The purpose of this guide is to provide a set of guiding principles that education providers and guardians should follow to make sure that young people for whom they are responsible, benefit from suitable and safe work experience placements.

This guidance is designed to set out the minimum requirements and arrangements that should be in place. For simplicity, we have used the term "school" and "work experience coordinator" throughout this guide. However, this could also refer to other education provisions. If your child is electively home educated, please note that the responsibility for organising work experience placements shifts from the school/WEC to the parent/guardian. This guide is intended for anyone supporting young people in securing work experience opportunities.

- By the age of 16, Gatsby Benchmark 6 recommends every student should have had at least one experience in a workplace setting, in addition to any part-time job they may have.
- By the age of 18 or before the end of their study programme, every student should have further experience of a workplace in addition to any part-time jobs they may have.

Definition

Work experience is defined as a placement with an employer in which a young person carries out a range of tasks in much the same way as an employee, with the emphasis on learning from the experience. This could be a one-day placement, a block placement over several days or a placement that extends over several weeks – for example one day a week for a term.

Further information about new ways to deliver work experience (including virtual work experience) and meet Gatsby Benchmark 6 is available at:

The Careers and Enterprise Company - #Make It Work





Health and safety, and risk management

The Health and Safety at Work Act 1974 places a duty on employers to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all its employees. Young people on work experience are regarded in health and safety law as employees. Any placement undertaken should be in a safe environment with an employer who can demonstrate that they hold suitable insurances.

While schools are not directly liable under health and safety law for accidents at the workplace, they do have duty of care for the welfare of their students.

Under the Management of Health and Safety Regulations 1999, employers have a responsibility to ensure that young people employed by them are not exposed to risk due to lack of experience, being unaware of existing or potential risks and/or lack of maturity, physical capability and so on

No employer may employ a young person for work:

- 1. Which is beyond their physical or psychological capacity
- 2. Which involves exposure to toxic or carcinogenic agents or which in any other way chronically affect human health
- **3.** Which involve the risk of accidents which may be reasonably assumed cannot be avoided by young persons due to insufficient attention to safety, or lack of experience or training, and
- **4.** in which there is a risk to health from extreme cold or heat; noise or vibration. In determining whether work will involve harm or other risks the employer should have regard to the above-mentioned factors.

A young person, for employment and health and safety regulations, is defined as someone over compulsory school age (typically 16) but under 18. While this in dividual is no longer classified as a child under employment law, additional protections still apply to ensure their safety. Employment of a young person in potentially hazardous roles is permissible only if the role is essential for their training, supervised by a competent person, and all risks are minimized as much as practicable. Safeguarding laws, however, continue to categorize anyone under 18 as a child.

Current guidance by the Health and Safety Executive (HSE) provides essential information:

Health and Safety Executive - Young people at work - 2. Risks to young people at work

Key points

- The employer has primary responsibility for health and safety of the student and should be managing any significant risks. The employer can include specific factors for young people into their existing risk assessment.
- Schools organising work experience programmes should take reasonable steps to satisfy themselves that employers are managing these risks. Schools should discuss with the employer what the student will be doing during the placement, noting any relevant precautions.
- Schools should check the employer has risk management arrangements in place. What they cover in their risk assessment depends on the level of risk.
- Schools do not need additional paperwork or need to second guess the employer's risk assessment, or their risk control measures. Unless specifically health and safety trained, school staff are unlikely to have the knowledge to evaluate it and could give the false impression that the school has 'approved' it.
- Employers must inform parents or carers of any significant workplace risks to their child on work experience and how they are being controlled. This can be done directly or via the school.
- Schools can use past experience, or other pooled experience when organising and checking the suitability of placements. It is not necessary to repeat the same process again for a new student where an employer is known to the school and has a good track record, and the student's needs are no different to those on past placements.



An external agency with specialist health and safety assessors can also be used to risk assess employers.

Schools should work with parents and carers to make sure employers know in advance about students who might be at greater risk, for example due to health conditions or learning or behaviour difficulties, so this can be taken into account when planning the placement. This information can be incorporated into a simple questionnaire. (See also Data protection). Employers should ensure individual risk assessments for SEND students are fit for purpose and shared with parents and carers to enable any barriers to be mitigated and to allow the placement to go ahead.

Checks of the placement should be kept in proportion to the environment. In lower risk environments, such as offices or shops that have everyday low risks that will most likely be familiar to the student, speaking with the employer to confirm their arrangements may be sufficient enough. For environments with less familiar risks, for example, light assembly or packing facilities, discussion with the employer should take place to confirm the arrangements they have for managing risks. This will need to include induction, training, supervision, site familiarisation and any protective equipment that might be needed and so on.

In higher risk environments, such as construction, agriculture, manufacturing or motor vehicle repairs, as well as workshop or machinery environments and so on, the checks will need to be more robust. Schools should satisfy themselves that adequate health and safety arrangements are in place (in respect of all stages of the work experience placement including induction, training, supervision, site familiarisation and any protective equipment that might be needed) and the work the student will be doing is being effectively managed to ensure their health and safety.

▶ In addition, students should know how to raise any health and safety concerns.

Schools should also check that employers understand and are aware of the specific legislation relevant to employing young people. For further information including details on industry specific prohibitions and limitations for young people at work go to:

Health and Safety Executive - Young people at work - 6. The law







- It is the responsibility of schools to decide the extent of checks that are carried out for work experience placements, based on the types of environment and potential risks involved.
- For environments with less familiar risks or for those in higher risk categories, a physical check of the workplace should be carried out by a competent person. A competent person is somebody who has suitable and appropriate training and experience. The attainment of a formal health and safety qualification may also be appropriate.
- Physical checks should look at the general suitability of workplace conditions which should include housekeeping, toilets and washing facilities, fire precautions, guarding of machines, provision of any necessary protective equipment and so on. This list is not exhaustive and there may be other important aspects to consider. This will be dependent upon the type of environment and risks involved.
- Schools may also wish to arrange a physical check for placements involving students who might be at greater risk, for example due to health conditions, learning disabilities or other complex needs.
- Schools may wish to prepare a pre-induction form for students to complete prior to the placement for them to obtain relevant information from the employer. This could include details such as hours of work, break times, welfare facilities, who to report to, general health and safety arrangements on-site and so on.
- There should also be agreement on key points of contact between the employer and school during the placement to discuss any issues or concerns. This includes the reporting of any serious accidents or incidents.





Safeguarding

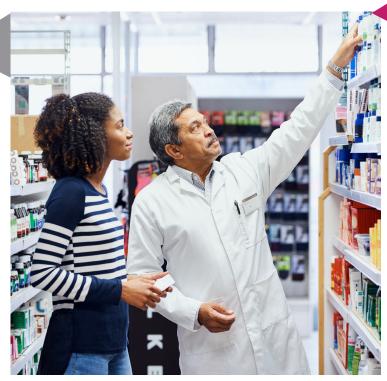
Schools organising work experience placements should ensure that policies and procedures are in place to protect children from harm and schools must decide whether adults working with pre 16 work experience students need to obtain a Data Barring Service (DBS) certificate. Consideration should be given to the nature of the young person and the supervision on the placement. For example, if a young person is left alone on a placement with a supervisor who is also working alone, consideration should be given to whether a DBS check is required for the supervisor or the placement should not last for more than 3 days (in a thirty day period, or overnight) as this type of work is likely to be deemed 'regulated activity' relating to children, that is, it is work that a 'barred person' may not undertake. The employer should therefore procure a satisfactory Enhanced DBS check with a check against the relevant barred list in respect of the member of staff who will be in contact with the student.

Any employer who knowingly lets someone on the DBS Children's barred list work in regulated activity with a child is committing a criminal offence. **For more information:** Department of Education - Keeping children safe in education

It is important that all adults working with young people under eighteen years of age are aware of issues relating to the safeguarding of children and young people. Both schools and employers should have policies and procedures in place to protect children from harm. However, responsibility for the student's welfare always remains with the school.







The following steps will assist in keeping children safe while on work experience placements:

- Schools should appoint a work experience coordinator (WEC), who will be responsible for organising and supervising placements.
- The WEC should have attended training and be experienced in dealing with child protection and safeguarding issues. Ideally, they will be a designated member of staff for child protection or should at least have attended designated safeguarding person training.
- The WEC should be responsible for assessing and ensuring the:
- suitability of a work experience placement for an individual student
- suitability of an individual student for a particular placement.

The WEC should ensure there are systems in place for students and employers to report any concerns. Schools should prepare students for work experience placements with a briefing on safeguarding, expectations of safe behaviour and what to do if they are worried or that they have been abused in the placement.

Students who are identified as vulnerable in any way, or whose past difficulties or behaviour indicate that an employer might be vulnerable if working alone with that student, should not be placed alone or in situations where they will be working on a one-to-one basis with an employer.

Placements which require extended one-to-one contact of individual students with individual employees should be approached with extreme caution. Schools should be particularly careful with regard to distant placements, checking the health and safety and child protection issues of workplaces and accommodation.

The WEC must actively monitor the student's welfare during the work experience placement.

For both short and long-term placements there should be procedures for regularly checking the welfare and safety of students, for example visits which allow individual discussion with students, a telephone or text helpline.

The school should provide clear advice to employers about who to contact in relation to any child protection issues that arise during a work experience placement. This should be the school's designated child protection member of staff but the WEC should also be informed.

The WEC on behalf of the school should ensure that the employer takes the following steps:

- A placement supervisor is appointed. Employers who offer work experience placements on a regular basis should ensure safeguarding responsibilities are explicitly stated in the job descriptions of all placement supervisors.
- Employers have appropriate child protection policies and procedures in place or endorse and agree to work in accordance with the school's safeguarding and associated policies, in order to protect children from harm.
- Employers must disseminate policies and procedures to all relevant staff.
- The placement supervisor receives some basic safeguarding training.
- As a minimum, that training must include the following elements consistent with the training provided for all school-based staff:
 - 1. Recognition, recording and reporting signs of abuse and neglect.
 - 2. Responding appropriately to disclosures of abuse or neglect by students.
 - 3. Safe working practice for adults who work with children and young people.
- The school should share with the placement supervisor and all staff who will
 work with the student their Safeguarding Policy and the employer should
 sign to confirm they have read, understood and agree to abide by it.
- Liaise with the school to agree a programme for the student and monitoring arrangements.

Consider the suitability of staff members to support students on placement. Where there are any doubts or concerns about the vulnerability of students or employers, arrangements to place two or more students together and to avoid one-to-one work between students and employer should be considered.

Monitoring arrangements for vulnerable students must include seeing the student face-to-face in the placement and speaking to the student on their own.



Students should also have a mechanism for contacting the WEC directly at all times during the placement.

Where work experience placements include the student travelling in vehicles owned by the employer, the WEC should consider the need to see the vehicle to check its suitability for transporting passengers safely and checking that appropriate insurance arrangements are in place.

Where Disclosure Barring Service checks are undertaken by an employer, any offences should be considered as they would when recruiting staff to work in the school in accordance with safer recruitment principles. This includes considering whether the convictions are relevant to working with young people, whether they indicate that a student might be at any degree of risk while working with the employer, and whether the conviction and use of the placement may bring the school into disrepute.

Employers providing work experience should do all they reasonably can to avoid putting young people into a vulnerable position. They should ensure their employees' relationships with young people on work experience are appropriate to their age and gender, and do not give rise to comment or speculation. Attitude, behaviour and language all require care and thought.

Students aged 16 plus at school or college doing work experience as part of their course

It is the responsibility of the school or college to ensure the student is sufficiently DBS checked (where necessary) if they are going to be visiting schools to gain work experience as part of their study programme and will be undertaking regulated activity (see above).

Schools should also provide a Letter of Assurance to confirm the student is enrolled with the school or college and they have no causes for concern about the student's suitability for work experience.



Data Protection and General Data Protection Regulation (GDPR)



Data protection

Schools need to share relevant information about students with employers to help them to make decisions about appropriate forms of work-related learning activity and aspects such as health and safety.

Information about students might also be collected through employer assessment and student evaluation forms and on visits made to students who are in placements.

The sharing of personal data is covered by the Data Protection Act 2018 and the UK General Data Protection Regulations. If necessary, further guidance should be sought from the school's Data Protection Officer or the Council.

Under health and safety legislation (HSW Act 1974) matters potentially affecting the safety and health of employees in a workplace must be revealed to an employer before a placement begins. Therefore, while it is important that data protection rules are always followed, no placement can be approved if lack of permission means that relevant health and safety information cannot be made available in confidence to the employer.



Disqualification

Under the Criminal Justice and Court Services Act, employers are required by law to declare if any employees working with children have been disqualified from such roles.







Insurance

Employers offering work experience should all have Employers' liability insurance to at least the minimum levels required by legislation, currently £5 million in respect of any one occurrence. Businesses that come into contact with the public should also have public liability insurance to at least the minimum levels, in respect of any one occurrence, to the current minimum of £5 million.

The employer's insurance should extend to include work experience placements and afford them the same cover as other employees. Existing employers' liability insurance policy will cover work placements provided the insurer is a member of the Association of British Insurers (ABI), or Lloyds, so there is no need to get any additional employer's liability insurance for employers who take on work experience students.



Exempt businesses

Some employers are exempt from the legal requirement to have employers' liability insurance. Being exempt does not remove or limit an employer's liability to pay compensation. This usually relates to a family business or a business with no employees or employees who are abroad.

Please do not sign any agreement releasing the employer from any liability or transferring any liability to the school or council.



Family run businesses

One of the classes of employer exempt from compulsory insurance is family businesses where all the employees are closely related to the employer, unless it is incorporated as a limited company, in which case the exemption does not apply.

For the purposes of any work placement, even if it is a family run business and usually exempt, if the student is not related, they must have employer's liability insurance to cover the work experience student. If the student is related, the parents or carers must make a choice whether they approve the work experience placement and must provide written confirmation to the school.



School insurance

Provided the school subscribes to the Schools Insurance Service – Schools combined insurance public liability insurance, legal liability for injury to the student or a third party or loss and/or damage to the student or a third party's property (if negligence is proven) is automatically covered, to a limit of indemnity of the current £50 million.

Quality policies and processes

In order for the school to make sure that the work experience on offer is of the highest standard and provides a valuable learning experience, we would suggest that the schools consider including the following good practice in the planning process:

- Work experience coordinator: Schools that provide work experience opportunities for their students should appoint a work experience coordinator. This should be a competent member of staff who is provided with sufficient time and resource to carry out the role effectively.
- Policies and processes: There should be a work experience policy in place which details, for example, aims and objectives, roles and responsibilities, contingency plans and monitoring and evaluation. The school should have systems in place which enable tracking and monitoring of information and which store evidence of checks and assessments made. It is also recommended that schools have clear expectations of students on work experience placements, for example standards of behaviour.
- Out of county placements: Where the school authorises a placement out of the county which requires the student to stay away from home over night, the school must ensure that robust processes are in place which will provide evidence that risk assessments and health and safety checks have been undertaken, that adequate supervision is in place, and that the accommodation and travel arrangements are agreed and accepted by the parent or carer. It is advised that parents or carers are provided with this information and that their consent is sought prior to the work experience taking place.
- **Employer briefing:** Employers should be well briefed prior to taking a student in order that they fully understand their responsibilities and the level of commitment involved. There should also be agreement on key points of contact between the employer and school to discuss or raise any concerns or issues during the placement.
- **Student visits:** Students should be visited by a member of school staff during their placement. The staff member can check that the placement is running smoothly, answer any questions from the student or employer and check that the environment is suitable. If a personal visit is not possible (for example where the student's placement is out of the county) then a phone call should be made by the school to the employer and student.



References



Department for Education - Keeping Children Safe in Education 2024

<u>Department for Education - Careers guidance and access for education and training providers</u>

Health and Safety Executive - Young workers - Guidance for employers

<u>The Careers and Enterprise Company - Reimagining Experiences of the Workplace</u>

<u>The Careers and Enterprise Company - Work experience, job shadowing</u> and workplace visits. What works?





