

Recommendations
and guidance from
the Cheshire and
Warrington Safe
Learner Group

**Protecting the Health, Safety and Well-being of
Young People (14 – 19 years)
undertaking Work-related Learning**

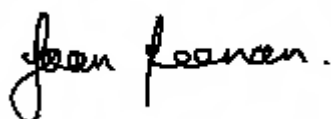


Memorandum of Understanding from the 14 – 19 Task Group

The signatories to this document are committed to the principles of Every Child Matters and to ensuring the health, safety and well being of all young people. We recognise that this is especially important when young people are placed for work experience or as part of another work related learning or training programme and that the effective management of programmes with respect to health and safety is crucial.

We are committed to the principles of the Safe Learner concept and the Safe Start Campaign and fully endorse the contents of this document as a valuable contribution to the health, safety and well being of all learners on Work Related Learning. Recognition is made of the valuable contribution of the partnership working of the following organisations

- Cheshire County Council
- Warrington Borough Council
- Learning and Skills Council Cheshire & Warrington
- Connexions Cheshire & Warrington
- Cheshire & Warrington Consortium of Colleges
- Association of Learning Providers



**Joan Feenan –
Director of Children Services
Cheshire County Council**



**Norma Cadwallader –
Strategic Director Children Services
Warrington Borough Council**



**Liz Davis – Executive Director
Learning & Skills Council
Cheshire and Warrington**



**Steve Hoy – Chief Executive
Connexions Cheshire and Warrington**

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1. Introduction and background

Work-related learning has changed over the last few years with the introduction of new initiatives such as Increased Flexibility and Young Apprenticeship programmes. In addition, new legislation and policies have also introduced additional requirements including from the Childrens Act 2004, Every Child Matters and the Learning and Skills Council's 'Safe Learner Concept'.

Those involved in work-related learning realised that past policies, procedures and documentation were in need of updating. It was also recognised that several of the organisations involved in work-related learning had developed their own ways of doing things to different standards. Such inconsistency, while understandable, was felt by a number of the key organisations not to provide the best way forward in protecting the health, safety and well-being of young people in Cheshire and Warrington.

As a result of the above position the Cheshire and Warrington Safe Learner Group was established in April 2005 with the initial purpose to:

1. Produce guidance, taking into account all documentation and requirements of relevant agencies and partners;
2. Manage processes with regard to health and safety and safeguarding children;
3. Ensure that quality standards and quality assurance are put in place;
4. Outline the responsibilities of the local authorities, schools, colleges, Connexions, employers and work based learning providers;
5. Provide information for young people and their parents or carers;
6. Develop and promote the concept of the Safe Learner;
7. Promote and develop joint practices and model policies for health and safety and safeguarding young people in work related learning; and
8. Gain consensus on the interpretation of documentation relating to health and safety and work related learning.

The Group consisted of a number of key agency representatives including:

- Chris Greenwood, Cheshire County Council (CCC)
- Hassan Shabani, CCC
- Archie Warburton, LSC Cheshire and Warrington
- Terry Cunningham, Connexions Cheshire and Warrington
- Gaynor Holland, Total People representing ALP (Association of Learning Providers)
- David James, Mid-Cheshire College representing Cheshire and Warrington consortium of colleges
- Donna Marie-Povey, Warrington Borough Council
- Sue Fullerton, Warrington Borough Council
- Sue Wilkinson, DfES
- Maureen Kelly, Warrington Borough Council

Key areas of work for the Group included:

1. A documentation review of health and safety within Work Related Learning with a view to having it updated in line with current legislation.
2. The guidance on safeguarding children and child protection being a priority.
3. Ensuring everyone involved in Work Related Learning has a clear understanding of their roles and responsibilities.
4. Producing a self-evaluation tool for health and safety with respect to Work Related Learning that would provide a framework for action.
5. Produce a report and guidance and to consult with key stakeholders and partners so as to progress and complete the work.

The Group met monthly between April 2005 and June 2006.

The Group engaged the services of a Health and Safety Consultant to review the present position, policies, procedures and documentation and to produce a report with recommendations and guidance.

The aim of the Group was to have the work completed by June 2006 and it was accepted that all proposals would need to go through a consultation process with key bodies (e.g. Safe Guarding Unit, 14-19 group, Health & Safety groups, Colleges, CASH, WASSH, EBLOC) including the legal teams of the Local Authorities and others.

The Group would like to acknowledge that funding for this work came from the 14-19 Task Group.



Terry Cunningham
Chair of the Cheshire and Warrington Safe Learner Group
June 2006

Disclaimer

This document is not a definitive guide to the law as it relates to the health, safety and well being of young people undertaking Work Related Learning programmes and activities. The authors of this document accept no liability for any loss or damage, caused by any reliance on its content. Independent legal and other professional advice should be obtained where appropriate.

2. Recommendations

The Group, after considering the report of the Consultant, agreed that there are opportunities where common approaches, standards and procedures across Cheshire and Warrington would improve the quality and consistency of health, safety and well-being of young people (14-19 years) undertaking work-related learning, activities and programmes.

The recommendations take on board a number of recent initiatives including LSC's 'safe learner concept' and the 'Every Child Matters' (ECM), in particular, 2 of the 5 outcomes in ECM, 'Stay Safe' and 'Achieve Economic Well-Being'.

The recommendations:

1. A common health and safety policy and a common child protection policy for work-related learning and young people should be produced and signed by Cheshire County Council, Warrington Borough Council, Learning and Skills Council (Cheshire and Warrington) and Connexions (Cheshire and Warrington);
2. Common minimum standards for the health, safety and well-being assessment of employers / workplaces where work-related learning takes place are used across Cheshire and Warrington by all those involved in work-related learning using, as a benchmark, the LSC Health and Safety Procurement Standards (updates will be placed on www.safelearner.info)
3. Common minimum standards and agreements with employers for young people being placed are developed and used;
4. Common minimum standards for the competency of assessors of suitability of workplaces are used and a standard training course developed and delivered to improve the commonality of approach to assessments on all work related programmes
5. All young people are provided with a standard briefing session prior to any work-related learning in workplaces. The briefing will meet HSE and LSC guidance and any National Occupational Standard for health and safety and hazard awareness for young people;
6. All young people receive as part of their briefing a leaflet that explains their health, safety and well-being responsibilities and that of others towards them. The leaflet can also include a work-based project to assist them in recording their own workplace arrangements, risks and controls;
7. All employers receive appropriate information from partners in Cheshire and Warrington explaining their role and responsibilities towards the health, safety and welfare of young people on work-related learning, including child protection / ECM and the issues around employing young people and children;
8. Agreements with employers involved in work-related learning include common minimum requirements / clauses;
9. A number of targets be set for Cheshire and Warrington so that performance in this important area is properly measured and so that

- raising standards and continuous improvement can be demonstrated;
10. External assessment and audit, conducted by suitably competent persons, is required to assist in identifying how effective those involved have been in fulfilling the policies and standards agreed.
 11. Guidance produced does not replicate that which already exists, but focuses on providing clarity and consistency within a common quality management framework for health and safety (policy, organising, planning and implementing, measuring performance, review and audit) and,
 12. For young people travelling abroad as part of work-related learning, those involved should follow guidance produced by DfES and HSE and observe other good practice. Reference should be made to a document produced by Cheshire County Council – *Cheshire Guidance for Pupils on Exchange and Trips Abroad*.

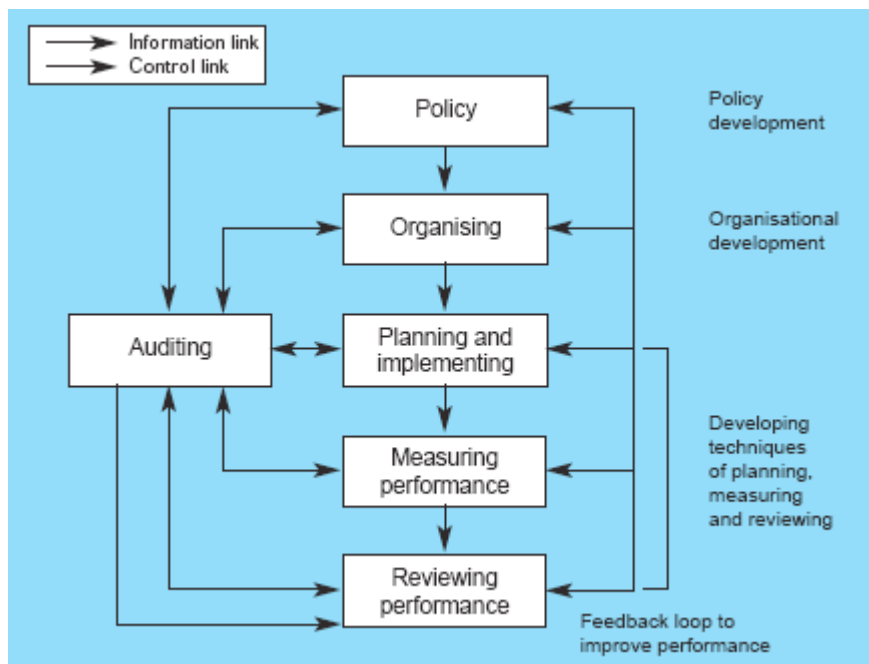
As stated in producing this guidance it is not intended to replicate existing guidance and particular note should be made of 'Safe Guarding Our Children in Education' (DfES) and 'Work Related learning and the Law' (Warwick University).

Guidance

This guidance has been produced to assist all those involved with young people¹ to protect their health, safety and well-being when undertaking work-related learning (WRL).

The guidance is intended to help organisations and individuals involved with WRL understand better what they need to do to meet any relevant legal and contractual requirements. The guidance concentrates on those areas recommended by the Cheshire and Warrington Safe Learner Group where commonality of approach across Cheshire and Warrington would be beneficial. Those areas (as outlined in the chart below) are covered within the remainder of this guidance.

The guidance has been structured around the 5 key elements in HSE's document Successful Health and Safety Management (diagram below). The guidance also in particular takes on board the Government's 'Every Child Matters' strategy as it affects WRL and young people.



HSG65 Health and safety management system

There is already a wealth of information on health, safety and well-being, not all consistent and much that leaves too much interpretation and ambiguity. This guidance seeks to simplify some of the guidance and information in relation to: child protection (Every Child Matters) and safeguarding children; occupational health and safety; and the 'safe learner' concept as it affects WRL.

¹ 14 - 19 years old

This guide is purposefully short and hopefully clear and concise. A reference section is produced at the back for those that want to read specific guidance and information produced by Department of Education and Skills (DfES), the Learning and Skills Council (LSC), The Health and Safety Executive (HSE) and others.

In some places the guidance refers to annexes where detailed information is provided so as to prevent ambiguity and to achieve consistency and the rigour that is sometimes required.

It is hoped that all organisations and individuals in Cheshire and Warrington will use this guidance as a common framework. Such an approach provides greater protection for young people but should also allow for some sharing of information and reduction of bureaucracy.

3. Policy

It is good practice for organisations involved with young people to have a health and safety policy that is specific to young people in addition to any general health and safety policy that exists. A separate child protection policy should also be in place for work-related learning in addition to the generic one.

The signatory agencies to this document are fully committed to the principles contained in the policy statements below.

Example of young person health and safety policy statement for work-related learning including work experience and vocational work-based learning and training programmes

We are committed to ensuring the health, safety and welfare of all young people. This is especially important when young people first experience work, either on work experience or as part of another work-related learning or training programme e.g. Increased Flexibility, enterprise education activities etc.

We will ensure, so far as is reasonably practicable, that all young people are in a safe, healthy and supportive environment, which meets the needs of the young person. We will therefore seek assurance over the suitability of employers and locations for work-related activities and expect employers and those involved to fully meet their legal obligations (so far as is reasonably practicable) in relation to the health, safety and welfare of young people. We will work with employers and others to raise standards of health and safety but will not use locations and employers when standards are not met and a young person may be at undue risk.

We will, through working with our stakeholders and partners, promote safe and healthy learning and working for young people incorporating, where appropriate, the 'safe learner' concept of the Learning and Skills Council (www.safelearner.info). In so doing we will ensure that all young people are briefed on basic health and safety and hazard awareness prior to experiencing work and the workplace.

In managing work-related learning and the health, safety and welfare for young people we will use good and best practice. We will follow the guidance produced by the Health and Safety Executive including 'Successful Health and Safety Management'. We will review our performance in this area annually.*

Logos and signatures

* See HSE website, (reference Section 6 of this document)

Example of young person child protection policy statement for work-related learning activity including work experience and vocational work-based learning

We are committed to ensuring the health, safety and well-being of all young people. This is especially important when young people are placed for work experience or as part of other work-related learning or training programmes.

We will ensure so far as is reasonably practicable that all young people are in a safe, healthy and supportive environment that meets the needs of the young person. We will therefore seek assurance over the suitability of employers and locations for work-related learning activities and expect employers and those involved to fully meet their legal obligations in relation to the health, safety and well-being of young people including for child protection.

We seek to ensure that the outcomes set out in 'Every Child Matters' are extended to work-related learning and work-based situations, in particular that activities contribute to the young person:

- being healthy;*
- staying safe;*
- enjoying and achieving;*
- making a positive contribution; and*
- achieving economic well-being.*

In arranging work-related activities we will seek assurance from employers and others over child protection matters including the safe supervision of the young person. We will not place a young person where we are aware that there is an unacceptable risk to the young person.

To achieve our aims we will work with our stakeholders and partners and promote co-operation and understanding of child welfare and young people issues around the 5 outcomes in 'Every Child Matters' and in 'Working Together to Safeguard Children'.

Everyone involved in work-related learning activities for young people must co-operate and abide by the policies and procedures to protect young people. We will review our policy and procedures annually.

Logos and signatures

4. Organising and Responsibilities

Everyone involved with young people and their health, safety and well-being have to accept and fulfil their responsibilities. It is important that the organisations and individuals who have responsibilities understand what these are and that effective information and training is provided to help achieve the level of understanding required.

The main responsibilities are highlighted below:

a. Young people

- Have to behave in a safe and healthy manner (take reasonable care) and not do anything that may affect the health, safety and well-being of themselves or others.
- At the workplace a young person is legally deemed to be an employee and must follow the rules and regulations of the employer who they are under the control of.
- Young people must follow any information, instruction and training they are given including the use of any necessary personal protective equipment and clothing. They must co-operate with their employer and others.
- Must report work related accidents / ill health to the employer and school / college organiser

Information and training - all young people should be provided with a health, safety and hazard awareness briefing before experiencing work. As part of this briefing all young people should be provided with a copy of a Cheshire & Warrington leaflet that includes information on child protection and health, safety and welfare.

b. Employers

- In addition to complying with general health and safety legal requirements employers have to fulfil their legal obligations towards a young person (as employees and as a 'young person' in law) and must look after their health, safety and well-being.
- Employers have to ensure, so far as is reasonably practicable, that all young people are in a safe, healthy and supportive environment that meets the needs of the young person.
- Employers have to carry out a young person's risk assessment and put in place controls to reduce the risk to the young person because of his / her lack of experience and immaturity.
- Employers have to provide the risk assessment information and control measures to the learner(s), and to the parent or guardian if the young person is below the minimum school leaving age, prior to him / her starting at the workplace.

- Employers have to provide adequate training and supervision for any young person. In choosing who is going to 'look after' / supervise the young person consideration needs to be given by the employer not only to the general qualities and skills of the 'supervisor(s)' but also to any child protection issues. This should form part of the control measures resulting from the risk assessment.

Information – an employer agreement detailing the requirements in relation to the health, safety, well-being and child protection.

Information leaflet explaining what employers should be doing and providing for the young person in relation to health, safety, well-being and child protection. (See Annex 10 Safe Guarding Young People in the Workplace)

c. Workplace Supervisor

- Supervisors have to 'look after' the young person to protect them from harm. Harm includes physical, emotional and psychological harm including harassment and bullying. A person 'looking after' a young person at work has a duty of care and a legal responsibility to do what they can to prevent harm.
- Supervisors must set the right example
- Supervisors need to keep a watchful eye on young people so that they can intervene if the young person is doing something dangerous or in the wrong way which may give rise to risks
- Supervisors should ensure adequate cover for their absences so that young people are not left unsupervised

Information and training - LSC's leaflet / information card. Leaflet for the employer will be useful for supervisors. CIEH offer a level 2 qualification in supervising health and safety and ENTO recently devised a stand alone unit at level 3).

d. Parents / Carers

- Parents / carers have no particular responsibility for their children who are young persons in a workplace unless themselves providing WRL and therefore would have the responsibilities as an employer.
- Parents / carers should however have informed the school of any medical and health conditions of their child.
- Parents / carers should check the risk assessment information received and ask their child at the end of each day if there were any problems or concerns and obviously inform the school if there are. Parents in association with the school should consider transport arrangements to and from the workplace and lunch-time arrangements for their child.

Information – none except for children and parents/carers to sign a consent form for work experience and other work-related activities outside of normal schooling with basic information on health and safety and to provide information on medical / health conditions to the school if not already provided.

e. Schools

Schools are responsible (with Cheshire County Council and Warrington Borough Council if not independent):

- to have a clear policy for WRL and young people;
- to ensure a young person is briefed in health, safety, well-being and hazard awareness prior to the WRL where it is work-based;
- to ensure the suitability of the employer / workplace or location (although this maybe be contracted to a third party such as Connexions) for young people;
- to monitor a young person at any work placement
- to provide a contact point for the young person and parent / guardian for any concerns or incidents that may occur during WRL activities; and
- to de-brief students on returning from WRL activities. The debrief should include accidents, ill health, unsafe situations. (Please refer to targets page 27)

Of particular note schools have to ensure that children are protected from harm and abuse and fulfil child protection obligations including 'Every Child Matters'. The supervision of children is particularly important in respect to work experience and close working.

Schools who organise their own placements need to seek approval from the Local Authority (see Work Related Learning and the Law).

Information and training – Connexions and the Local Authorities to brief and inform school contacts and heads (and Governing Bodies).

f. Colleges and Training Providers

Colleges and training providers have the same general responsibilities as schools (above) and also the responsibilities below if they organise their own work experience and training placements for young people.

Information and Training – Cheshire and Warrington LSC to provide information and signposting via networks, briefings and other contacts to colleges and training providers.

g. Education Business Partnership / Connexions (and others who organise WRL activities or programmes)

- Anyone who organises work experience or work-related learning activities on behalf of schools and Education Authorities has a number of responsibilities, but in essence it is to make a competent judgement (informed opinion) of health, safety and well-being suitability for the young person in relation to the proposed employer / workplace / location where the work-related learning activities are to take place.

- Additional arrangements are also need to be agreed with the employer / workplace for the young person and specifically if the young person has any special needs before the judgement of suitability is made. In doing so agreement regarding competent safe supervision is essential.

The responsibilities do not change regardless of how the employer / workplace was identified or whether there is any family connection with the young person.

- Organisers also have a duty to their employees, in particular those who assess suitability at workplaces.
- Of particular note is the legal requirement for an organiser to be satisfied that an assessor acting on their behalf is competent in health and safety etc. to be able to do the job that is being asked of them i.e. to make a judgement of suitability. It is therefore a responsibility to provide assessors with appropriate training.

The level of competence and the scope and rigour of assessments is dealt with in section 4. Planning and Implementing.

h. Assessors (of suitability of workplaces)

- Assessors who go out and visit workplaces / employers prior to the young person starting have to make a judgement of suitability and agree other matters with the employer / workplace. Their responsibility is to follow the procedures and their training and instruction so that they can form an opinion as to the suitability (or not) of the workplace / employer.
- If an assessor finds him / herself in a situation when he / she does not feel competent to make a judgement (i.e. a high risk sector they are not familiar with or where they have not had sufficient training) he / she must report this to their employer.

Information and training – Excellence in workplace assessment (ENTO), 1 day assessor training course and other training to assist in developing competencies required.

i. Local Authority (Cheshire C. C. Warrington B. C.)

- The Local Authority (LA) has a duty to promote a young person's health, safety and well-being and to have in place policies and procedures to ensure this (so far as is reasonably practicable). Such a duty extends to work experience and other work-related activities that are out of school, such as school trips.
- The LA has to implement 'Every Child Matters' and in particular that activities contribute to children:
 - being healthy;
 - staying safe;

- enjoying and achieving;
 - making a positive contribution; and
 - achieving economic well-being
- Within the context of Work Related Learning programmes and activities, the LA has the responsibility to assess the risks to young people and put in place control measures to reduce those risks.
 - In addition the LA has to provide information and training and work with maintained schools and others who deliver the controls and follow the procedures i.e. schools and the placement organisers.
 - The LA will need to ensure those they appoint to carry out certain functions on their behalf are competent and safe to do so.
 - The LA has a responsibility to monitor and to measure performance and to check that controls / procedures are working.

J. Cheshire and Warrington LSC

- Have a responsibility to seek assurance that funded learning takes place in a safe, healthy and supportive environment. The LSC's seeks assurance that learners are in safe, healthy and supportive environments and that the safe learner concept is being promoted. Seeking assurance could include sample visits to learners in their learning environment and when work-based, at the workplace of the learner, conducted either by LSC staff or a call off contractor.
- The LSC seeks assurance that funded organisations have adequate health & safety management systems in place.
- The LSC has a responsibility to work with others, to co-operate and to provide relevant information as appropriate so that those organisations that it funds understands what standard the LSC requires.
- The LSC promotes the raising of standards in health & safety, to the benefit of the learner, with all funded organisations.

5. Planning and Implementing

The risk assessment, control measures and main arrangements to protect young people in work-related learning situations is set out below. It provides for an overview risk assessment and measures to reduce the risk of harm to a young person in a work-related learning situation but focuses on work-based situations where risk of harm to young people is greatest.

a. Risk assessment for work experience and work-related learning and training for young people

Evidence² from reported accidents and incidents to young people suggest that young people on WRL programmes are at no greater risk than the rest of the population at work. Work experience incidents in England are very low and given the 100,000's of pupils who go out on work experience it provides at least some evidence that pupils health, safety and well-being is being well managed. Statistics in Cheshire and Warrington also support this position.

Evidence for students from Colleges going on work based-activities shows a similar low incident rate. The greatest incident rate and risk is with Apprentices and possibly Young Apprentices (although it is too early to have any meaningful statistical evidence) on work-based training. This is most likely because the exposure to the workplace and systems of work etc. is greater and that Apprentice training necessitates not just observing but undertaking real tasks and in some cases fulfilling normal job duties.

Assessment of incidents including some Apprentice fatalities suggests that the main reason for accidents and harm in work-based situations is due to:

- not being in a safe, healthy and supportive environment where some standards are below legal ones;
- supervision not being adequate (not there at all or of a poor quality or the supervisor was not competent to supervise);
- the young person doing something they should not have been doing either because they were too young and / or inexperienced to do it and in some cases should have been prohibited from doing it but were allowed to; and
- not being provided with adequate and appropriate information, instruction and training to do a task in a safe and healthy way or not knowing what to do in certain situations and making a poor choice.

The main reasons for a young person being in an environment that is not a safe, healthy and supportive one are:

- the poor competence of the person making the judgement from the assessment of suitability etc. including not making arrangements and or agreements for competent supervision and prohibitions; and
- the inadequate scope and rigour of assessments of suitability

² From the Learning and Skills Council, HSE and from other sources, including the IES study.

b. Risk control

Given the risk assessment above it is considered that the main controls necessary to reduce the risk of harm to young people in workplace situations include:

1. Young people all receiving a briefing prior to experiencing work covering health, safety and hazard awareness to meet the national occupational standard (NOS);
2. The workplace and employer being assessed for health, safety and well-being suitability, to the scope and rigour to provide sufficient information to make an informed judgement. This includes not recommending and not using employers / workplaces / locations where they fall short of minimum standards;
3. The assessment carried out by a competent person;
4. Agreements being made with the employer / work location generally and for each young person for supervision, prohibitions, personal protective equipment and clothing etc.
5. The young person being provided with an appropriate induction by the employer, followed by ongoing information, instruction and training as appropriate;
6. Employers being provided information so that it clear what is expected of them and how, in certain areas, they can achieve these expectations;
7. A young person always being 'looked after' / supervised by someone competent to do so and who is not a risk to the child; and
8. Everyone involved in the process being provided with information and, where necessary training so that they are well informed and can make appropriate choices in relation to the young person's health, safety and well-being.

c. Agreements with partners (commissioners, funders, organisers, providers)

Service level agreements (SLA's) should be in place between all parties i.e. between schools and organisers / funded organisations and between the organisers and employers. SLA's should stipulate what each party is responsible for.

Agreements with partners provide an opportunity to state particular health, safety, well-being and child protection matters. This will raise the awareness with employers / workplaces and also provide some legal protection for those with responsibilities for the young persons and for those arranging the work placement.

Common Agreements with Employers for WRL

A young person's institution (LEA, school, college, provider or organiser) should have an agreement (or contract) with all WRL employers so that the arrangements and responsibilities are made clear. There is no specific legal

requirement under health and safety regulations to do so but the LSC do contractually require this and it makes sense to protect everyone involved. In addition having an agreement or contract in place provides for some legal protection.

The agreement should cover at least the following requirements:

- To comply generally with health and safety and child protection legislation and to have due regard to Approved Codes of Practice and guidance issued by the HSE and DfES (to include acceptance of Cheshire and Warrington health and safety and child protection policies);
- To ensure the young person (people or learner(s)) is always in a safe, healthy and supportive environment, including when elsewhere, on-site or when provision is contracted out;
- For health and safety to be effectively managed in accordance with legislation and good practice (and reference to HSG65 'Successful Health and Safety Management (HSE) is advised);
- To assess the risk (of harm) to the young person and put in place controls to protect them from harm;
- To provide information, instruction and training including an induction when the young person first starts;
- To assess the young person's health and safety understanding, particularly before carrying out new tasks and to assess and recording understanding when appropriate;
- Supervision of the young person by people competent to supervise, including arrangements for the supervision of breaks and lunch periods where necessary and as identified by the risk assessment;
- To consider when requiring anyone to supervise or look after the young person any child protection issues arising from the supervision;
- To report any accident and other incident to both the Enforcing Authority (where legally reportable) and to the young person's institution, organiser or stated contact;
- To co-operate with others for reasons of the young person's health, safety and well-being, including with the LSC, LEA and other organisations;
- To prohibit and restrict (where applicable) a young person from doing anything or going into environments that are of too great a risk and / or identified as being prohibited or restricted by the risk assessment;
- To provide any necessary personal protective equipment and clothing (PPE / C) and ensure it is properly used; and
- To promote the safe learner concept when appropriate.

Agreements should be signed and dated by the parties involved and renewed periodically.

d. Guidance for employers

In addition to any agreement, employers need to be made aware of the importance of the young persons health, safety and well-being. Assessors and others who deal with an employer will do this verbally and highlight certain key aspects such as supervision, child protection, or any particular special needs the young person may have (in addition to being a young person). However, it is useful to supply employers with an information leaflet³ that will help clarify certain areas and embed certain messages that have already been communicated.

e. Pre-work briefing and resources

All young people should receive a health, safety and well-being briefing before they go out on WRL. This responsibility lies with the LEA / schools, college and training providers although delivery may be by someone else.

A draft national occupational standard (NOS - annex 1) now exists for such briefings, however no mention is made of child protection as part of this and this will need to be included as and when appropriate. As this standard is still in a draft format, the Safe Learner Group is unable to endorse its use at the present time.

Resources to help deliver and achieve the NOS are being developed by the HSE and the Institution of Occupational Safety and Health (IOSH). In addition there are a number of other resources that are available to help schools, colleges and training providers prepare young people for the world of work.

Cheshire County Council have already produced teaching and learning units for health and safety in work related learning so as to develop a young persons ability to recognise, assess and manage risk in a variety of contexts. The units compliment a wider programme of personal, social development, citizenship and the work related curriculum and are detailed below. The units are approved by AQA as part of their Unit Award Scheme.

Unit 1. Health & Safety - The Recognition of Risk

This unit is about the recognition of situations that involve risk. It requires students to participate in learning activities with regards to hazard, risk and uncertainty and suggest ways of recognising them.

Unit 2. Health & Safety - The Management of Risk

This unit is about the management of situations that involve risk. The students learn to recognise their own ability, or the ability of others, to minimise or increase risk and or eliminate hazard. Students suggest ways in which protective measures could be taken to minimise harm from risk, e.g. protective equipment, or special clothing.

³ The text for a Cheshire & Warrington leaflet is being developed

Unit 3. Health & Safety - *The Recognition and Management of Workplace Risk*

This unit focuses specifically on the assessment and management of risk in the workplace. The unit aims to help new workers to learn about risks they are likely to meet in the workplace and how those risks might be reduced.

Unit 4. Health & Safety – *Workplace* - Roles and Responsibilities

This unit helps students to focus on individual responsibility for behaving safely. Early identification of unsafe behaviours and the reinforcement of safe behaviour involves everyone in reducing work related accidents and injuries. Students will learn where and how to access guidance.

Unit 5. Health & Safety - *The Effects of Not Recognising and Managing Workplace Risk*

This unit is intended to help new workers to become aware of the most frequently occurring accidents in the workplace. The students will discover the wide reaching effects and consequences of accidents occurring in the workplace. By learning about the costs of accidents and ill health at work the students will begin to appreciate the real cost of not assessing and managing risk.

f. Information for young people and workplace projects

To assist employers and young people understand about health, safety and well-being at work it is good practice to provide information to support their briefing as well as a work-based project to embed the briefing and induction. In this way the young person makes health and safety more relevant and practical to the work situation. The text for a Cheshire & Warrington leaflet including an inter-active project is being developed. (The Be Safe booklet is an excellent resource www.safelearner.info)

Workplace projects can form part of other diaries or projects used on WRL but should record and cover the following:

- The significant risks in the workplace and significant risks that might affect the young person e.g. manual handling, slips, trips and falls, equipment etc.
- Control measures for the above risks
- Supervision arrangements and named person(s) for supervising
- First aid arrangements – who the first-aiders / appointed persons are and where the first aid kit is
- Arrangements to report any accidents, ill-health, sickness, issues or concerns i.e. who to go / report to, where the accident book is etc.;
- Fire arrangements – sound of the alarm, where the fire points are, routes / exits to safely leaving the building, assembly points; what to do if a fire is discovered or the alarm goes off
- What personal protective equipment and clothing is required to be used, when and where;

- Where the welfare facilities are - toilets, washing, smoking, eating, staff room etc.);
- What is prohibited or restricted;
- The persons responsible for health and safety, first aid, fire and other matters;
- What signs and notices are present and what they indicate and mean;
- Working hours, breaks and arrangements to get to and from places of work

Schools, colleges and providers should monitor the young person by visiting them in the workplace (for short term work experience and WBL if reasonably practicable to do so) and check their understanding. For short-term WBL this can be done, as a minimum during de-briefing on their return with a check and discussion of projects and dealing with any issues that arise as a result.

g. Assessment of the suitability of employers and workplaces

All young people need to be in safe, healthy and supportive environment and protected from harm. When placed with an employer at a workplace or learning environment, it is essential that an assessment of suitability is made and other matters agreed. To be able to do this, those assessing need to be competent to form an opinion (through observing, asking questions and agreeing certain issues) and make a judgement.

As legislation is provided to protect people from harm it is used as a benchmark of suitability. However, it is not for the assessor to inspect or try to enforce the law and therefore it is a matter of using standards based on legal requirements to help form the judgement of suitability.

In assessing employers and workplaces, assessors need to cover the following matters / arrangements to a degree of rigour to be satisfied over the arrangements:

- Safety policies
- Risk assessment and control measures
- Accidents and first aid arrangements
- Supervision, information, instruction and training
- Equipment and machinery
- Personal protective equipment and clothing
- Fire and emergency arrangements
- Workplace, environment and welfare facilities
- Management of health and safety

More detail of the standards is provided at Annex 2, however as the person making the assessment and judgement of suitability must have an appropriate level of competence in health and safety to do so, no further explanation is provided as to the detail of what is expected (see competency of assessors below).

h. Standards in relation to young people

In addition to the general matters above for the employer and workplace, the assessor (or other person) will need to discuss and agree arrangements for the young person including:

- The risks to the young person taking account of his/her age (inexperience, immaturity etc.) and any other special needs or circumstances including any disability and/or medical/health condition;
- Control measures for the young person;
- What the young person will be doing and what prohibitions and restrictions apply to the young person;
- The supervision arrangements for the young person including any child protection issues arising from the supervision arrangements;
- The induction and ongoing information, instruction and training for the young person reflecting the result of the risk assessment; environment;

tasks and the learner/young person's age, experience and any special needs.

- What personal protective equipment and clothing the young person will need, who is to provide it and ensure it is used properly

More detail of these standards are included at Annex 3. Records of assessments should be recorded in a consistent manner including the record or arrangements for each young person.

i. Competency of assessors

All those individuals that visit and assess employers and workplaces to make a judgement of health and safety suitability for a young person need to be competent to do so. A national standard (see Annex 4) does exist and training of assessors should provide the underpinning knowledge to achieve the standard. This standard does not specifically cover child protection and 'Every Child Matters' and this area should be added to the training. In addition the LSC have also provided a statement of competence (see Annex 4).

All assessors should receive, or have easy access to, as a minimum "Excellence in workplace health and safety assessment: Putting it into practice" (ISBN 0 9550545 0 8) published by ENTO to help assessors better understand and meet the national standard.

j. Monitoring of Placements

It is recommended that teachers etc. who monitor students on a WRL placement should have suitable basic training on Health and Safety and child protection.

(See Annex 5)

k. Child Protection

There is already guidance on child protection both generally and in relation to work experience, much produced by the DfES⁴. The approach to child protection can appear to be a complex one, however, the risk of harm to a young person on WRL is very small judged on past incidents against the millions of employer placements that have been successfully undertaken without problems.

The risk for young persons on short-term (1/2 week) work experience or WRL is limited. It is generally considered that any abuser requires sufficient time to build a relationship with a young person and work experience generally does not allow for this.

⁴ "Extended work experience and child protection: Safeguarding children in education – supplementary DfES guidance for work experience organisers – 20/12/04"

Additionally the layout, environment and the working arrangements in most workplaces tend to protect young people because of the lack of privacy that exists. However, where young people are to undertake a longer form of WRL and the situation and supervision arrangements do allow for privacy, consideration needs to be given to the supervisor(s) being CRB checked. More detailed guidance is provided by DfES.

The most important aspect to safeguarding children from harm is through a safe competent supervisor or person designated to 'look after' the young person. For assessors and organisers it is difficult to know who and who is not safe and competent. One of the measures is to ask for a CRB check of the person or person's to supervise a young person when with an employer / location away from their normal place of learning. This is not always easy or necessary to determine, however, for 1 or 2 week work experience it is usually judged not to be necessary.

Assessors and organisers in determining CRB checks and suitability of supervisors must take into consideration a number of factors including:

- The length of time of the WRL;
- The environment;
- The number of people working at the workplace in and around the young person;
- Any special vulnerability of the person (in addition to being a young person);
- Where there is a residential component;
- Whether supervision is to be by one person or more than one and the length of time for each; and
- The view of the employer.

Sole traders and situations where there is no overseeing of the supervisor of the young person will need to consider CRB checks more closely e.g. a plumber who works from home / out of a van.

6. Measuring Performance

Both proactive and re-active monitoring is required to assist in measuring performance in this area and it is an essential element of management. In addition it is a requirement to set a number of targets that can be measured.

a. Re-active Monitoring

All reported incidents to a young person on WRL must be investigated by a person, who is sufficiently competent⁵. Investigations should follow guidance produced by HSE. Incidents include:

- Any accident and incident reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995;
- Any other incident or accident including a near miss to a young person; and
- Complaints including allegations of harassment, bullying or any other form of harm
- Road Traffic Accidents while on WRL activities

The LEA's, Colleges and Providers will all have their own procedures for investigating such incidents. In addition to internal procedures and meeting legal requirements under RIDDOR, LSC funded organisations will also need to meet LSC contractual requirements and complete any necessary forms.

Lessons learnt from incidents should be shared throughout Cheshire and Warrington with those involved with WRL with a view to improve standards and prevent similar occurrences.

Statistics for WRL incidents should be collated annually and assessed for any trends and to check incident rates.

b. Pro-active Monitoring

Those involved with WRL need to pro-actively monitor young people and their health, safety and well-being.

Visits

Where reasonably practicable, all young people should be visited in their workplace when undertaking WRL. The scope and rigour of visits should be proportionate to risk. For short-term work experience a visit may just be a short 'call in' to see the young person and to check in general that they are safe and healthy, and are being supported.

⁵ National standard Unit F ' and see HSG245 (HSE) 'Investigating Incidents and Accident in the Workplace'

For longer term WRL, visits will need to be based on a risk-targeted approach, to check that the arrangements made for the learner are working in practice and that the young person has gained sufficient understanding about health and safety at the workplace. In addition the monitoring visit may also deal with any outstanding health, safety and well-being matters identified during the initial assessment.

Any visits and monitoring need to ascertain a number of key matters including:

- Whether the young person has been absent for any reason and if they have had any accident, other harm or near miss;
- That they have received an induction covering health, safety and well-being;
- That they are being looked after / supervised by someone (and it was as originally agreed);
- That they have been provided with, and have been shown how to use any PPE / C, and that use is enforced.
- That they know what they are prohibited or restricted from doing and that this has been adhered to;
- That they know what to do if there is a fire or other emergency;
- That they know what to do if they have an accident and where the first-aid person is; and
- That they are receiving health and safety training and being instructed how to do things before having to undertake the task

b. De-briefing / questionnaire

For those young people returning from any work-experience, the LEA, Colleges and Providers should check to see if the work experience gave rise to any health, safety, well-being or child protection issues, including work related accidents / ill health. One of the easiest ways to achieve this is through a feedback questionnaire.

For those young people who remain in the workplace for longer (or permanently) the questionnaire should also be provided either during a visit or by post. The questionnaire should be based on the questions for visits above.

Targets

To manage and measure success it is necessary to set targets for aspects of WRL in respect to the health, safety and well-being. A baseline needs to be established in the first instance and individual organisations may additionally have their own targets.

Some suggested targets to choose from:

1. The % of young people who received a pre-briefing prior to WRL to the National Occupational Standards (NOS);
2. The % of employers / workplaces who were assessed prior to WRL to the standard required;
3. The number (or %) of employers / workplaces with an action plan and/or not recommended for reasons of health, safety or well-being
4. The % of employers / workplaces meeting the LSC's procurement standard;
5. The number of CRB checks for supervisors in workplaces;
6. The number and rate of incidents, accident, etc. to young people and the number of complaints;
7. The % of assessors who are competent / undertaken training to be competent;
8. The % of young people feeding back through de-briefing / questionnaire
9. The % of young people receiving a satisfactory health and safety induction at the workplace
10. The % of employer / locations provided with the information leaflet?
11. The number of monitoring visits made to learners (or % of learners visited within the monitoring timescales)

7. Review and Audit

It is essential that all organisations review and audit their WRL performance in relation to health, safety and well-being of young people. Review and audit are essential elements of managing, and the relevant departments/officers need to have such information to make informed judgements about policy and direction and for allocating resources.

Audit

While internal audit by individual organisations achieves much, it is essential that a Cheshire and Warrington wide audit is undertaken to take a view of health, safety and well-being provision in WRL.

Such an audit needs to be carried out independently and the scope of the audit will need to cover all the 5 major elements in the management system and all key aspects of WRL. The rigour of any audit should be determined by the parties involved but should include sample testing through visits to young people at their workplace during WRL.

WRL is unique and any audit developed needs to take into account:

- HSE's guidance "Successful health and safety management" (HSG65);
- 'Every Child Matters' (DfES); and
- LSC requirements

Such an audit will contribute to other internal audits, monitoring and performance information and will allow for a considered and balanced review to take place.

Someone independent of any Cheshire and Warrington WRL organisation should undertake the audit annually.

Review

The relevant departments/Officers in Cheshire and Warrington LAs should be presented with an annual report containing sufficient detail so that they can review performance and all aspects of WRL. This will assist appropriate Officers to plan for the future, set targets and allow for considered resource allocation.

Setting standards and measuring performance makes this review process possible. The purpose of such a review is to improve performance.

The process of audit and review mirrors that of self-assessment and one should satisfy the other.

8. References and Resources

Useful publications (many available to download from websites)

- Safeguarding children in Education (DfES/0027/2004)
- Extended work experience and child protection: Safeguarding children in education – supplementary DfES guidance for work experience organisers – 20/12/04
- Work Experience a Guide for Secondary Schools (DfES ref. SPD/WES/01/02/02)
- Work experience and the law: the essential guide for central organisers, employers, schools and colleges (CEI) University of Warwick, Coventry DV4 7AL (www.warwick.ac.uk/cei)
- Managing health and safety on work experience: A guide for organisers (HSE) HSG199 ISBN 0-7176-1742-4
- Young people at work: a guide for employers (HSE) HSG165 ISBN 0-7176-1889-7
- The Safe Learner Concept: consultation paper (LSC) November 2004 Reference LSC/AA0000/1197/04
- Supervising the safe learner: Guidance for Providers (LSC) Reference: MISC/0613/03
- Supervising the safe learner: Good practice Guide for Employers (LSC)
- Safeguarding Pupils on Young Apprenticeships (LSC ref. LSC-P-NAT-050391)
- ENTO Approved Standards: Health and Safety for People at Work: Unit F “Investigate and evaluate incidents and complaints in the workplace”
- Successful health and safety management (HSE) HSG65 ISBN 0-7176 1276-7
- OHSAS 18001 and 18002 (BSI)
- Measuring Health and Safety Performance (HSE) available from HSE’s website
- Management of health and safety at work (HSC) L21 Approved Code of Practice & Guidance ISBN 0-7176-2488-9
- Investigating accidents and incidents HSG245 (HSE) ISBN 0-7176-2827-2
- Guidance for supervising learners: aide memoir (encapsulated card for supervisors) LSC reference: MISC/0610/03
- Raising standards: Supervising Learners’ Health and Safety (DfES) ISBN 1 84185 628 2
- ‘The Safe Learner’: Exploring the Concept (IES) research report available from the LSC’s safe learner website
- **DfES Publications**
 - Raising Standards: Health and Safety on Work Experience.
 - Work – Related learning at Key Stage 4.
 - Increased Flexibility for 14 – 16 year olds. DfES/LSC Guidance
 - Work Experience – Legal Responsibility and H & S (ref: SELRHS)
 - Work Experience – a guide for employers (ref:SPD/WEE/01/1199)

- Improving Work Experience – a good practice guide for employers (ref:EG1)
- Raising Standards – Health & Safety on work experience (ref: GPS/RS/2)

Useful Web sites

www.teachernet.gov.uk
www.everychildmatters.gov.uk
www.cheshire.gov.uk
www.warrington.gov.uk
www.safelearner.info
www.hse.gov.uk
www.lsc.gov.uk
www.dfes.gov.uk
www.aoc.co.uk
www.alp.org.uk
www.tuc.org.uk
www.hsebooks.co.uk
www.rospa.com
www.iosh.co.uk
www.nebosh.org.uk
www.cieh.org
www.britishsafetycouncil.co.uk
www.ento.co.uk

Other resources

- Be Safe: Promoting the safety learner culture (LSC) DVD
- Assessing the workplace and employer training tool (LSC) reference: LSC/AA000/1206/04
- “Risk It” LSC DVD training tool
- The Right Start: Work experience for young people – Health and safety basics for employers
- Be Safe Quiz. Available on www.safelearner.info
- Cheshire LEA - Cheshire Education and Community Health and Safety Manual, Health and Safety Guidance Note ‘Work Experience’.

Annex 2

Draft National Occupational Standard (NOS) For Hazard Awareness For Pupils Prior To Work Experience

Unit HS1 Understanding Hazard Awareness

This Unit has been drafted by ENTO (the Standards Setting Body) and the HSE (the Regulatory Body) with the input of the other members of the Health & Safety Qualifications Strategy Group to provide an understanding of basic Hazard Awareness.

Whilst it will be of use to everyone, it is intended for the particular use of young people to raise their awareness and understanding of “Hazards” in preparation for work experience and beginning employment. It also provides a basis upon which to build more specific risk awareness leading to life long learning in health & safety for all employees.

Element 1.1 Understanding the Key Issues of Hazard Awareness

| <i>You must be able to:</i> | <i>You must know:</i> |
|---|---|
| 1. Explain why Health and Safety is important | a) What is meant by the term ‘Health and Safety’ b) What can happen if ‘Health and Safety’ is not seen as important and the benefits of good health and safety procedures |
| 2. Explain basic terms | c) The meaning of ‘hazard’ d) The meaning of ‘risk’ e) The meaning of ‘harm’ f) The terms ‘SPOT and STOP’ |
| 3. Describe and explain the main safety hazards | g) How to spot safety hazards: <ul style="list-style-type: none">• falling• slipping/tripping• machinery/equipment• electricity• transport• fire/explosions• pressure systems• confined spaces• animals |
| 4. Describe and explain the main | h) How to spot health hazards: |

| | |
|--|---|
| health hazards | <ul style="list-style-type: none"> • manual handling • repetitive work • noise and vibration • hazardous substances • stress |
| 5. Identify and explain warning signs | <p><i>j) How to identify:</i></p> <ul style="list-style-type: none"> • common warning signs • fire information signs • traffic warning signs |
| 6. Describe and explain how the conditions in the workplace can affect Health and Safety | <p><i>j) Why it is important to have:</i></p> <ul style="list-style-type: none"> • clean & tidy workplaces • safe access and exit routes • good lighting • good ventilation • control of noise • control of temperature |
| 7. Describe the need for personal protective equipment | <p><i>k) Why it is important to use:</i></p> <ul style="list-style-type: none"> • protective clothing • head protection • eye protection • respiratory protection • hand protection • foot protection |
| 9. Describe basic welfare provision | <p><i>l) Why personal hygiene is important</i></p> <p><i>m) What first aid provision is needed.</i></p> <p><i>n) The importance of reporting accidents, ill health and other incidents.</i></p> |
| 10. Explain Health & Safety responsibilities | <p><i>o) What your responsibilities are as an employee.</i></p> <p><i>p) What are the responsibilities of management/employers</i></p> |
| 11. Describe how to carry out identification of hazards | <p><i>q) How to carry out simple hazard spotting in:</i></p> <ul style="list-style-type: none"> • the home • school/college • shop/office • a workplace |

Annex 3

Safe & Healthy and Supportive Environment: The Learning and Skills Council's Standards For Employers and Workplaces.

1. The employer has a health and safety policy

- A. There is a demonstrable commitment to health and safety (a written policy statement where there are 5 or more employees).
- B. Responsibilities for health and safety are clearly stated (and recorded where there are 5 or more employees).
- C. Arrangements for health and safety are clearly stated, including accident reporting, first aid, safety reps/committees.
- D. The commitment, responsibilities and arrangements for health and safety are communicated to all employees and their understanding/awareness checked.

(This standard should be read in conjunction with standard 9)

2. The employer has assessed risks, eliminated them, or put in place control measures to reduce them to an acceptable level.

- A. Risk assessments have been carried out covering both adult and young persons, and significant risks identified.
- B. Significant risks have been recorded (this is optional where there are less than 5 employees).
- C. Suitable control measures have been identified and implemented as a result of risk assessment.
- D. The significant risks and control measures are explained to employees.(and others as appropriate)
- E. Risk assessments are reviewed and active monitoring takes place and the findings acted upon.

3. The employer has made adequate arrangements for dealing with accidents, including the provision of first-aid

- A. Adequate arrangements for first aid materials have been made.
- B. Adequate arrangements for first aid persons have been made.
- C. All accidents and first aid treatment rendered are recorded.
- D. Arrangements exist for employees to report to management accidents/near misses and so on to enable suitable remedial action to be taken
- E. All legally reportable accidents, incidents and ill-health are or will be reported to the enforcing authority and investigated.
- F. Accident, incident, ill-health and first aid arrangements are made known to all employees and others as appropriate.

4. The employer provides employees with effective supervision, training, information and instruction

- A. Employees are provided with adequate competent supervision.
- B. Appropriate health and safety information, training and instruction are given to all new employees on recruitment.
- C. Ongoing health and safety information, training and instruction are provided to all employees and others as appropriate.
- D. Information, instruction and training are recorded.
- E. The effectiveness of training and competence in the workplace are both Assessed and assessments recorded.

5. The employer provides and maintains suitable and appropriate equipment and machinery.

- A. The employer provides the correct equipment to the appropriate standard.
- B. Equipment is adequately maintained.
- C. Guards and control measures are in place as determined from risk assessment.
- D. Safe electrical systems and equipment are provided and maintained.

6. The employer has made arrangements for the provision and use of Personal protective equipment and clothing (PPE/C) suitable for the individual.

- A. Personal protective equipment and clothing (PPE/C) is provided for employees as determined from risk assessment.
- B. Training and information on PPE/C use has been provided to employees.
- C. The proper use of PPE/C is enforced.
- D. PPE/C is maintained, replaced and where appropriate is inspected.

7. The employer has fire precautions, and made arrangements for other foreseeable emergencies.

- A. A means of raising the alarm and fire or emergency detection is in place.
- B. Appropriate means of fire fighting are in place.
- C. Effective means of escape are in place including escape routes and unobstructed exits
- D. There is a named person (or persons) for emergencies.
- E. Arrangements are maintained include tests and drills.
- F. A fire log book is kept.

8. The employer provides a safe and healthy working environment

- A. Premises (structure, fabric, fixtures and fittings) are safe and healthy (suitable, maintained and kept clean).
- B. The working environment (temperature, lighting, space, ventilation, noise) is appropriate, safe and healthy.

- C. Welfare facilities (toilets, washing, drinking, eating, changing) are provided as appropriate and maintained.
- D. Exposure to hazards from physical, chemical and biological agents is adequately controlled.

9. The employer manages health and safety

- A. The employer consults and communicates with employees on health and safety and allows them to participate in health and safety.
- B. The employer provides medical or health screening as appropriate and Any required medical surveillance.
- C. The employer has access to competent advice.
- D. The employer reviews health and safety regularly, ideally on an annual basis.
- E. The employer provides and displays necessary signs or notices.
- F. Notification has been given to the enforcing authority as appropriate
- G. Employers` liability insurance⁶ is current and other insurance in place, as Appropriate, to the business undertaking. This includes informing insurers and /or brokers where appropriate of the learners(s) presence and programmes.
- H. The employer assesses, reviews and updates employees capabilities.
- I. The employer manages the employees work when it is away from the employers own premises or when the employee is placed with another employer or site.

Annex 4

Standards in relation to young people

10. The employer manages learners and young person's health, safety and welfare

- A. The employer has assessed the risks to any learner and or young person taking account of his or her age (and inexperience, immaturity and lack of awareness of risk.) and any other special needs or circumstances including any disability and/or medical condition.
- B. The employer has put in place control measures for learners and /or young persons as a result of 10a.and informed the learner and his or her supervisor.
- C. The employer has identified any necessary prohibitions and restrictions that apply to any learner and/or young person as part of items10a and 10b above.
- D. The employer provides competent supervision for any learner and young person, and has a designated person to take overall responsibility for any learner or young person. In cases where the learner is a child, this may require formal checks of suitability for reasons of child protection
- E. The employer provides an induction and ongoing information, instruction and training to any learner or young person, reflecting the result of the risk assessment; environment; tasks; and the learner or young person's age, experience and any special needs
- F. The employer provides free of charge any necessary (determined from the risk assessment) personal protective equipment and clothing to the learner and ensures its proper and effective use.

Annex 5

Health and safety competency of those assessing employers and learning locations

When learning takes place in an environment outside the control of the organisation the LSC funds, the LSC requires under the funding agreement/contract that the organisation makes an informed judgement about health and safety suitability prior to learning taking place in that environment.

One of the most common questions raised by those we fund is in respect to the competency required of those individuals who make that informed judgement on behalf of the organisation.

The funding agreement asks for such persons to be sufficiently competent both in the occupational area and in health and safety. (note: it is not requirement for occupational competence and would not be practical i.e. W/E organisers it could read “sufficiently competent in health and safety and an awareness of the risk associated with the occupational area being assessed.”) Without such it is difficult to see how an informed judgement can be reached over suitability and therefore how organisations can fulfil their duty of care and section 3 (Health and Safety at Work etc. Act) duties. However, it seems reasonable that the LSC explains its expectation over ‘sufficiently’. In doing so we have consulted HSE on this matter. HSE endorse the standard of competence for assessors in ENTO Unit D (Review Health and Safety Procedures in Workplaces) and this forms the basis of competence.

To be sufficient an assessor needs to:

- understand⁷ and be able to identify the main risks and control measures for the environment and occupational area being assessed (Unit D Element 2 under specific knowledge states “you must know and understand the industry/occupational area in which you are carrying out the review”);
- understand⁸ the health and safety legislative requirements⁹ applying to the employer and the learning/working environment and industry;
- fully understand the LSC’s health and safety procurement standard;
- fully understand his/her employer’s policy and procedures for assessing the suitability of placements;
- be aware of the needs of the particular learner and any particular health and safety requirements arising as a result (also see standard 10);

⁷ ‘Understand’ does not mean the assessor needs to be an expert or understand everything, however, they must at least have a reasonable level of understanding given all the circumstances

⁸ as above

⁹ this includes understanding the detailed requirements relating to young persons when the learner is a young person

- be aware of his/her limitations and know when and where to seek advice or information; and
- have other competencies as detailed in ENTO Unit D not covered above (interview techniques, presentational and communication skills, developing post review follow-up plans etc.)

It is for the organisation the LSC funds to make the judgement of whether employees or contractors are sufficiently competent to assess on their behalf. In doing so organisations should seek competent advice.

Many LSC funded organisations have asked about NEBOSH and IOSH qualifications. While these may provide some or all of the underpinning health and safety knowledge depending on the course it will not necessarily make a person competent. The LSC will therefore not be recommending a particular training course for assessors.

The LSC in working in partnership does wish to be as helpful as possible in this area. For example the LSC will recognise persons who achieve a competency based qualification that includes Unit D and G or Unit D on its own. One example would be OCR 1417 (ENTO Units D and G (risk assessment)). In addition those that are accredited to offer the Occupational Health and Safety Practice NVQ level III should also be able to offer assessment against unit D, although this is not a mandatory unit in the NVQ.

Finally the LSC do not require a person to have a qualification only to be competent to do what is a very important job. The above information is provided as a benchmark to assist organisations make the decision of who should assess or to identify development and training needs. Ultimately the facts will speak for themselves.

References

- Management of Health and Safety at Work Regulations 1999 and Approved Code of Practice and Guidance L21 (HSC)
- Managing health and safety on work experience HSG199 (HSE)
- Successful health and safety management HSG65 (HSE)
- LSC Funding agreement
- ENTO Approved Standards: Health and Safety for People at Work Unit D “Review Health and Safety Procedures in Workplaces”
- www.safelearner.info

Annex 6

Training Day for Monitoring Placements

1. Welcome, domestics and introductions
2. Cheshire and Warrington policies, LSC and legal requirements
3. How to meet the policies and requirements
(Exercise)
4. Approach to assessing suitability
 - Mindset
 - Preparation
 - What to see / observe, documents, what to ask, what to agree
 - Policy
 - Risk assessment / control
 - Accidents and first-aid
 - Information, instruction, training and supervision
 - Equipment, machinery and electricity
 - PPE / C
 - Fire and emergencies
 - Environment
 - Management issues
5. Arrangements for the young person including for child protection
(‘Every Child Matters’)
6. Making a judgement
7. Records of assessments and action development plans
8. Competence of assessors
9. Monitoring and re-assessment
 - Young persons
 - employers / workplaces
10. Questions and answers

Please note that this is a training day for those who monitor placements while the student is on placement – not for those who assess the suitability of placements

Annex 7 Record of Assessment

| | | | |
|--|--|----------------------------------|--|
| Employer's name: | | Number of employees: | |
| Nature of business: | | | |
| Workplace address: | | Main contact: (Name & Tel No) | |
| | | Health and safety contact: | |
| Learner(s) name(s): | | | |
| Supervisor(s) name(s): | | | |
| Type of work carried out at workplace location: | | | |
| Enforcement action: (Prosecutions, Notices) | | | |
| Health and safety committee / safety representation: | | | |

Health and Safety Standards:

| 1 | Health and Safety Policy | Yes/No | Evidence / comments |
|---|---|------------------------------|--|
| A | Is there a clear commitment to health, safety & welfare (written policy statement when 5 or more employees)? | | |
| B | Are the responsibilities for health and safety clearly stated (recorded when 5 or more employees)? | | |
| C | Are arrangements for health and safety clearly stated including the control measures identified from risk assessment (recorded when 5 or more employees)? | | |
| D | How are the commitment, responsibilities and arrangements for health & safety (in 1A – 1C above) communicated to employees? | | |
| Assessment <input type="checkbox"/> of Standard 1: <input type="checkbox"/> | | Met <input type="checkbox"/> | Part met <input type="checkbox"/> Not met <input type="checkbox"/> |

| 2 | Risk assessment and control | Yes/No | Evidence / comments |
|---|---|------------------------------|--|
| A | Have risk assessments been carried out and significant risks identified? | | |
| B | Have the significant findings and details of any groups identified as being especially at risk been recorded (mandatory where 5 or more employees)? | | |
| C | Have control measures been identified and put in place as a result of the risk assessments? | | |
| D | How are the risks and control measures explained to employees and others? | | |
| Assessment <input type="checkbox"/> of Standard 2: <input type="checkbox"/> | | Met <input type="checkbox"/> | Part met <input type="checkbox"/> Not met <input type="checkbox"/> |

| 3 | Accident, incidents and first aid | Yes/No | Evidence / comments | | | |
|---------------------------|--|--------------------------|----------------------------|--------------------------|----------|---------|
| A | Have adequate arrangements for first aid materials been made? | | | | | |
| B | Have adequate arrangements for first aid persons been made? | | | | | |
| C | Are accidents and first aid treatment rendered recorded? | | | | | |
| D | Are or will all legally reportable accidents, incidents and ill-health be reported to the enforcing authority and be investigated? | | | | | |
| E | How are the arrangements for accidents, incidents, ill-health and first aid made known to all employees? | | | | | |
| Assessment of Standard 3: | | <input type="checkbox"/> | Met | <input type="checkbox"/> | Part met | Not met |

| 4 | Supervision, training, information and instruction | Yes/No | Evidence / comments | | | |
|---------------------------|---|--------------------------|----------------------------|--------------------------|----------|---------|
| A | Are employees provided with adequate competent supervision? | | | | | |
| B | Is initial health and safety information, instruction and training given to all new employees on recruitment? | | | | | |
| C | Is ongoing health and safety information, instruction and training provided to all employees? | | | | | |
| D | Is health and safety information, instruction and training recorded? | | | | | |
| E | How is the effectiveness of health and safety information, instruction and training assessed, and is the assessment recorded? | | | | | |
| Assessment of Standard 4: | | <input type="checkbox"/> | Met | <input type="checkbox"/> | Part met | Not met |

| 5 | Work equipment and machinery | Yes/No | Evidence / comments | | | |
|---------------------------|---|--------------------------|----------------------------|--------------------------|----------|---------|
| A | Is correct machinery and equipment provided to the appropriate standards? | | | | | |
| B | Is equipment adequately maintained? | | | | | |
| C | Are guards and control measures in place as determined through risk assessment? | | | | | |
| D | Are safe electrical systems and equipment provided and maintained? | | | | | |
| Assessment of Standard 5: | | <input type="checkbox"/> | Met | <input type="checkbox"/> | Part met | Not met |

| 6 | Personal protective equipment and clothing | Yes/No | Evidence / comments | | | |
|---------------------------|---|--------------------------|----------------------------|--------------------------|----------|---------|
| A | Is PPE/C provided to employees as determined through risk assessment? | | | | | |
| B | Is training and information on the safe use of PPE/C provided to all employees? | | | | | |
| C | Is the proper use of PPE/C enforced? | | | | | |
| D | Is PPE/C maintained and replaced? | | | | | |
| Assessment of Standard 6: | | <input type="checkbox"/> | Met | <input type="checkbox"/> | Part met | Not met |

| 7 | Fire and emergencies | Yes/No | Evidence / comments | |
|--|---|------------------------------|----------------------------|---------|
| A | Is there a means of raising the alarm and fire detection in place? | | | |
| B | Are there appropriate means of fighting fire in place? | | | |
| C | Are effective means of escape in place including unobstructed routes and exits? | | | |
| D | Is there a named person(s) for emergencies? | | | |
| E | Is fire-fighting equipment, preventive measures and emergency arrangements maintained, including through tests and practise drills? | | | |
| F | Is a fire log/record book kept? | | | |
| Assessment <input type="checkbox"/> of Standard 7: | | Met <input type="checkbox"/> | Part met | Not met |

| 8 | Safe and healthy working environment | Yes/No | Evidence / comments | |
|--|--|------------------------------|----------------------------|---------|
| A | Are premises (structure, fabric, fixtures and fittings) safe and healthy (suitable, maintained and kept clean)? | | | |
| B | Is the working environment (temperature, lighting, space, ventilation, noise) an appropriate safe and healthy one? | | | |
| C | Are welfare facilities (toilets, washing, drinking, eating, changing) provided as appropriate and maintained? | | | |
| Assessment <input type="checkbox"/> of Standard 8: | | Met <input type="checkbox"/> | Part met | Not met |

| 9 | General health and safety management | Yes/No | Evidence / comments | |
|--|--|------------------------------|---|---------|
| A | How does the employer consult and communicate with employees and allow them to participate in health and safety? | | | |
| B | Does the employer provide medical / health screening as appropriate and any required medical / health surveillance? | | | |
| C | Does the employer have access to competent health and safety advice/assistance? | | | |
| D | Does the employer review health and safety annually? | | | |
| E | Does the employer display the necessary signs and notices? | | | |
| F | Has an OSR1 / F9 been completed and sent to the enforcing authority? | | | |
| G | Is employers liability insurance current and other insurance in place as appropriate to the business undertaking? | | Insurer's name: Policy number: Expiry date: Insurer informed of learners? YES / NO / N/A | |
| H | How does the employer assess, review and update employees' capabilities? | | | |
| I | How does the employer manage employees' work when it is away from the employer's own premises or when employees are placed with another employer / site? | | | |
| Assessment <input type="checkbox"/> of Standard 9: | | Met <input type="checkbox"/> | Part met | Not met |

Assessment Outcome:

| | | | |
|--|---------------------------------|---|--------|
| Recommendation: <input type="checkbox"/> | Accept <input type="checkbox"/> | Accept with action plan <input type="checkbox"/> | Reject |
| Certificate of Assessment issued? <input type="checkbox"/> | Yes No | Certificate of Achievement issued? <input type="checkbox"/> | Yes No |
| Risk category: <input type="checkbox"/> | High <input type="checkbox"/> | Medium <input type="checkbox"/> | Low |

The Employer or their representative:

(Please sign to agree that this is an accurate record of the assessment)

| | | | |
|---------|-------------|------------|-------|
| Signed: | Print name: | Job title: | Date: |
|---------|-------------|------------|-------|

Funded organisation

Assessment undertaken by:

| | |
|-------|------------|
| Name: | Job title: |
|-------|------------|

Quality assured by:

| | | |
|-------|------------|-------|
| Name: | Job title: | Date: |
|-------|------------|-------|

Assessment type:

| | | | |
|--------------------|--|---|--------------------------|
| Initial assessment | <input type="checkbox"/> Re-assessment | Other <input type="checkbox"/> please specify): | Date of next assessment: |
|--------------------|--|---|--------------------------|

Additional comments / notes

Learner's/YP's name: -----

Occupational area: -----

Employer's name and learner's work location(s): -----

| 10 | Management of learner's / young person's health and safety | Yes/No | Evidence / comments |
|---|---|------------------------------|--|
| A | Has the employer assessed the risks to the learner / young person taking into account their age, inexperience, immaturity and lack of awareness of risks? | | |
| B | Have the assessments taken into account any other special needs or circumstances including any disability and/or medical/health condition? | | |
| C | Has the employer put in place control measures for learner / young person as a result of the assessments and have they informed the learner and their supervisor(s)? | | |
| D | Detail any necessary prohibitions and restrictions identified by the risk assessments that apply to the learner/young person. | | |
| E | Does the employer provide competent supervision for learners / young persons and do they have a designated person to take overall responsibility for them? Is child protection and issue? Is a CRB check required? | | Supervisor(s) name(s): |
| F | Does the employer provide an induction and ongoing information, instruction and training to learners / young persons reflecting the findings of the risk assessment, working environment, work activities, age, experience and any special needs? | | |
| G | Does the employer provide, free of charge, any necessary personal protective equipment and clothing (as determined by the risk assessment) and ensure its proper and effective use? | | |
| Assessment of Standard 10: <input type="checkbox"/> | | Met <input type="checkbox"/> | Part met <input type="checkbox"/> Not met <input type="checkbox"/> |

| Action Plan | | | | Page | of |
|-------------|-----------------|--------|-------------|-----------------------|----|
| Ref | Action required | By who | Target date | Completed (signed of) | |
| | | | | | |
| | | | | | |
| | | | | | |

Action plan prepared by: Agreed by:

Signed: Date:

Action plan review dates:

Annex 8

Learner Entitlement: Health and Safety

As a learner you are entitled to;

- Learning that takes place in a safe healthy and supportive environment;
- A health and safety learning plan with objectives for you to achieve;
- Competent supervision and support for your health and safety;
- Appropriate and timely information, instruction and training;
- A health and safety induction when starting the programme and when in any new workplace (including being shown round and pointed out any health and safety matters, facilities etc.);
- Information and training on the significant findings from a providers and/or employers risk assessment and on the controls measures;
- Regular reviews and assessment of health and safety understanding and practical application;
- Personal protective equipment and clothing when required free of charge to the learner;
- Information in respect to what to do in the case of an emergency or in the case of an accident or ill-health;
- Information on the providers and/or employers health and safety policies and procedures;
- Suitable and proper equipment and materials to use if part of the learning programme;
- Information on any restrictions or prohibitions that apply to them in terms of processes, equipment, areas, vehicles etc.
- Be consulted on health and safety matters and participate in health and safety decisions as they affect you and your learning programme;
- Report any dangerous situations or occurrences and refuse to do anything you feel is putting you in danger;

As a learner you are responsible for;

- Co-operating with your provider and/or employer for reasons of health and safety;
- Following the health and safety rules or procedures;
- Following the information, instruction and training you are provided;
- Not doing anything that would put you or other persons at risk;
- Contributing to health and safety by reporting defects, dangerous situations or where you think health and safety can be improved;
- Co-operating with you supervisor and following instructions given;
- Observing any prohibitions or restrictions that apply to you;
- Reporting any bullying or harassment to you;
- Wearing when required any necessary personal protective equipment and clothing;
- Not damaging or misusing anything provided for purposes of health and safety;
- Keeping your work area clean and tidy;
- Participating in any necessary health and safety training e.g. fire drills;
- Following any health and safety training plan;

Annex 9

WRL Curriculum and Every Child Matters – Stay Safe Ofsted Criteria

| Ofsted Judgment | Inspection criteria |
|---------------------|---|
| Outstanding | <i>Safety of learners is a very high priority. Risk assessments make learning activities safe. Learners feel very safe and know that they are very well supported when threatened by any form of intimidation.</i> |
| Good | <i>Good all-round approach to ensuring learners stay safe. Child protection procedures are clear and effective. Risk assessments are thorough and result in effective action. Learners feel safe.</i> |
| Satisfactory | <i>Reasonable steps are taken to ensure safety of all learners. Child protection procedures are in place. Staff undertake adequate risk assessments and act effectively upon them, making sure that dangerous materials and medicines are secure. Child protection procedures are clear and effective</i> |
| Inadequate | <i>Provider does not take adequate steps to ensure that learners are safe. Learners don't feel safe. Lack of adequate child protection arrangements. Learners are exposed to unacceptable risks, resulting from inadequate risk assessment.</i> |

Annex 10

Safeguarding Young People in the Workplace

The arrangements that LEAs, Schools and Further Education Institutions have in place to safeguard and promote the welfare of young people need to ensure that the following aspects are taken into account:

- arrangements must be in place to take all reasonable measures to ensure that risks of harm to children's welfare are minimised;
- and arrangements made to take all appropriate actions to address concerns about the welfare of a young person, working to agreed local policy and procedures in full partnership with other local agencies.

A person may abuse or neglect a young person by inflicting harm or by failing to act to prevent harm. Young people may be abused in a family, or in an institutional or community setting, by those known to them or more rarely by a stranger. Young people in long term work placements can be vulnerable to abuse and Schools/Further Education Institutions arranging these placements need to ensure that policies and procedures are in place to protect young people from harm.

The following check list may be used by school staff to assess if appropriate measures are in place to safeguard young people placed in work experience settings.

References

- Ref www.teachernet.gov.uk/child_protection/guidance.htm
- Safeguarding Children in Education Guidance September 2004
- What to do if you're worried a child is being abused? DoH, HO, DfES

Safeguarding Young People in Work Experience Settings

| Activity | Yes | No | Action |
|--|-----|----|--------|
| <ul style="list-style-type: none"> ▪ Has the work experience coordinator attended Child Protection Training? | | | |
| <ul style="list-style-type: none"> ▪ Is the coordinator aware if long term placement providers have endorsed an agreed Child Protection policy or statement of principles? | | | |
| <ul style="list-style-type: none"> ▪ Is the coordinator aware if any person who might regularly be involved in caring for, training, looking after or supervising a child in the work place been subject to appropriate vetting service? | | | |
| <ul style="list-style-type: none"> ▪ Does the work supervisor of the young person have details of a person to contact in the event that there are concerns about a young person? | | | |
| <ul style="list-style-type: none"> ▪ Have the young people been taught to recognise and manage risks, to judge what kind of physical contact is acceptable and unacceptable, to recognise when pressure from others threatens their personal safety and helped to develop effective ways of resisting pressure? | | | |
| <ul style="list-style-type: none"> ▪ Have the young people going on work experience been given clear advice about who they can contact if they are worried or uncomfortable about their surroundings or if they suffer abuse? | | | |
| <ul style="list-style-type: none"> ▪ Does the school have policies and procedures in place that clearly define what actions need to be taken if any child protection issues are raised, prior, during or after the placement? | | | |
| <ul style="list-style-type: none"> ▪ Has an assessment been undertaken to ensure that the pupil is suitable for the work experience placement? | | | |